



**REGULAR COUNCIL MEETING  
AND COMMITTEE OF THE WHOLE  
AGENDA**

**Tuesday, August 25, 2015  
7:00 P.M.  
City Council Chambers**

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PLEDGE OF ALLEGIANCE**
- IV. ADDITIONS OR DELETIONS TO THE AGENDA**
- V. APPROVAL OF MINUTES – CHANGES OR CORRECTIONS**
  1. Regular Meeting Minutes Of August 11, 2015.
- VI. OFFICER RECOGNITION**
  1. Department Commendations: Louis O'Rourke & Clay Plumtree
  2. Honorable Mention: Jake Lekki
  3. Medal of Valor: Jason Sluzewicz
- VII. PUBLIC PARTICIPATION**
- VIII. ACTION ITEMS/CONSENT AGENDA**
  1. Payment of City Bills: August 25, 2015 In The Amount Of \$547,184.95.
  2. Treasurer's Report July 2015.
  3. Personnel & Payroll Report July 2015.
  4. Approval Of Payout Number One (1): Maher Lumber In The Amount Of \$36,672.65 For The New Police Facility.
  5. Approval Of Payout Number One (1): Caliber Construction Company In The Amount Of \$7,226.28 For The New Police Facility.

6. Approval Of Payout Number Two (2): Cain Millwork Inc In The Amount Of \$39,229.20 For The New Police Facility.
7. Approval Of Payout Number Two (2): Abbey Paving Co., Inc In The Amount Of \$49,776.30 For The New Police Facility.
8. Approval Of Payout Number Two (2): Caliber Construction Company In The Amount Of \$9,217.80 For The New Police Facility.
9. Approval Of Payout Number Three (3): Triumph Restoration, Inc In The Amount Of \$3,580.94 For The New Police Facility.
10. Approval Of Payout Number Three (3): TGM Fabricating, Inc In The Amount Of \$5,265.00 For The New Police Facility.
11. Approval Of Payout Number Four (4): All American Exterior Solutions In The Amount Of \$17,509.40 For The New Police Facility.
12. Approval Of Payout Number Four (4): Builders Concrete Services, LLC In The Amount Of \$78,669.53 For The New Police Facility.
13. Approval Of Payout Number Five (5): Builders Concrete Services, In The Amount Of \$11,700.00 For The New Police Facility.
14. Approval Of Payout Number Six (6): Valley Security Company In The Amount Of \$61,651.80 For The New Police Facility.
15. Approval Of Payout Number Six (6): Caliber Construction Company In The Amount Of \$52,068.28 For The New Police Facility.
16. Approval Of Payout Number Ten (10) Cameo Electrical Inc In The Amount Of \$85,720.50 For The New Police Facility.

#### **IX. ITEMS REMOVED FROM THE CONSENT AGENDA**

1. Ordinance No. 15-54: An Ordinance Amending The Provisions Of Section 156.004 Entitled "Definitions"; Section 156.035 Entitled "Accessory Buildings And Uses" And Section 156.075 "R-1 Single Family Detached" Of Chapter 156 Entitled "Zoning" Of Title XV Entitled "Land Usage" Of The Code Of Oakbrook Terrace, Illinois, To Permit The Housing And Raising Of Female Chickens Within The City Of Oakbrook Terrace, Illinois.
2. Ordinance No. 15-55: An Ordinance Amending The Provision Of Section 92.02 Entitled "Standards And Prohibitions" Of Chapter 92 Entitled "Animal Control" Of Title IX Entitled "General Regulations"; And Section 154.04 Entitled "Fees For Annexation, Zoning And Development Petitions" Of Chapter 154 Entitled "Fees And Deposits" Of Title XV Entitled "Land Usage" Of The Code Of Oakbrook Terrace, Illinois To Permit The Housing And Raising Of Female Chickens Within The City Of Oakbrook Terrace, Illinois.

#### **X. RECESS TO THE COMMITTEE OF THE WHOLE**

#### **XI. MAYOR RAGUCCI**

#### **XII. COMMITTEE OF THE WHOLE CONSIDERATIONS**

1. Presentation by the DuPage Convention Visitors Bureau (DCVB) And The Hotel Commission.
2. IMRF – Adopting The 1,000 Hour Minimum Standard.

**XIII. COUNCIL MEMBER COMMENTS**

**XIV. CITY ATTORNEY RAMELLO**

**XV. CITY CLERK SHADLEY**

**XVI. CITY ADMINISTRATOR MARRERO**

**XVII. RECONVENE THE CITY COUNCIL MEETING**

**XVIII. OLD BUSINESS**

**ADJOURN**

*In compliance with the American with Disabilities Act and other applicable Federal and State laws, the City of Oakbrook Terrace meetings will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the Executive Offices at 17W275 Butterfield Road, Oakbrook Terrace, Illinois 60181, or call (630) 941-8300 in advance of the meeting to inform them of their anticipated attendance.*



**Memorandum for the Regular City Council Meeting and  
Committee of the Whole for  
Tuesday, August 25, 2015 at 7:00 PM**

**REGULAR COUNCIL MEETING AGENDA**

- I. CALL TO ORDER – Mayor Ragucci**
- II. ROLL CALL – City Clerk Shadley**
- III. PLEDGE OF ALLEGIANCE**
- IV. ADDITIONS OR DELETIONS TO AGENDA**
- V. APPROVAL OF MINUTES - CHANGES – CORRECTIONS**
  - 1. Regular Meeting Minutes Of August 11, 2015.
- VI. OFFICER RECOGNITION**
  - 1. Department Commendations: Louis O'Rourke & Clay Plumtree
  - 2. Honorable Mention: Jake Lekki
  - 3. Medal of Valor: Jason Sluzewicz
- VII. PUBLIC PARTICIPATION**
- VIII. ACTION ITEMS/CONSENT AGENDA**
  - 1. Payment of City Bills: August 25, 2015 In The Amount Of \$547,184.95.
  - 2. Treasurer's Report July 2015.
  - 3. Personnel & Payroll Report July 2015.
  - 4. Approval Of Payout Number One (1): Maher Lumber In The Amount Of \$36,672.65 For The New Police Facility.
  - 5. Approval Of Payout Number One (1): Caliber Construction Company In The Amount Of \$7,226.28 For The New Police Facility.
  - 6. Approval Of Payout Number Two (2): Cain Millwork Inc In The Amount Of \$39,229.20 For The New Police Facility.
  - 7. Approval Of Payout Number Two (2): Abbey Paving Co., Inc In The Amount Of \$49,776.30 For The New Police Facility.
  - 8. Approval Of Payout Number Two (2): Caliber Construction Company In The Amount Of \$9,217.80 For The New Police Facility.

9. Approval Of Payout Number Three (3): Triumph Restoration, Inc In The Amount Of \$3,580.94 For The New Police Facility.
10. Approval Of Payout Number Three (3): TGM Fabricating, Inc In The Amount Of \$5,265.00 For The New Police Facility.
11. Approval Of Payout Number Four (4): All American Exterior Solutions In The Amount Of \$17,509.40 For The New Police Facility.
12. Approval Of Payout Number Four (4): Builders Concrete Services, LLC In The Amount Of \$78,669.53 For The New Police Facility.
13. Approval Of Payout Number Five (5): Builders Concrete Services, In The Amount Of \$11,700.00 For The New Police Facility.
14. Approval Of Payout Number Six (6): Valley Security Company In The Amount Of \$61,651.80 For The New Police Facility.
15. Approval Of Payout Number Six (6): Caliber Construction Company In The Amount Of \$52,068.28 For The New Police Facility.
16. Approval Of Payout Number Ten (10) Cameo Electrical Inc In The Amount Of \$85,720.50 For The New Police Facility.

***The Mayor asks the City Council members if they would like to remove any item(s) from the Consent Agenda. The Mayor also asks the City Attorney if any items should be removed from the Consent Agenda by the Council because they are not ready or new information is available.***

**RECOMMENDED MOTION:** I move to approve all of the items contained on the consent agenda for August 25, 2015 (*as presented*) or (*as amended*). (Roll Call Vote, Mayor's Vote Not Called).

**❖ EXPLANATION OF ITEMS ON THE CONSENT AGENDA (*For Council Only*)**

**IX. ITEMS REMOVED FROM THE CONSENT AGENDA**

1. Ordinance No. 15-54: An Ordinance Amending The Provisions Of Section 156.004 Entitled "Definitions"; Section 156.035 Entitled "Accessory Buildings And Uses" And Section 156.075 "R-1 Single Family Detached" Of Chapter 156 Entitled "Zoning" Of Title XV Entitled "Land Usage" Of The Code Of Oakbrook Terrace, Illinois, To Permit The Housing And Raising Of Female Chickens Within The City Of Oakbrook Terrace, Illinois.
2. Ordinance No. 15-55: An Ordinance Amending The Provision Of Section 92.02 Entitled "Standards And Prohibitions" Of Chapter 92 Entitled "Animal Control" Of Title IX Entitled "General Regulations"; And Section 154.04 Entitled "Fees For Annexation, Zoning And Development Petitions" Of Chapter 154 Entitled "Fees And Deposits" Of Title XV Entitled "Land Usage" Of The Code Of Oakbrook Terrace, Illinois To Permit The Housing And Raising Of Female Chickens Within The City Of Oakbrook Terrace, Illinois.

**X. RECESS TO THE COMMITTEE OF THE WHOLE**

**XI. MAYOR RAGUCCI**

**XII. COMMITTEE OF THE WHOLE CONSIDERATIONS**

1. Presentation By The DuPage Convention Visitors Bureau (DCVB) And The Hotel Commission.

Mr. Don Hill of the Hilton Hotels, Chair of the Hotel Commission, and Beth Marchetti, DCVB Executive Director, will be in attendance to present a quarterly marketing report and answer any further questions the Council may have.

**Recommended Action:** None. Information Purposes Only.

**Goal & Objective:** Re-evaluate the City's contribution for the Chamber of Commerce and the DuPage County Visitor's Bureau (DCVB).

2. IMRF – Adopting The 1,000 Hour Minimum Standard.

Currently an employee must work 600 hours per year to be eligible for IMRF benefits. At this time, IMRF is allowing employer's to change that minimum work hour requirement to 1,000 hours per year. In the past, the City has requested this change, however IMRF did not allow it until now. Enclosed for your review is a resolution to change the hour minimum standard.

Additionally, please review the two (2) additional resolutions in your packets. The City needs to pass a resolution in regards to what elected officials are qualified for membership in IMRF, and the other resolution is to terminate the Treasurer as an elected official as that position is no longer an elected position. These last two (2) resolutions are more of a "clean up" than anything.

Please reference the Assistant to Mayor and Administrator's memo for more information on this matter.

The Assitant to Mayor and Administor will be in attendance should you have further questions and/or concerns.

**Recommended Action:** If Council concurs with the recommendations, the draft resolutions will be placed on the consent agenda at the next meeting.

**Goal & Objective:** None.

**XIII. COUNCIL MEMBERS COMMENTS**

During this portion of the meeting, the Council members can bring up items that are of concern to them in order that they can be placed on a future agenda for discussion.

**XIV. CITY ATTORNEY RAMELLO**

**XV. CITY CLERK SHADLEY**

**XVI. CITY ADMINISTRATOR MARRERO**

**XVII. RECONVENE THE CITY COUNCIL MEETING**

**XVIII. OLD BUSINESS**

**ADJOURN**

**CITY OF OAKBROOK TERRACE  
MINUTES OF THE REGULAR CITY COUNCIL AND  
COMMITTEE OF THE WHOLE MEETING  
TUESDAY, AUGUST 11, 2015**

**AGENDA ACTION**

**AUG 25 2015**

**I. CALL TO ORDER**

The Mayor called the August 11, 2015, Regular and Committee of the Whole Meeting of the City Council to order at 7:00 P.M.

**II. ROLL CALL**

Roll call indicated the following Aldermen were in attendance:

Present: Esposito, Greco, Przychodni, Swartz, Thomas, Vlach, and Mayor Ragucci  
Absent: None

Also in attendance were City Clerk M. Shadley, City Administrator A. Marrero, Building and Zoning Administrator M. Dragan, Assistant to the Mayor and Administrator M. Sarallo and City Attorney R. Ramello.

**III. PLEDGE OF ALLEGIANCE**

The Mayor led everyone in the Pledge of Allegiance.

**IV. ADDITIONS OR DELETIONS TO THE AGENDA**

None.

**V. APPROVAL OF MINUTES – CHANGES OR CORRECTIONS**

1. Regular Meeting Minutes Of July 28, 2015.

**Motion to approve the minutes of the July 28, 2015 Regular City Council and Committee of the Whole as presented was made by Alderman Vlach and seconded by Alderman Swartz.**

**Ayes: Esposito, Greco, Przychodni, Swartz, Thomas, and Vlach**

**Nays: None**

**Motion passed.**

**VI. PUBLIC PARTICIPATION**

Resident John Rainone of Oakbrook Terrace stated he was not opposed to allowing backyard chickens and if the petitioner has experienced no complaints from neighbors for the last two (2) years, then you would think that complaints would have been brought up some time ago.

**CITY OF OAKBROOK TERRACE  
MINUTES OF THE REGULAR CITY COUNCIL AND  
COMMITTEE OF THE WHOLE MEETING  
TUESDAY, AUGUST 11, 2015**

**VII. ACTION ITEMS/CONSENT AGENDA**

1. Payment of City Bills: August 11, 2015 In The Amount Of \$96,964.10.

**Motion to approve all the items contained on the Consent Agenda for August 11, 2015 as presented was made by Alderman Esposito and seconded by Alderman Przychodni.**

**Ayes: Esposito, Greco, Przychodni, Swartz, Thomas, and Vlach  
Nays: None**

**Motion passed.**

**VIII. ITEMS REMOVED FROM THE CONSENT AGENDA**

**None.**

**IX. RECESS TO THE COMMITTEE OF THE WHOLE**

**Motion to recess to the Committee of the Whole portion of this meeting was made by Alderman Thomas and seconded by Alderman Przychodni.**

**Ayes: Esposito, Greco, Przychodni, Swartz, Thomas, and Vlach  
Nays: None**

**Motion passed.**

**X. MAYOR RAGUCCI**

**None.**

**XI. COMMITTEE OF THE WHOLE CONSIDERATIONS**

1. Presentation by the DuPage Convention Visitors Bureau (DCVB) And The Hotel Commission.

**Ragucci stated Don Hill was unable to attend the meeting tonight and will appear at the next meeting.**

**CITY OF OAKBROOK TERRACE  
MINUTES OF THE REGULAR CITY COUNCIL AND  
COMMITTEE OF THE WHOLE MEETING  
TUESDAY, AUGUST 11, 2015**

2. Letter Of Recommendation – Proposed Text Amendments To The Zoning Code To Allow Possession Of Chickens In The R-1 Zoning District In The City Of Oakbrook Terrace.

Dragan stated the Mayor and City Council directed a public hearing before the Planning and Zoning Commission as any amendments to the Zoning Code requires a public hearing before the Commission. Dragan noted the Commission reviewed and discussed the proposed draft ordinance prepared by the City Attorney and forwarded a favorable recommendation to the City Council. Dragan stated four (4) commissioners voted in favor of the proposed text amendment and two (2) against it.

Dragan explained the draft ordinance is proposed to amend the Zoning Code as follows:

- (1) To adopt definitions for “chickens” and “coups”;
- (2) To allow up to four (4) female chickens and keeping of a coup in the rear yard of the R-1 Zoning District contingent upon acquiring a special use permit, which means that a public hearing will be required. No more than four (4) female chickens may be housed in a coup located within a rear yard of a single family district and the coup shall be located a minimum of 25 feet from the side and rear property lines and a minimum of 10 feet from the single family detached residential dwelling unit on the property; and,
- (3) To establish a fee for a special use permit in the amount of \$500.

Dragan stated the Mayor and Council will make the final decision concerning the proposed changes to the Zoning Code. Dragan said the City Council will also decide whether to amend the City Code, Chapter 95 “Animal Control” as necessary.

Greco stated the petitioner originally started with 30 signatures favoring backyard chickens and now this list has grown to 66 residents. Greco said he favors backyard chickens and the opportunities they afford to families in Oakbrook Terrace favoring a healthier lifestyle.

Thomas said he visited the applicant’s backyard chicken coup and can not criticize her setup. However, Thomas said he opposed backyard chickens because he was afraid it would cause more problems with predators such as coyotes, foxes, rats and mice.

Esposito said he researched backyard chickens since the last Council meeting. Esposito expressed concern that allowing backyard chickens would open the door to the unknown and he feels that Oakbrook Terrace is more of a suburban residential community and chickens are more for a rural environment. Esposito

**CITY OF OAKBROOK TERRACE  
MINUTES OF THE REGULAR CITY COUNCIL AND  
COMMITTEE OF THE WHOLE MEETING  
TUESDAY, AUGUST 11, 2015**

said allowing backyard chickens would impose more procedures and may cost the City more money.

Vlach expressed his opposition to the allowance of backyard chicken sighting his concerns about the raccoon problem within the City. Swartz said he is also opposed to allowing backyard chickens and noted his Berkshire subdivision, does not allow chickens.

Resident Lisa Pesce addressed the Council and stated backyard chickens needs to be evaluated in terms of freedoms. Pesce added proper ordinances to enforce back yard chickens would be a viable solution but would need to be monitored. Pesce noted allowing backyard chickens would be considered an advantage.

Planning and Zoning Commission member Paul Smurawski stated he lives next door to the petitioner and said they do a great job with the chickens. Resident Peggy Diorio expressed in the big picture, the City should not worry about backyard chickens. Resident Lori Burchett addressed the Council and stated that the applicant should be grandfathered in if the Zoning Code does not change.

Resident Jessica Cieslik of 17W421 Eisenhower, said there are ways to protect backyard chickens from predators. Cieslik also mentioned coups should be cleaned regularly to avoid smells. Cieslik said her chickens are her pets not livestock. Cieslik mentioned many other cities in DuPage County allow backyard chickens. Cieslik said the City should review the Downers Grove's ordinance to help the City shape their own legislation. Resident John Rainone said with the coup requirements along with the \$500 fee; he does not think there will be many requests for chicken licenses within the City.

Ragucci said the backyard chickens is a tough decision because the City does not know if all applicants will maintain the chickens in the manner that Ms. Cieslik cares for hers. Ragucci said this matter will be voted on in two (2) weeks at the next Council meeting. Ragucci said if anyone has additional comments or questions to contact him or the City Administrator.

3. Approval Of Change Order And Field Order No. 24R – Builder's Concrete Services, LLC For Excavation (Bid Package 02B).

Marrero said the proposed Change Orders serve two (2) purposes outlined below.

1. Since the Council opted not to proceed with the City Hall renovation, the portion of the trade contract for the City Hall construction needs to be deducted from the original contract.
2. Some site work still needs to be completed at City Hall so the contract needs to be amended to reflect the cost of the revised scope of work per Field Order 24R.

**CITY OF OAKBROOK TERRACE  
MINUTES OF THE REGULAR CITY COUNCIL AND  
COMMITTEE OF THE WHOLE MEETING  
TUESDAY, AUGUST 11, 2015**

Marrero referenced the revised C-4 geo-metric plan that was distributed tonight and reflects all the additional site work that will be performed at City Hall. Al Zakariya of Harbor Contractors provided an overview of the additional site work necessary. Zakariya discussed the items such as curbs, lighting, parking lot, landscaping, and excavation that need to be maintained as part of the work.

Shanahan said it would be hypocritical of the City to require sidewalks when we are removing the sidewalk along Butterfield Road in front of City Hall. Shanahan said a sidewalk along Butterfield Road should be considered. Ragucci said it is a cost savings and the City opted to not spend this money at this time since the renovation of City Hall is not proceeding. Vlach suggested constructing a sidewalk on the south side of Butterfield to 16<sup>th</sup> Street, so people could then connect to the bike trail. Ragucci said Shanahan's and Vlach's ideas were good and asked how much the sidewalk would cost. Zakariya said he will look into this. Ragucci said the City can look into this if grant funding is available.

The Council concurred to approve this change order during the reconvened meeting.

4. Approval Of Change Order And Field Order No. 24R – Abbey Paving Company For Concrete Paving (Bid Package 02F)

The Council concurred to approve this change order during the reconvened meeting.

5. Status Report Payout Number One (1): Maher Lumber For Wood Windows.

The Council concurred to place payment number one (1) in the amount of \$36,672.65 to Maher Lumber on the next consent agenda.

6. Status Report Payout Number One (1): Caliber Construction Company For Acoustical Ceilings.

The Council concurred to place payment number one (1) in the amount of \$7,226.28 to Caliber Construction Company on the next consent agenda.

7. Status Report Payout Number Two (2): Cain Millwork Inc For Millwork.

The Council concurred to place payment number two (2) in the amount of \$39,229.20 to Cain Millwork Inc. on the next consent agenda.

8. Status Report Payout Number Two (2): Abbey Paving Co., Inc For Site Concrete.

**CITY OF OAKBROOK TERRACE  
MINUTES OF THE REGULAR CITY COUNCIL AND  
COMMITTEE OF THE WHOLE MEETING  
TUESDAY, AUGUST 11, 2015**

The Council concurred to place payment number two (2) in the amount of \$49,776.30 to Abbey Paving Co., Inc. on the next consent agenda.

9. Status Report Payout Number Two (2): Caliber Construction Company For EIFS

The Council concurred to place payment number two (2) in the amount of \$9,217.80 to Caliber Construction Company on the next consent agenda.

10. Status Report Payout Number Three (3): Triumph Restoration, Inc For Joint Sealants.

The Council concurred to place payment number three (3) in the amount of \$3,580.94 to Triumph Restoration, Inc on the next consent agenda.

11. Status Report Payout Number Three (3): TGM Fabricating, Inc For Structural Steel.

The Council concurred to place payment number three (3) in the amount of \$5,265 to TGM Fabricating, Inc. on the next consent agenda.

12. Status Report Payout Number Four (4): All American Exterior Solutions For Roofing.

The Council concurred to place payment number four (4) in the amount of \$17,509.40 to All American Exterior Solutions on the next consent agenda.

13. Status Report Payout Number Four (4): Builders Concrete Services, LLC For Excavation.

The Council concurred to place payment number four (4) in the amount of \$78,669.53 to Builders Concrete Services, LLC on the next consent agenda.

14. Status Report Payout Number Five (5): Builders Concrete Services, LLC For Concrete

The Council concurred to place payment number five (5) in the amount of \$11,700 to Builders Concrete Services, LLC on the next consent agenda.

15. Status Report Payout Number Six (6): Valley Security Company For Detention Equipment.

The Council concurred to place payment number six (6) in the amount of \$61,651.80 to Valley Security Company on the next consent agenda.

**CITY OF OAKBROOK TERRACE  
MINUTES OF THE REGULAR CITY COUNCIL AND  
COMMITTEE OF THE WHOLE MEETING  
TUESDAY, AUGUST 11, 2015**

**16. Status Report Payout Number Six (6): Caliber Construction Company For Drywall.**

The Council concurred to place payment number six (6) in the amount of \$52,068.28 to Caliber Construction Company on the next consent agenda.

**17. Status Report Payout Number Ten (10) Cameo Electrical Inc For Electrical**

The Council concurred to place payment number ten (10) in the amount of \$85,720.50 to Cameo Electric, Inc. on the next consent agenda.

**XII. COUNCIL MEMBER COMMENTS**

Esposito stated the autumn Oakbrook Terrace Park District (OBTPD) brochure was published and included the non-resident rental rates for properties. Esposito asked how many non-residents utilize OBTPD facilities through the rental program. Esposito asked why the calls for the Police Department's increased by approximately 300 in July from last year. Ragucci replied the Police Department is generating their own tickets now and they are checking businesses at night. Ragucci said every time you punch a ticket with DuComm it counts as a call. Ragucci said business and door checks are now considered calls. Ragucci explained the calls are not for burglaries or thefts.

Greco suggested training be incorporated for the Planning and Zoning Commission. Greco volunteered to assist Dragan in coordinating this effort. Ragucci said this is a good idea and maybe we could put something together for the Commissioners.

**XIII. CITY ATTORNEY RAMELLO**

None.

**XIV. CITY CLERK SHADLEY**

None.

**XV. CITY ADMINISTRATOR MARRERO**

None.

**XVI. RECONVENE THE CITY COUNCIL MEETING**

**Motion to reconvene the City Council meeting was made by Alderman Greco and seconded by Alderman Przychodni.**

**CITY OF OAKBROOK TERRACE  
MINUTES OF THE REGULAR CITY COUNCIL AND  
COMMITTEE OF THE WHOLE MEETING  
TUESDAY, AUGUST 11, 2015**

**Ayes: Esposito, Greco, Przychodni, Swartz, Thomas, and Vlach  
Nays: None**

**Motion passed.**

**XVII. OLD BUSINESS**

1. Resolution No: 15-7: A Resolution Authorizing The Execution Of A Change Order (Field Order No. 24R – Excavation Bid Package 02B) To The Contract With Builders Concrete Services, LLC For The New Police Facility Project For The City Of Oakbrook Terrace, Illinois.

**Motion To Approve Resolution No: 15-7: A Resolution Authorizing The Execution Of A Change Order (Field Order No. 24R – Excavation Bid Package 02B) To The Contract With Builders Concrete Services, LLC For The New Police Facility Project For The City Of Oakbrook Terrace, Illinois was made by Alderman Swartz and seconded by Alderman Thomas.**

**Ayes: Esposito, Greco, Przychodni, Swartz, Thomas, and Vlach  
Nays: None**

**Motion passed.**

2. Resolution No: 15-8: A Resolution Authorizing The Execution Of A Change Order (Field Order No. 24R – Excavation Bid Package 02F) To The Contract With Abbey Paving And Sealcoating Company., Inc For The New Police Facility Project For The City Of Oakbrook Terrace, Illinois.

**Motion To Approve Resolution No: 15-8: A Resolution Authorizing The Execution Of A Change Order (Field Order No. 24R – Excavation Bid Package 02F) To The Contract With Abbey Paving And Sealcoating Company., Inc For The New Police Facility Project For The City Of Oakbrook Terrace, Illinois was made by Alderman Thomas and seconded by Alderman Vlach.**

**Ayes: Esposito, Greco, Przychodni, Swartz, Thomas, and Vlach  
Nays: None**

**Motion passed.**

**ADJOURN**

**Motion to adjourn was made by Alderman Greco and seconded by Alderman**

**CITY OF OAKBROOK TERRACE  
MINUTES OF THE REGULAR CITY COUNCIL AND  
COMMITTEE OF THE WHOLE MEETING  
TUESDAY, AUGUST 11, 2015**

**Esposito at 8:15PM.**

**Motion carried unanimously.**

Submitted,

Aileen Haslett  
Recording Secretary

DRAFT

AUG 25 2015

**CITY OF OAKBROOK TERRACE**  
**Bills Payable Summary Report for August 25, 2015**

<b>Corporate Fund (01)</b>		
Check Run	\$	28,408.87
Manual Check	\$	3,717.19
<b>Corporate Fund Total</b>	<b>\$</b>	<b>32,126.06</b>
<b>Impact Donation Fund (02)</b>		
Check Run	\$	-
Manual Check	\$	-
<b>Impact Donation Fund Total</b>	<b>\$</b>	<b>-</b>
<b>Water Fund (03)</b>		
Check Run	\$	45,788.84
Manual Check	\$	117.95
<b>Water Fund Total</b>	<b>\$</b>	<b>45,906.79</b>
<b>SSA Debt Service Fund (04)</b>		
Check Run	\$	-
Manual Check	\$	-
<b>SSA Debt Service Fund Total</b>	<b>\$</b>	<b>-</b>
<b>Motor Fuel Tax Fund (05)</b>		
Check Run	\$	-
Manual Check	\$	-
<b>Motor Fuel Tax Fund Total</b>	<b>\$</b>	<b>-</b>
<b>2010 Debt Service Business District (08)</b>		
Check Run	\$	-
Manual Check	\$	-
<b>2010 Debt Service Business District (08)</b>	<b>\$</b>	<b>-</b>
<b>Capital Improvement Fund (09)</b>		
Check Run	\$	469,152.10
Manual Check		
<b>Capital Improvement Fund Total</b>	<b>\$</b>	<b>469,152.10</b>
<b>2012 Debt Service Business District (12)</b>		
Check Run	\$	-
Manual Check	\$	-
<b>2012 Debt Service Business District (12)</b>	<b>\$</b>	<b>-</b>
<b>Total Bills Payable</b>	<b>\$</b>	<b>547,184.95</b>

**CITY OF OAKBROOK TERRACE  
MANUAL BILLS PAYABLE**

August 26, 2015

<u>Account No.</u>	<u>Vendor</u>	<u>Description</u>	<u>Check No.</u>	<u>Date</u>	<u>Amount</u>
01-01-4540-00	Principal Financial Group	Dental Premium for August 2015	101852	08/17/15	\$366.34
01-02-4540-01		Dental Premium for August 2015			\$873.23
01-02-4535-02		Dental Premium for August 2015			\$416.46
01-02-4535-03		Dental Premium for August 2015			\$1,186.87
01-02-4535-04		Dental Premium for August 2015			\$39.35
01-04-4540-00		Dental Premium for August 2015			\$317.09
01-11-4540-00		Dental Premium for August 2015			\$39.35
03-12-4540-00		Dental Premium for August 2015			\$117.95
01-00-1590-00		Dental Premium for August 2015			(\$39.05)
01-03-4540-00		Dental Premium for August 2015			\$217.42
01-11-5640-00		Vision Premium for August 2015			\$510.13

**TOTAL \$3,835.14**

# Accounts Payable Computer Check Proof List by Vendor

User: dsheildon  
 Printed: 08/20/2015 - 12:40PM  
 Batch: 00005.08.2015



**CITY OF OAKBROOK TERRACE**  
 17W275 BUTTERFIELD ROAD  
 OAKBROOK TERRACE, IL 60181  
 630 541 8300

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: Abbey	Abbey Paving & Sealcoating Co., Inc.				ACH Enabled: False
	Payout #2 for Concrete Paving for new PD	49,776.30	08/26/2015	Check Sequence: 1 09-12-7146-00	
	Check Total:	49,776.30			
Vendor: advocate	Advocate Occupational Health			Check Sequence: 2	ACH Enabled: False
571724	Post Offer Physical	114.00	08/26/2015	01-02-5650-00	
575844	Post Offer Physical	58.00	08/26/2015	01-11-5650-00	
575844	Employee Test	91.00	08/26/2015	01-04-5650-00	
	Check Total:	263.00			
Vendor: Aflac	American Family Life Assurance Company of C			Check Sequence: 3	ACH Enabled: False
382505	Monthly Premium for August 2015	1,485.82	08/26/2015	01-00-1595-00	
	Check Total:	1,485.82			
Vendor: AmerExt	All American Exterior Solutions			Check Sequence: 4	ACH Enabled: False
56898	Payout #4 Roofing for the New PD	17,509.40	08/26/2015	09-12-7146-00	
	Check Total:	17,509.40			
Vendor: Ander	Anderson Pest Solutions			Check Sequence: 5	ACH Enabled: False
3470235	Pest Management Services for August 2015	51.00	08/26/2015	01-04-5770-00	
	Check Total:	51.00			
Vendor: AtoZ	A to Z Body & Fender, Inc.			Check Sequence: 6	ACH Enabled: False
11023	Repair Bumper on 2013 Chevy Impala LTZ	578.74	08/26/2015	01-01-5663-00	
	Check Total:	578.74			
Vendor: AVENET	AVENET, LLC.			Check Sequence: 7	ACH Enabled: False
37283	Service Fee for Web Hosting from 8-31-2015 to	550.00	08/26/2015	01-01-5700-00	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	550.00			
Vendor: Builders	Builders Concrete Services, LLC			Check Sequence: 8	ACH Enabled: False
	Payout #5 for Concrete Svcs for the new PD	11,700.00	08/26/2015	09-12-7146-00	
	Payout #4 for Excavation Svcs for the new PD	78,669.53	08/26/2015	09-12-7146-00	
	Check Total:	90,369.53			
Vendor: burke	Christopher Burke Engineering			Check Sequence: 9	ACH Enabled: False
123882	B&Z Engineering Fees from 06-28 to 7-25-2015	1,224.00	08/26/2015	01-03-5604-00	
	Check Total:	1,224.00			
Vendor: CainMill	Cain Millwork, Inc.			Check Sequence: 10	ACH Enabled: False
49816	Payout #2 for Cabinets and Millwork for New PJ	39,229.20	08/26/2015	09-12-7146-00	
	Check Total:	39,229.20			
Vendor: calendar	ACCO Brands Direct			Check Sequence: 11	ACH Enabled: False
094844530	Planners and Calendars for 2016	161.93	08/26/2015	01-04-6120-00	
	Check Total:	161.93			
Vendor: Caliber	Caliber Construction Co.			Check Sequence: 12	ACH Enabled: False
	Payout #1 for Acoustical Ceilings for New PD	7,226.28	08/26/2015	09-12-7146-00	
	Payout #6 for Drywall for the new PD	52,068.28	08/26/2015	09-12-7146-00	
	Payout #2 for EIFS for the New PD	9,217.80	08/26/2015	09-12-7146-00	
	Check Total:	68,512.36			
Vendor: Cameo	Cameo Electric Inc.			Check Sequence: 13	ACH Enabled: False
	Payout #10 for Electric & Fire Alarm, Voice & I	85,720.50	08/26/2015	09-12-7146-00	
	Check Total:	85,720.50			
Vendor: Chada	Michael Chada			Check Sequence: 14	ACH Enabled: False
	Plumbing Inspections from 08-04 to 08-10-2015	150.00	08/26/2015	01-03-5600-00	
	Check Total:	150.00			
Vendor: Chicom	Chicago Communications, LLC			Check Sequence: 15	ACH Enabled: False
274354	C.C.S. Maintenance Agreement for Sept. 2015	88.00	08/26/2015	01-02-5660-00	
	Check Total:	88.00			

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: cintas	Cintas Corporation #769			Check Sequence: 16	ACH Enabled: False
769623196	City Hall Floormat Svc	68.41	08/26/2015	01-04-5770-00	
769635628	City Hall Floormat Svc	68.41	08/26/2015	01-04-5770-00	
	Check Total:	136.82			
Vendor: collins	Mark Collins			Check Sequence: 17	ACH Enabled: False
	Business License Code Inspection 7-24 to 7-30-2	500.00	08/26/2015	01-11-5603-00	
	Code Enforcement Contractor Svcs 7-20 to 7-30	1,000.00	08/26/2015	01-03-5612-00	
	Check Total:	1,500.00			
Vendor: Comcast3	Comcast			Check Sequence: 18	ACH Enabled: False
877120090000005	Service from 8-19-2015 to 9-18- 2015	8.43	08/26/2015	01-11-5668-00	
877120090001058	Internet Svc from 8-14-2015 to 9-13- 2015	107.85	08/26/2015	01-11-5668-00	
877120090001954	PSB Comcast Service from 8-8-2015 to 9-7- 20	188.43	08/26/2015	01-04-5668-00	
	Check Total:	304.71			
Vendor: ComEd	Com Ed			Check Sequence: 19	ACH Enabled: False
0553088038	Tornado Siren from 07/08/2015 to 08/06/2015	41.06	08/26/2015	01-04-5758-00	
0885008033	PAS 17B Electric Service from 07-07 to 08-05-2	105.26	08/26/2015	03-12-5758-00	
0978068021	Water Tower Electric Svc from 07-08 to 08-06-2	93.34	08/26/2015	03-12-5758-00	
1106417002	Street Light Service from 07/02/2015 to 08/03/21	47.66	08/26/2015	01-04-5760-00	
1839041110	New PD Station Electric Svc from 07-08 to 08-0	292.33	08/26/2015	09-12-7146-00	
1998102034	WMF Electric Svc from 07-08 to 08-06-2015	304.46	08/26/2015	03-12-5758-00	
	Check Total:	884.11			
Vendor: ComEd3	ComEd			Check Sequence: 20	ACH Enabled: False
6873064018	Elec Svc for Spring/Frontage St. Lights 7-06 to 8	1,101.11	08/26/2015	01-04-5760-00	
	Check Total:	1,101.11			
Vendor: crystal	Crystal Mgmt. Maintenance Serv			Check Sequence: 21	ACH Enabled: False
23028	Janitorial Services for City buildings for August	1,350.00	08/26/2015	01-04-5770-00	
	Check Total:	1,350.00			
Vendor: CTCorp	Current Technologies Corp			Check Sequence: 22	ACH Enabled: False
5774	Symantec Endpoint Software Renewal	317.30	08/26/2015	01-11-6150-00	
5775	Balance for Equipment Racks - New PD	3,405.30	08/26/2015	09-12-7146-00	
5776	Balance for Phone System switches	6,469.94	08/26/2015	09-12-7146-00	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	10,192.54			
Vendor: Deere 72944016	John Deere Landscapes System Irrigation Parts	34.03	08/26/2015	Check Sequence: 23 01-04-5770-00	ACH Enabled: False
	Check Total:	34.03			
Vendor: DWC 11001	DuPage Water Commission 8,588,000 Gallons of water purchased for July 2015	43,469.81	08/26/2015	Check Sequence: 24 03-12-5845-00	ACH Enabled: False
	Check Total:	43,469.81			
Vendor: Fastsign 65-50508	Fastsigns Temporary Construction Signs for City Hall and	297.00	08/26/2015	Check Sequence: 25 09-12-7146-00	ACH Enabled: False
	Check Total:	297.00			
Vendor: gempier SI01819617 SI01819617 SI01840063	Gempier's Gloves, Knee Pads, beverage coolers Work Shoes for Ward Work Pants for Ward	147.75 95.65 43.60	08/26/2015 08/26/2015 08/26/2015	Check Sequence: 26 01-04-6190-00 01-04-5715-00 01-04-5715-00	ACH Enabled: False
	Check Total:	287.00			
Vendor: hawkins 3756960	Hawkins, Inc. 150 LB Chlorine Cylinder	10.00	08/26/2015	Check Sequence: 27 03-12-5655-00	ACH Enabled: False
	Check Total:	10.00			
Vendor: hdsupply E302267	HD Supply Waterworks, Ltd. Water Meter and Flange kit for Specialty's Resta	1,359.00	08/26/2015	Check Sequence: 28 03-12-6152-00	ACH Enabled: False
	Check Total:	1,359.00			
Vendor: LinNat 3078727154 3078727154 3078727154 3078727154 3078727154 3078727154 3078727154 3078727154 3078727154	Lincoln National Life Ins Co Monthly Premium for Sept-2015 Monthly Premium for Sept-2015	22.75 35.00 70.50 112.75 77.75 44.00 78.00 18.50 272.25	08/26/2015 08/26/2015 08/26/2015 08/26/2015 08/26/2015 08/26/2015 08/26/2015 08/26/2015 08/26/2015 08/26/2015	Check Sequence: 29 01-02-4550-04 03-12-4550-00 01-01-4550-00 01-02-4550-01 01-02-4550-02 01-03-4550-00 01-04-4550-00 01-11-4550-00 01-02-4550-03	ACH Enabled: False

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	731.50			
Vendor: Maher	Maher Lumber & Millwork				ACH Enabled: False
	Payout #1 Wood Windows for the New PD	36,672.65	08/26/2015	Check Sequence: 30 09-12-7146-00	
	Check Total:	36,672.65			
Vendor: MinoltaC 9001639098	Konica Minolta Business Soluti Copies from 07/05/2015 to 08/04/2015	172.62	08/26/2015	Check Sequence: 31 01-01-5660-00	ACH Enabled: False
	Check Total:	172.62			
Vendor: Minute 115187	Minuteman Press 500 Alarm Cards (Job 421113)	168.86	08/26/2015	Check Sequence: 32 01-02-5720-00	ACH Enabled: False
	Check Total:	168.86			
Vendor: MORRIS	Don Morris Architects P.C. Building Plan Examinations for July 2015	930.00	08/26/2015	Check Sequence: 33 01-03-5600-00	ACH Enabled: False
	Check Total:	930.00			
Vendor: MunClrk2	Municipal Clerks of DuPage County C/O Cindy Membership Fee for Shadley & Downer 6-1-20:	35.00	08/26/2015	Check Sequence: 34 01-01-5610-00	ACH Enabled: False
	Check Total:	35.00			
Vendor: Offteam 43602484	Office Team Temporary Office Help W/E 7/31/2015	478.92	08/26/2015	Check Sequence: 35 01-01-4110-00	ACH Enabled: False
	Check Total:	478.92			
Vendor: oherron	Ray O'Herron Co. Inc. Police Uniform Vest for Caruso Women's Lt. Blue Uniform Shirt for Kappos Black Uniform Pants for Holakovsky Black 5 Star Uniform Hat for Shuzewicz 3 Light Blue Uniform Shirts for Mirkes Test Kit White Uniform Shirt for Calvello	675.00 35.95 44.99 44.95 107.85 22.00 38.95	08/26/2015 08/26/2015 08/26/2015 08/26/2015 08/26/2015 08/26/2015 08/26/2015	Check Sequence: 36 01-02-5715-00 01-02-5715-00 01-02-5715-00 01-02-5715-00 01-02-5715-00 01-02-6130-00 01-02-5715-00	ACH Enabled: False
	Check Total:	969.69			
Vendor: paddock	Paddock Publications, Inc.			Check Sequence: 37	ACH Enabled: False

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
38611L01	July 4th Thank-You Ad	246.66	08/26/2015	01-01-5781-00	
	Check Total:	246.66			
Vendor: Pitney-2	Pitney Bowes Global Financial Svcs			Check Sequence: 38	ACH Enabled: False
6213038-AU15	Quarterly Postage Rental from 05-30 to 08-30-21	80.40	08/26/2015	01-01-5655-00	
6213038-AU15	Quarterly Postage Rental from 05-30 to 08-30-21	80.40	08/26/2015	01-03-5655-00	
6213038-AU15	Quarterly Postage Rental from 05-30 to 08-30-21	80.40	08/26/2015	01-04-5655-00	
6213038-AU15	Quarterly Postage Rental from 05-30 to 08-30-21	80.40	08/26/2015	01-11-5655-00	
6213038-AU15	Quarterly Postage Rental from 05-30 to 08-30-21	80.40	08/26/2015	03-12-5655-00	
	Check Total:	402.00			
Vendor: schroede	Schroeder's Ace Hardware			Check Sequence: 39	ACH Enabled: False
185603	Hardware Bolts	7.29	08/26/2015	03-12-6190-00	
185660	Mailbox Lettering	142.20	08/26/2015	01-04-6133-00	
	Check Total:	149.49			
Vendor: subdoor	Suburban Door Check & Lock Service, Inc.			Check Sequence: 40	ACH Enabled: False
IN464201	Trailer Key Copies for Building & Zoning	46.00	08/26/2015	01-04-5770-00	
IN464436	Repair Cam Lock at City Hall	99.00	08/26/2015	01-04-5770-00	
	Check Total:	145.00			
Vendor: Suburb	Suburban Laboratories, Inc.			Check Sequence: 41	ACH Enabled: False
125044	Coliform and Bacteria Testing	270.00	08/26/2015	03-12-5600-00	
	Check Total:	270.00			
Vendor: TGM Fab	TGM Fabricating Inc.			Check Sequence: 42	ACH Enabled: False
	Payout #3 Structural and Misc Steel for New PD	5,265.00	08/26/2015	09-12-7146-00	
	Check Total:	5,265.00			
Vendor: transchi	Trans Chicago Truck Group			Check Sequence: 43	ACH Enabled: False
1595653	Hoses & Clamps for T-5 Repairs	586.84	08/26/2015	01-04-5663-00	
	Check Total:	586.84			
Vendor: Triumph	Triumph Restoration, Inc.			Check Sequence: 44	ACH Enabled: False
	Payout #3 for Sealants for the New PD	3,580.94	08/26/2015	09-12-7146-00	
	Check Total:	3,580.94			

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: V.Wire	Verizon Wireless			Check Sequence: 45	ACH Enabled: False
9749845465	Mobile Phone Svcs 08-02-2015 to 09-01-2015	494.17	08/26/2015	01-02-5668-00	
9749955604	Mobile Phone Svcs 08-02-2015 to 09-01-2015	54.28	08/26/2015	03-12-5668-00	
9749955604	Mobile Phone Svcs 08-02-2015 to 09-01-2015	474.72	08/26/2015	01-02-5668-00	
9749955604	Mobile Phone Svcs 08-02-2015 to 09-01-2015	47.88	08/26/2015	01-03-5668-00	
9749955604	Mobile Phone Svcs 08-02-2015 to 09-01-2015	89.68	08/26/2015	01-11-5668-00	
9749955604	Mobile Phone Svcs 08-02-2015 to 09-01-2015	26.89	08/26/2015	01-02-5668-00	
9749955604	Mobile Phone Svcs 08-02-2015 to 09-01-2015	38.01	08/26/2015	01-02-5668-00	
9749955604	Mobile Phone Svcs 08-02-2015 to 09-01-2015	173.86	08/26/2015	01-01-5668-00	
9749955604	Mobile Phone Svcs 08-02-2015 to 09-01-2015	113.73	08/26/2015	01-04-5668-00	
	Check Total:	1,513.22			
Vendor: Valley	Valley Security Company			Check Sequence: 46	ACH Enabled: False
	Payout #6 for Detention Security Services	61,651.80	08/26/2015	09-12-7146-00	
	Check Total:	61,651.80			
Vendor: valvolin	Ashland/Valvoline			Check Sequence: 47	ACH Enabled: False
131294263	Diesel Exhaust Fluid	117.18	08/26/2015	01-04-5663-00	
	Check Total:	117.18			
Vendor: westcent	West Central Municipal Conf			Check Sequence: 48	ACH Enabled: False
0008116-IN	Admin Fee - IT Consulting	545.00	08/26/2015	01-11-5600-00	
0008116-IN	IT Consulting Services 100 Hours at \$109	10,900.00	08/26/2015	01-11-5600-00	
	Check Total:	11,445.00			
Vendor: westoffi	West Suburban Office Products			Check Sequence: 49	ACH Enabled: False
168264	Correction Tape for Finance	5.70	08/26/2015	01-11-6120-00	
168793	Clock for Admin	39.95	08/26/2015	01-01-6130-00	
168812	Printer Transfer Kit	149.84	08/26/2015	01-01-5660-00	
168899	Laminated Tab Dividers	6.47	08/26/2015	01-01-6120-00	
169028	Laminat Machine Refill Rolls	59.39	08/26/2015	01-02-6120-00	
5434CM	Credit for Toner Cartridge returned Inv#168098	-160.94	08/26/2015	01-02-6120-00	
	Check Total:	100.41			
Vendor: WSB Visa	West Suburban Bank			Check Sequence: 50	ACH Enabled: False
422341400000772	Teeter Hang-Up Inversion Table for New PD	399.85	08/26/2015	09-12-7146-00	
422341400000773	Fuel For City Admin	37.25	08/26/2015	01-01-6130-00	
422341400000773	Sun-Times Monthly Subscription	20.80	08/26/2015	01-01-6110-00	
422341400000775	10 LB Medicine Ball for PD	38.59	08/26/2015	01-02-6130-00	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
422341400000775	Beverages for Lunch on July 4, 2015	3.60	08/26/2015	01-02-5615-00	
422341400000775	Postage Fee	9.60	08/26/2015	01-02-6170-00	
422341400000775	Child Seat Class for Caruso	85.00	08/26/2015	01-02-5605-00	
422341400000775	Fingerprinting Wipes	32.30	08/26/2015	01-02-6130-00	
422341400000775	Ribbon Supplies for July 4, 2015	4.31	08/26/2015	01-02-6130-00	
422341400000775	Cast Iron Kettlebell Weight Set	89.00	08/26/2015	01-02-6130-00	
422341400000775	TLO Background Checks from 7-01 to 7-31-2015	7.75	08/26/2015	01-02-5611-00	
422341400000775	Lunch on July 4, 2015	70.10	08/26/2015	01-02-5615-00	
422341400000776	Gift Card for Flood Brothers	100.00	08/26/2015	01-01-5781-00	
422341400000776	Sympathy Flowers	75.00	08/26/2015	01-01-6165-00	
422341400000778	ICC Membership Renewal for Dragan	135.00	08/26/2015	01-03-5610-00	
422341400000796	6 Ft Power Cord	12.97	08/26/2015	01-11-6130-00	
	Check Total:	1,121.12			
	Total for Check Run:	543,349.81			
	Total of Number of Checks:	50			



City Treasurer's Report

Jul-15

<b>CORPORATE FUND</b>	<b>BALANCE June 30, 2015</b>	<b>RECEIVED</b>	<b>DISBURSED</b>	<b>BALANCE July 31, 2015</b>	<b>INTEREST RATE</b>
PAYROLL	\$18,339	\$388,700	\$385,502	\$21,538	
CHECKING/SAVINGS					
Interfund Transfers		\$502,414	871,898		
Revenue/Expenditures		\$693,032	\$636,540		
Checking/MM Total	\$3,561,518	\$1,195,446	\$1,508,438	\$3,248,527	0.100%
DUI TECH FEE ACCT	\$62,595	\$7,900		\$70,495	
STATE FORFEITURE	\$1,599	\$0		\$1,599	
FEDERAL FORFEITURE	\$2,131	\$0	\$0	\$2,131	
FIDELITY	\$605,008	\$5		\$605,013	
IMET	\$30			\$30	
FUEL SYSTEM REPLACEMENT	\$39,380	\$1,330		\$40,710	0.100%
CHARLES SCHWAB 2022-6902	\$1,293,899	\$77,015	\$77,678	\$1,293,236	
<b>CORPORATE TOTAL</b>	<b>\$5,584,500</b>	<b>\$1,670,396</b>	<b>\$1,971,617</b>	<b>\$5,283,279</b>	
<b>IMPACT/DONATION FUND</b>					
HARRIS CHECKING	\$4,533	\$1		\$4,534	0.100%
FIDELITY	\$395,005	\$3		\$395,009	
IMET	\$40			\$40	
<b>IMPACT/DONATION FUND TOTAL</b>	<b>\$399,579</b>	<b>\$4</b>	<b>\$0</b>	<b>\$399,583</b>	
<b>CAPITAL IMPROVEMENTS</b>					
MONEY MARKET (HARRIS)	\$1,879,807	\$411,400	\$424,089	\$1,867,118	0.100%
CHARLES SCWAB 5909-3614	\$1,571,369	\$190,452	\$192,925	\$1,568,895	
IMET	\$373			\$373	
<b>CAPITAL IMPROVEMENT TOTAL</b>	<b>\$3,451,549</b>	<b>\$601,851</b>	<b>\$617,014</b>	<b>\$3,436,386</b>	
<b>MOTOR FUEL TAX FUND</b>					
MONEY MARKET (HARRIS)	\$450,040	\$3,063		\$453,104	0.100%
<b>MFT TOTAL</b>	<b>\$450,040</b>	<b>\$3,063</b>	<b>\$0</b>	<b>\$453,104</b>	
<b>BUSINESS DISTRICT #1</b>					
2010 BUS. DIST. DEBT SERVICE	\$200,339	\$38,494		\$238,833	
2012 BUS. DIST. DEBT SERVICE	\$137,578	\$31,493		\$169,070	
<b>BUSINESS DISTRICT TOTAL</b>	<b>\$337,917</b>	<b>\$69,986</b>	<b>\$0</b>	<b>\$407,903</b>	
<b>SSA DEBT SERVICE FUND</b>					
HARRIS	\$1,249			\$1,249	
<b>SSA DEBT SERVICE TOTAL</b>	<b>\$1,249</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,249</b>	
<b>WATER</b>					
MONEY MARKET (HARRIS)	\$486,342	\$181,446	\$85,729	\$582,059	0.100%
ESCROW ACCT.	\$32,414	\$400		\$32,814	
<b>WATER TOTAL</b>	<b>\$518,755</b>	<b>\$181,846</b>	<b>\$85,729</b>	<b>\$614,872</b>	
<b>ALL FUNDS TOTALED</b>	<b>\$10,743,589</b>	<b>\$2,527,148</b>	<b>\$2,674,360</b>	<b>\$10,596,377</b>	
<b>NET INCREASE(DECREASE)</b>		<b>\$ (147,213)</b>			

\* Multiple Securities Purchased Having Various Interest Rates

Prepared By,  
Amy Marrero, Treasurer



AGENDA ACTION

AUG 25 2015

**CITY OF OAKBROOK TERRACE**  
**Department Payroll Summary Report for July 2015**

Executive Administration	\$	33,289.76
Police Administration	\$	67,624.04
Police Sergeants	\$	41,536.72
Police Officers	\$	140,407.03
Police Investigations	\$	11,289.55
Police Court Time / Stand-by	\$	4,674.48
Building & Zoning	\$	25,478.22
P&Z Commission	\$	375.00
Public Services - Streets	\$	26,843.18
Special Events	\$	10,732.19
Police Commission	\$	300.00
Finance	\$	11,179.94
<b>General Fund Total</b>	<b>\$</b>	<b>373,730.11</b>
Public Services - Water	\$	32,390.86
<b>Water Fund Total</b>	<b>\$</b>	<b>32,390.86</b>
<b>Total Gross Payroll</b>		<b>\$ 406,120.97</b>

ORDINANCE NO. 15-54

**AN ORDINANCE AMENDING THE PROVISIONS OF SECTION 156.004 ENTITLED "DEFINITIONS"; SECTION 156.035 ENTITLED "ACCESSORY BUILDINGS AND USES" AND SECTION 156.075 ENTITLED "R-1 SINGLE-FAMILY DETACHED" OF CHAPTER 156 ENTITLED "ZONING" OF TITLE XV ENTITLED "LAND USAGE" OF THE CODE OF OAKBROOK TERRACE, ILLINOIS, TO PERMIT THE HOUSING AND RAISING OF FEMALE CHICKENS WITHIN THE CITY OF OAKBROOK TERRACE, ILLINOIS**

---

**WHEREAS**, the City of Oakbrook Terrace (the "City") is a home-rule unit of local government under Article VII, Section 6 of the 1970 Illinois Constitution and, except as limited by such Section, it may exercise any power and perform any function pertaining to its government and affairs and the City Council of the City finds that the subject matter of this ordinance pertains to the government and affairs of the City and is passed pursuant to the provisions of Article VII, Section 6(a) of the 1970 Illinois Constitution;

**WHEREAS**, Section 11-13-1 of the Illinois Municipal Code (65 ILCS 5/11-13-1) authorizes the corporate authorities of the City to classify, regulate and restrict the location of trades and industries and the location of buildings designed for specified industrial, business, residential, and other uses and to divide the entire city into districts of such number, shape, area, and of such different classes (according to use of land and buildings, height and bulk of buildings, intensity of the use of lot area, area of open spaces, or other classification) as may be deemed best suited to carry out the purposes of Division 13 of the Illinois Municipal Code (65 ILCS 5/11-13-1 *et seq.*);

**WHEREAS**, Section 156.022(B)(1) of the Code of Oakbrook Terrace, authorizes the corporate authorities of the City to enact by ordinance an amendment or change in the regulations of Chapter 156 entitled, "Zoning" of Title XV entitled, "Land Usage," of the Code of Oakbrook Terrace, Illinois, when public necessity, convenience, general welfare and good zoning practice require an amendment of the regulations;

**WHEREAS**, Section 156.035(A) of the Code of Oakbrook Terrace, Illinois, currently prohibits the maintenance of any accessory building, structure, or use that includes the keeping of poultry;

**WHEREAS**, Section 156.075(B)(1) of the Code of Oakbrook Terrace, Illinois, currently prohibits the keeping of poultry within the vicinity of an R-1 district dwelling;

**WHEREAS**, the City Council has determined that is desirable to permit the possession of female chickens and keeping of rear-yard poultry pens to encourage general health and welfare within the City subject to certain reasonable regulations to protect the health, safety and welfare of the City's residents;

**WHEREAS**, the City has filed a petition to amend Section 156.004 entitled “Definitions”; Section 156.035 entitled “Accessory Buildings and Uses” and Section 156.075 entitled “R-1 Single-Family Detached” of Chapter 156 entitled, “Zoning” of Title XV entitled “Land Usage” of the Code of Oakbrook Terrace, Illinois, to permit the housing and raising of female chickens within the City;

**WHEREAS**, pursuant to the required public notice, a public hearing was held by the City’s Planning and Zoning Commission on July 21, 2015, at 6:00 p.m. to consider the City’s application which resulted in a recommendation to amend the Code of Oakbrook Terrace, Illinois, to permit the housing and raising of female chickens within the City;

**WHEREAS**, the Planning and Zoning Commission considered the impact of the proposed amendments to Section 156.004 entitled “Definitions”; Section 156.035 entitled “Accessory Buildings and Uses” and Section 156.075 entitled “R-1 Single-Family Detached” of Chapter 156 entitled, “Zoning” of Title XV entitled “Land Usage” of the Code of Oakbrook Terrace, Illinois, to permit the housing and raising of female chickens within the City and determined that public necessity, convenience, general welfare and good zoning practice required amendments to the regulations of Section 156.004 entitled “Definitions”; Section 156.035 entitled “Accessory Buildings and Uses” and Section 156.075 entitled “R-1 Single-Family Detached” of Chapter 156 entitled, “Zoning” of Title XV entitled “Land Usage” of the Code of Oakbrook Terrace, Illinois, to permit the housing and raising of female chickens within the City;

**WHEREAS**, the corporate authorities of the City of Oakbrook Terrace, Illinois, having reviewed the record and having considered the positive recommendation of the Planning and Zoning Commission determine that public necessity, convenience, general welfare and good zoning practice require amendments to the regulations of Section 156.004 entitled “Definitions”; Section 156.035 entitled “Accessory Buildings and Uses” and Section 156.075 entitled “R-1 Single-Family Detached” of Chapter 156 entitled, “Zoning” of Title XV entitled “Land Usage” of the Code of Oakbrook Terrace, Illinois, to permit the housing and raising of female chickens within the City;

**NOW THEREFORE, BE IT HEREBY ORDAINED** by the City Council of the City of Oakbrook Terrace, DuPage County, Illinois, as follows:

**Section 1. Recitals.** The facts and statements contained in the preambles to this ordinance are found to be true and correct and are hereby adopted as part of this ordinance.

**Section 2. Amendment of Section 156.004.** Section 156.004 entitled “Definitions” of Chapter 156 entitled “Zoning” of Title XV entitled “Land Usage” of the Code of Oakbrook Terrace, Illinois is hereby amended to read as follows:

**§ 156.004 DEFINITIONS.**

For the purpose of this chapter, certain terms are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural; the word

“building” shall include the words “structure” and “premises”; the word “shall” is mandatory and not permissive; the words “used” or “occupied” include the words “intended,” “designed” or “arranged” to be used or occupied; the word “lot” includes the words “plot” or “parcel”; and the word “person” includes a firm, association, organization, partnership, trust, company or corporation as well as an individual. All measured distances, expressed in feet, shall be to the nearest integral foot; if a fraction is one-half foot or more, the integral foot next above shall be taken. Any word not herein defined shall have the meaning set forth in the City Building Code or in Webster’s New International Dictionary, Second Edition.

**ABANDONMENT.** An action by which a person ceases to use property as previously used, thereby giving up a right or interest in such property.

**ABOVE-GROUND SERVICE FACILITY.** An above-ground structure, used by a service entity to provide service to the public, and which has a volume above ground surface of greater than 24 cubic feet, a linear size greater than four feet in any one dimension, or a footprint in square feet of greater than 5% of the maximum lot coverage for the lot.

**ABUTTING.** To have a common property line or district line.

**ACCESSORY BUILDING, STRUCTURE OR USE.** A building, structure or use which:

- (1) Is subordinate, incidental to and serves a principal building, structure or use;
- (2) Is subordinate in area, extent or purpose to the principal building, structure or use served;
- (3) Contributes to the comfort, convenience or necessity of occupants of the principal building, structure or use served; and
- (4) Is located on the same lot as the principal building, structure or use served, except to the extent that accessory off-street parking facilities are permitted to locate elsewhere than on the same lot with the principal building, structure or use served.

**ADJACENT.** Lying near another property.

**ADULT BOOKSTORE.** An establishment having, as a substantial portion of its stock in trade, books, magazines and other periodicals, cards, adult gifts, sexual aids, accessories, or equipment, films for sale, rental or viewing on premises, by use of motion picture devices or other means, any of which are distinguished by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, as defined herein, or an establishment with a segment or section devoted to the sale or display of such materials.

**ADULT ENTERTAINMENT CABARET.** An establishment offering to its patrons, as entertainment, any live exhibition or display, or any theatrical or other live performance, including but not limited to topless or go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers, or any person singing, reading, posing, modeling or serving food or beverages, where such exhibition, performance, display or dance is intended to

sexually arouse the entertainer or the patrons, or where the attire of persons involved is such as to expose specified anatomical areas, as defined herein.

**ADULT MOTION PICTURE THEATER.** An enclosed building, regardless of its seating capacity, which is used to present for public view on the premises, films, movies, previews, trailers or advertisements which are distinguishable by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, as defined herein.

**ADULT USE.** An adult bookstore, adult entertainment cabaret, and/or adult motion picture theater.

**AGRICULTURE.** Farming, dairying, pasturage, horticulture, floriculture, viticulture, silva culture, and animal and poultry husbandry and accessory uses customarily incidental to such activities.

**AIRPORT.** A lot which is used, or intended, for the landing and take-off of aircraft, together with all structures located thereon.

**ALTERATION.** A change in size, shape, character, location or use of a structure.

**AMUSEMENT PARKS.** Facilities offering four or more distinctly different outdoor recreational activities for use by the public.

**ANIMAL HOSPITAL.** Any building or portion thereof designed or used for the care, observation, treatment, or boarding of domestic animals.

**ANTENNA.** An arrangement of wires, metal rods, or similar materials used for the transmission and/or reception of microwaves and radio waves, including but not limited to, radio waves that carry the signals of television and radio stations and other electromagnetic energy signals.

**ANTENNA HEIGHT.** The distance measured vertically from the highest point of the antenna when positioned for operation, and as mounted on a building or antenna supporting structure, to the lowest point, which is defined as the bottom of the base of the building or antenna supporting structure being measured at either roof or ground level, whichever is applicable. **ANTENNA HEIGHT** shall include the height of any antenna supporting structure, other than a building, on which an antenna may be mounted or of any structure that may be attached to an antenna, including but not limited to, any mast, pole or tower.

**APARTMENT.** See **DWELLING UNIT**.

**ASSISTED LIVING FACILITY.** A residential facility containing one or more buildings, distinguished from other forms of residential development by the fact that it provides accommodations and living arrangements in the form of living units for adults in need of some protective oversight or assistance due to physical, mental or functional limitations. Such facility may provide a living arrangement integrating shelter, food, medication management, and other supportive services as may be necessary to provide assistance in life functions (including,

without limitation, healthcare support, housekeeping services, personal services and transportation services). An **ASSISTED LIVING FACILITY** also may include accessory uses, including, without limitation, healthcare, dental or medical office facilities, pharmacies, recreational facilities, worship facilities, social and dining areas of common use, central kitchen facilities, and stores or offices for the provision of goods and services only to or for the residents and employees of the facility.

**ASSISTED LIVING UNIT.** A group of rooms which are arranged, designed and/or used as living quarters for one or more individuals within an assisted living facility. An **ASSISTED LIVING UNIT** shall contain bathroom facilities. Although a kitchen is not permitted, an **ASSISTED LIVING UNIT** may include a sink, microwave oven and refrigerator. An **ASSISTED LIVING UNIT** shall not be deemed to be a dwelling unit under the provisions of this chapter.

**AUTOMOBILE SERVICE STATION.** A building or portion thereof or a lot used for offering fuels, oils and/or accessories for motor vehicles, for sale at retail to the public, and where repair service may be incidental.

**AWNING.** A roof-like projection, rigid or retractable in operation, which projects from the wall of a building.

**BASEMENT.** A story having part of its floor to clear ceiling height below grade. A **BASEMENT** shall not be counted as a story under the provisions of this chapter.

**BERM, EARTH.** A landscaped mound of earth,

**BI-LEVEL.** A dwelling with one story at approximate grade level, and a second story one-half story higher over a habitable basement in which approximately one-half of which basement is above grade level.

**BLOCK.** A tract of land bounded by streets, or by a combination of streets, railroad rights-of-way, public parks, permanent open space, and/or other lines of demarcation.

**BUILDABLE AREA.** That portion of a lot which meets at least the minimum front yard, side yard and rear yard requirements of the district within which it is located.

**BUILDING.** A structure that is permanently affixed to the land, has one or more floors and a roof and is designed or intended for use as a living quarters, shelter, business or storage.

**BUILDING, ACCESSORY.** A subordinate building or portion of a principal building, the use of which is incidental to and customary in connection with the use of the principal building, and which is located on the same zoning lot as the principal building or use, with the single exception of such accessory off-street parking facilities as are permitted to locate elsewhere than on the same zoning lot as the building or use served.

**BUILDING, HEIGHT OF.** Except as provided in § 156.075(G)(1), the vertical distance measured from the average elevation of the finished grade along the front of the building to the highest point of the building. Equipment, penthouses, air conditioning or heating systems, whether solar or otherwise, shall be included in computing the height of the building.

**BUILDING, PRINCIPAL.** A non-accessory building in which the primary use of the lot on which it is located is conducted.

**BUILDING, TEMPORARY.** A building not designed or intended to be permanently located on the parcel of property where it is constructed or erected.

**BUILDING CODE.** The most recent edition of the International Building Code, as published by the International Code Council, Inc., that has been adopted by the City of Oakbrook Terrace.

**BUILDING LINE.** The line nearest the front lot line, running approximately parallel to the front lot line across the width of a lot at the point of the required front yard depth.

**BULK.** The term used to indicate the size, location and number of structures, including:

- (1) Size and height of structures;
- (2) Location of exterior walls;
- (3) Floor area ratio;
- (4) Open space allocated to structures;
- (5) Yard requirements;
- (6) Lot area; and
- (7) Lot width.

**BUSINESS.** An occupation, employment, or enterprise which occupies time, attention, labor and materials; or wherein merchandise is exhibited or sold or services are offered.

**CABLE SERVICE.** The one-way transmission to subscribers of video programming; or other programming service; and subscriber interaction, if any, which is required for the selection or use of such video programming or other programming service.

**CANNABIS.** Marijuana, hashish and other substances which are identified as including any parts of the plant *Cannabis sativa* and including any and all derivatives or subspecies, such as *Indica*, of all strains of cannabis, whether growing or not; the seeds thereof, the resin extracted from any part of such plant; and any compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other cannabinol derivatives, including its naturally occurring or synthetically produced ingredients, whether

produced directly or indirectly by extraction, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis; but shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed of such plant which is incapable of germination.

**CANOPY.** A permanent structure that is an overhanging shelter consisting of a roof and vertical ground mounted supports.

**CARPORT.** A roofed automobile shelter, with two or more open sides.

**CARWASH.** A building or portion thereof containing facilities for washing motor vehicles by using either manual or mechanical methods, or both.

**CATERING ESTABLISHMENT.** A business whose primary purpose is to prepare food for consumption at another location.

**CHICKEN.** An individual animal maintained for the production of eggs, the female of the species *Gallus gallus*, specifically not including roosters, which are the male of the species.

**CITY COUNCIL.** The City Council of the City of Oakbrook Terrace.

**CLUB or LODGE.** A building or space in a building which is owned, hired or leased for use by a corporation organized under the laws of the state for the promotion of some common object other than the sale and consumption of alcoholic liquor, which is kept, used, and maintained by its members, through the payment of annual dues, is of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests, and is provided with suitable and adequate kitchen and dining room space and equipment and maintaining a sufficient number of servants and employees for cooking, preparing and serving food and meals for its members and guests.

**COCKTAIL LOUNGE.** An area that is accessory to a restaurant but is located within the restaurant, which holds a license issued by the Liquor Commissioner for the retail sale of alcoholic beverages on the premises, and which is utilized generally by non-eating customers.

**CODE OFFICIAL.** The official of the city, duly appointed and designated as its Code Official.

**COMPREHENSIVE PLAN.** The Comprehensive Plan of the City of Oakbrook Terrace.

**CONFORMING STRUCTURE.** Any structure which:

- (1) Complies with all the regulations of this chapter governing the district in which said structure is located; or

(2) Is designed or intended for a permitted use or special use, as allowed in this chapter in the district in which it is located.

**CONSTRUCTION TRAILER.** A vehicle used for the temporary storage of materials, or temporary office space related to a construction site or construction area. Such a trailer shall have no foundation other than wheels, blocks, skids, jacks, horses or skirting.

**CONVERSION.** The partitioning of a single- dwelling unit into two or more separate households or the changing of the use of an existing building into another use.

**CUL-DE-SAC.** A minor street which has one open end and is permanently terminated at the other by a vehicular turnaround.

**DAY CARE CENTER.** Any child care facility which regularly provides day care for less than 24 hours per day for more than eight children in a family home, or more than three children in a facility other than a family home, as denned and regulated in the Child Care Act of 1969 (ILCS Ch. 225, Act 10, §§ 1 et seq.), and as permitted as a special use in the R-1 Single-Family Residence District.

**DAY CARE HOME.** A family home which receives more than three and up to a maximum of 12 children for less man 24 hours per day, including the family's natural or adopted children and all other persons under the age of 12 in the home, as denned and regulated under the Child Care Act of 1969 (ILCS Ch. 225, Act 10, §§ 1 et seq.), and as permitted as a special use in the R-1 Single-Family Residence District.

**DECK.** A wood or wood-like structure attached to or closely adjacent to any dwelling unit, which is designed and intended for the support of persons, has no permanent or temporary cover or canopy, is constructed on piers and without continuous foundation or footings, and has no part extending above the floor level of the first story of such dwelling, excluding the basement; provided that protective, decorative or ornamental appurtenances, such as hand railings, benches and the like, may extend not in excess of 42 inches above such floor level.

**DEVELOPMENT.** The physical alteration of a tract of land, including construction, reconstruction, or modification of buildings and structures, grading, and other related changes.

**DEVELOPMENT, MIXED USE.** A type of development containing a variety and commingling of uses (residential and non-residential), that are designed to work together to produce an attractive place to live, work, shop and recreate.

**DISTRICT, ZONING.** An area which is a divided portion of the city, as designated on the city's zoning map, where certain uniform regulations and requirements apply to uses and development in accordance with the provisions of this chapter.

***DRIVE-IN or DRIVE-THROUGH ESTABLISHMENT.*** A structure or part thereof in which facilities are provided primarily for serving patrons parked or driving in automobiles on or through the premises.

***DRIVEWAY.*** A private road which provides access to a lot, or to a use located on such lot, from a public way.

***DRIVEWAY FLARE.*** One-half of the mathematical difference between the width of the driveway at the back of curb or edge of pavement and the width of the driveway at the right-of-way line. A ***DRIVEWAY FLARE*** may be in the shape of a triangle or an arc.

***DWELLING.*** Any building or portion thereof which is designed and used exclusively for residential purposes, not including a hotel, nursing home, or mobile home.

***DWELLING, ATTACHED.*** A building which was originally designed and constructed to accommodate two or more dwelling units, to have its own ground floor entrance and its own living space, and to be joined together by a common wall or walls.

***DWELLING, DETACHED.*** A dwelling unit which does not share a common wall with any other dwelling and is surrounded on all sides by open space located on the same lot.

***DWELLING, MULTIPLE-FAMILY.*** A building containing three or more dwelling units, with more than one of such dwelling units connecting to a common corridor or entranceway.

***DWELLING, SINGLE-FAMILY.*** A building designed for or occupied exclusively by one family.

***DWELLING UNIT.*** One or more rooms in a dwelling occupied or intended to be occupied as separate living quarters by a single family, with cooking, living, sanitary and sleeping facilities.

***EASEMENT.*** Land which has been designated by lawful agreement between the owners of land and another person or persons for a specified use only by such person or persons without passing the fee title to the person or persons using such land.

***FAMILY.*** One or more persons related by blood, marriage, or adoption, occupying a dwelling unit as an individual housekeeping organization; provided that such a family may include not more than two persons who are not related by blood, marriage, adoption, or foster care as regulated by the state; and further provided that not more than three persons who are not related by blood, marriage or adoption may also be considered a family.

***FENCE.*** A structure used to provide a barrier, or a means of confinement, and that is made of materials including, but not limited to, wire mesh, chain-link, wood, landscaping or stone materials.

**FENCE, LIVING GREEN.** A fence made of densely planted non-deciduous shrubbery and trees, which conceals from the view of adjacent properties, streets or alleys, the buildings, structures and activities conducted on the property on which the fence is located.

**FENCE, OPEN.** A fence, including gates, for which 50% or more of its surface area is open space, as viewed from an angle of 90 degrees from the fence line, for the entire length of the fence.

**FENCE, SOLID.** A fence, including gates, for which less than 50% of the surface area is open, and which conceals activities conducted behind it from view from adjacent properties, streets or alleys.

**FLOOR AREA.** The square feet of floor space within the outside line of walls of a building, including the total of all space on all floors of such building. FLOOR AREA does not include porches, garages, stairs, elevators and mechanical equipment on any floor of a building, or space in a basement when it is used for storage or incidental uses. Any space devoted to off-street parking or loading shall not be included in the floor area, including any space devoted to parking garages in commercially zoned districts.

**FLOOR AREA RATIO (FAR).** The total floor area of the building or buildings, including the area of all accessory buildings other than parking garages on a lot, divided by the area of such lot.

**FOOT CANDLE.** A unit of illuminance on a surface that is everywhere one foot from a uniform point source of light of one candle power and is equal to one lumen per square foot.

**FRONTAGE.** All of the property fronting on one side of a street between two intersecting streets, or in the case of a dead end street, all of the property along one side of the street between an intersecting street and the end of such dead end street.

**GARAGE, PRIVATE.** An accessory building or an accessory portion of the principal building, including a carport which is intended for and used for storing the private passenger vehicles of the family or families resident upon the premises.

**GARAGE, PUBLIC.** A building or portion thereof, other than a storage garage, designed or used for equipping, servicing, or repairing motor vehicles.

**GARAGE, STORAGE.** A building or portion thereof designed or used exclusively for storage of motor vehicles and in which fuels and oils are not sold; except as regulated in this chapter, and in which no motor vehicles are equipped, repaired, hired or sold.

**GUEST, PERMANENT.** A person who occupies or has the right to occupy a hotel accommodation as his place of permanent residence.

**HOME OCCUPATION.** An accessory use of a residential dwelling conducted entirely within the dwelling, and not within any attached or detached garage, for the purpose of gainful employment by no more than two members of a family residing on the premises.

**HOTEL.** A building or other structure kept, used, maintained, advertised and held out to the public to be a place where food is actually served and consumed and sleeping accommodations are offered for adequate pay to travelers and guests for adequate compensation, and where lodging rooms are accessed from interior hallways. Such building or group of buildings and facilities may also include public or private restaurants or dining rooms, up to two indoor cocktail lounges, room service facilities, in-room mini-bars, banquet facilities or a conference center, rooms providing dancing or live entertainment, and recreational facilities such as a golf course.

**JUNK YARD.** A lot, with or without accessory structures, used for the abandoning, storing, keeping, collecting, buying, selling, exchanging, baling, packing, disassembling, or handling scrap or discarded materials including vehicles, machinery and equipment not in operable condition, or parts thereof, and other metals, paper, rags, rubber tires and bottles.

**LANDSCAPE WALL.** A structure designed for landscape purposes, including minor grade changes, that does not affect a building or buildings above or below the wall or maintain an engineered retention pond or detention area.

**LANDSCAPED AREA.** An area that is permanently devoted and maintained for the growing of shrubbery, grass and other plant material; retention or detention ponds; fences; timbers; and bricks and stones that are not used for pedestrian or vehicular access.

**LAUNDERETTE.** A business that provides coin operated self-service washing, drying, dry-cleaning or ironing facilities; provided that no pick-up or delivery service is maintained.

**LIQUOR STORE.** A business establishment where alcoholic liquors are kept and sold but where such alcoholic liquors are not consumed on the premises.

**LOADING BERTH.** A space within the principal building or on the same lot as the principal building that provides for the standing, loading or unloading of trucks.

**LODGING ROOM.** A room or suite of rooms rented as sleeping and living quarters, but without cooking facilities. In a suite of rooms, each room which provides sleeping accommodations shall be counted as one lodging room for the purposes of this chapter.

**LOT.** A parcel of land which is part of a real estate subdivision, the plat of which has been recorded in the Office of the Recorder of Deeds of DuPage County, Illinois, pursuant to state law, or for which an assessment plat describing the parcel by a metes and bounds description has been recorded in the Office of the Recorder of Deeds of DuPage County, Illinois, pursuant to state law, which is occupied or intended for occupancy by a use permitted in this chapter, and which has its principal frontage upon a road or street

**LOT, CORNER.** A lot situated at the junction of and abutting on two or more intersecting rights-of-way or streets, or a lot at the point of deflection in alignment of a single street, the interior angle of which does not exceed 135 degrees.

**LOT, INTERIOR.** A lot that is not a corner lot.

**LOT, THROUGH.** A lot having frontage on two streets, but excluding corner or lots.

**LOT AREA.** The square footage of the land within the perimeter of the lot lines.

**LOT DEPTH.** The mean horizontal distance between the front and rear lot lines. For purposes of determining lot depth on a corner lot, the depth of such lot shall be measured between the narrower of the street frontages and the most distant opposite lot line.

**LOT LINE, FRONT.** The boundary of a lot abutting a street. Corner lots and through lots have two front lot lines for purposes of determining the required front yard; provided that, in the case of a corner lot, for purposes of determining the rear lot line and the required rear yard, the front lot line shall be the most narrow line fronting on a street.

**LOT LINE, INTERIOR.** A lot line which does not abut a street.

**LOT LINE, REAR.** An interior lot line which is most distant from and is parallel or almost parallel to the front lot line, and, in the case of an irregular or triangular shaped lot, a line ten feet in length within the lot, which is parallel to and at a maximum distance from the front lot line. In the case of a corner lot, a line parallel to and opposite of the most narrow lot line fronting on a street

**LOT LINE, SIDE.** An interior lot line which is not a front lot line or a rear lot line.

**LOT LINE ABUTTING A STREET.** The front lot line, the side lot line of a corner lot which abuts a street, or the rear lot line of a through lot.

**LOT LINES.** The property lines bounding a lot.

**LOT OF RECORD.** A single lot which is part of a subdivision the plat of which has been recorded in the Office of the Recorder of Deeds of DuPage County, Illinois.

**LOT WIDTH.** The width of a lot at the building line established for the zoning district in which the lot is located.

**LUMEN.** A unit of luminous flux equal to the light emitted in a unit solid angle by a uniform point source of one candle.

**MARQUEE.** A roof-like structure of a permanent nature which projects from the wall of a building and is used for purposes of signage.

**MAYOR.** The Mayor of the City of Oakbrook Terrace.

**MEDICAL CANNABIS.** Cannabis and its constituent cannabinoids, such as tetrahydrocannabinol (THC) and cannabidiol (CBD), used as an herbal remedy or therapy to treat disease or alleviate symptoms which can be administered in a variety of ways, including, but not limited to: vaporizing or smoking dried buds; using concentrates; administering tinctures or tonics; applying topicals such as ointments or balms; consuming infused food products.

**MEDICAL CANNABIS CULTIVATION CENTER.** A facility operated by an organization or business that is registered by the Illinois Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis.

**MEDICAL CANNABIS DISPENSING FACILITY.** A facility where medical cannabis, paraphernalia, or related supplies and educational materials are dispensed to registered qualifying patients operated by a medical cannabis dispensing organization.

**MEDICAL CANNABIS DISPENSING ORGANIZATION.** An organization or business that is registered by the Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a registered medical cannabis cultivation center for the purpose of dispensing medical cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.

**MOBILE HOME.** A moveable or portable unit, designed and constructed to be towed on its own chassis, comprised of frame and wheels, and designed to be connected to utilities for year-round occupancy and to provide for complete independent living facilities, including provisions for cooking, sleeping and sanitation. Such a unit shall not be deemed to be a dwelling for purposes of this chapter.

**MOTOR VEHICLE.** Every vehicle which is self-propelled, except for vehicles moved solely by human power and motorized wheelchairs.

**NONCONFORMING BUILDING OR STRUCTURE, LEGAL.** A building or structure or portion thereof which was lawful when established but which is not in conformance with the provisions of this chapter. Such a building or structure may have been rendered nonconforming as a result of annexation or by the adoption of an amendment or amendments to this chapter, and it shall remain a legal nonconforming building or structure until such time as it is made conforming or is terminated as provided for in this chapter.

**NONCONFORMING USE, LEGAL.** The use of land or a building or a portion thereof, which was lawful when established but which no longer conforms with the use regulations of the district in which it is located. Such a use may have been rendered nonconforming as a result of annexation or by the adoption of an amendment or amendments to this chapter, and it shall remain a legal nonconforming use until such time as it is made conforming or is terminated as provided for in this chapter.

**NURSING FACILITY.** A place, whether or not operated for profit or by a governmental agency or political subdivision of the State of Illinois, which provides personal care, sheltered care or nursing for three or more persons not related to the owner by blood or marriage, including but not limited to skilled nursing facilities and intermediate care facilities providing residents with skilled nursing care and related services for residents who require medical or nursing care or rehabilitation services for the injured, disabled or sick, but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis and treatment of disease or injury, maternity cases or mental illness, as regulated in the Nursing Home Care Act (ILCS Ch. 210, Act 45, §§ 1-101 et seq.)

**OBSTRUCTIONS.** An obstruction is any building or structure or parts thereof, which is located so as to come in the way of any open area required by this chapter. Trees or shrubs planted in accordance with this chapter shall not be considered an obstruction.

**OFF-STREET PARKING FACILITY.** A lot which is improved and used, or an attached or detached accessory structure, or portion of a principal structure, which is designed and used exclusively for parking spaces and storage of passenger motor vehicles.

**OFFICE.** A building or portion of a building wherein predominantly administrative, business or professional services are offered or performed or business is conducted, including but not limited to the services of doctors, dentists, personal trainers, attorneys, accountants, insurance agents and clerical operations.

**OFFICE, BUSINESS OR PROFESSIONAL.** A place where a particular kind of business is transacted or a professional service is provided.

(1) A **BUSINESS OFFICE** may be used for occupations, including but not limited to, real estate brokers, insurance brokers, financial and investment advisors, clerical personnel, trainers, editors, administrators and other similar occupations.

(2) A **PROFESSIONAL OFFICE** may be used to provide services that require knowledge in a field of learning typically acquired through education or training pertinent to the specialized field, as distinguished from general education, including but not limited to, engineers, attorneys, accountants, architects, planners, and other similar professions but, for purposes of this chapter, not including medical, dental, orthodontic, ophthalmologic, optical or other medically-related services.

**OFFICE, MEDICAL.** A place, sometimes but not always associated with a hospital or medical school, that is devoted, in whole or in part, to examination, treatment, diagnosis and care, on an out-patient basis, by physicians, dentists, orthodontists, ophthalmologists, opticians, and other medically-related practitioners but, for purposes of this chapter, not including places wholly devoted to physical or occupational therapy, including acupuncture and similar alternative therapies.

**OPEN SALES LOT.** Any land used or occupied for the purpose of buying and selling merchandise, passenger cars, trucks, motor scooters, motorcycles, boats, trailers, recreational vehicles, aircraft and monuments and for the storing of same prior to sale.

**OPEN SPACE.** Parks, playgrounds, parkway medians, landscaped green space, or similar open areas that are used for agriculture or outdoor recreational uses, but not including public right-of-way, private driveways or roadways, or parking facilities.

**ORNAMENTAL ENTRY GATE.** Structures erected generally parallel to and not perpendicular to a street, which are used in conjunction with a sign for the purpose of ornamentation intended to improve, identify, designate, label or demarcate the entrance to or exit from a residential or office subdivision or planned unit development. Such structures may include, but are not limited to, decorative walls, columns, fence-like structures, sculptures or statues and are not considered part of a sign per se; however, an ornamental entry gate sign may be a part of or mounted on the face of an ornamental entry gate as set forth in § 156.043.

**PARCEL.** A lot, or contiguous group of lots in single ownership or under single control which are usually considered a unit for purposes of development.

**PARK.** A publicly owned area that is open to the general public and is reserved for recreational, educational, or scenic purposes.

**PARKING SPACE.** A designated area, enclosed or unenclosed, that is used to store one automobile, together with a driveway connecting the parking space with a street, road or alley and permitting ingress and egress of such an automobile.

**PARKING STRUCTURE, DECK OR GARAGE.** An accessory structure used for the parking or storage of motor vehicles in conjunction with multiple-family or commercial uses.

**PATIO.** See **TERRACE**.

**PLANNED UNIT DEVELOPMENT.** A special use for land which is of such substantially different character from other special uses that specific and additional standards and exceptions are necessary; and which will allow uses, bulk and site layout that would not otherwise be allowed by law; will contain or provide amenities not otherwise required by law, including but not limited to provisions for common open space, recreational facilities, or specific design, engineering, architectural, site planning or landscape features; or will offer benefits to the neighborhood of which it is a part or to the general public welfare beyond those required by this chapter.

**PLANNING AND ZONING COMMISSION.** The Planning and Zoning Commission of the City of Oakbrook Terrace.

**PLAT.** A map indicating graphically a proposed land subdivision or re-subdivision prepared in a form suitable for filing for record with necessary affidavits, dedications and acceptances, and

with complete bearings and dimensions of all lines defining lots and blocks, streets, alleys, public areas and other dimensions of land.

**PORCH.** A roofed open area, which is attached to or part of a building, with direct access to or from such building.

**POULTRY PEN.** A structure suitable to house not more than four female chickens that is enclosed on all sides with a roof and door. The windows must be covered by wire mesh with one inch (1") or smaller openings to discourage predators.

**PREMISES.** A lot together with all buildings and structures thereon.

**PRESCHOOL.** A facility that provides educational group experiences for children prior to their entrance into the primary grades of elementary school, usually children from ages three to six or seven.

**PUBLIC UTILITY.** Any person, firm or corporation duly authorized to furnish electricity, gas, steam, telephone, telegraph, cable television, electronic data, water or sewage services to the public under public regulation.

**RECREATIONAL VEHICLE.** Any boat, trailer or motor vehicle which is used primarily for recreational purposes and not commercially, which is without permanent foundation, and which may legally be driven or towed by a motor vehicle on a highway or street.

**RESEARCH LABORATORY.** A building, portion of a building or group of buildings in which are located facilities for scientific research, investigation, testing or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

**RESTAURANT.** Any public place kept, used, maintained, advertised or held out to the public as a place where the primary business is the service of meals, and where meals are actually and regularly served, such space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests. No premises which charges any kind of entrance fee or requires a minimum amount to be spent solely for the purchase of alcoholic liquor or other beverages, and no premises that provides sleeping accommodations, shall be deemed to be a **RESTAURANT** hereunder.

**RETAINING WALL.** A structure built to fortify an elevation or embankment to create a change in grade that may structurally affect a building or buildings above or below the structure, or to permanently maintain an engineered retention pond or detention area.

**RIGHT-OF-WAY.** A strip of land dedicated to the public or owned by a public utility, and occupied or intended to be occupied by a street, crosswalk, railroad line, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for another similar special

use, as established and depicted on a final plat so as to be separate and distinct from the lots or parcels abutting it and so as not to be included within the dimensions of such lots or parcels.

***SANITARY LANDFILL.*** A type of operation in which refuse and earth or other suitable cover material is deposited in alternate layers of specified depth in accordance with a definite plan acceptable to the City Engineer on a specified portion of open land, with each layer being compacted by force applied by mechanical equipment.

***SATELLITE DISH ANTENNA.*** A device which incorporates a reflective surface that is solid, open mesh, or bar configured and is in the shape of a shallow dish, cone, horn, or cornucopia. Such device shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based equipment. This definition is meant to include but not be limited to what are commonly referred to as satellite earth stations, television receive-only antennas (TVRO's) and satellite microwave antennas.

***SATELLITE SIGNALS.*** Those radio or electromagnetic waves which contain satellite cable programming and other satellite transmissions, and which are designed to be lawfully received or transmitted by satellite dish antennas.

***SCREENING.*** A structure erected or vegetation planted for concealing from viewers the area behind it.

***SEASONAL OUTDOOR GARDEN SALES.*** A temporary use requiring a permit pursuant to § 156.050 of this chapter, for the temporary sale and delivery of garden materials on the sidewalk immediately in front of a building occupied by a permitted retail use, including live flowers, shrubs, and similar live plants, wreaths, pumpkins and similar organic holiday decorations.

***SEMITRAILER.*** Every vehicle without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle so that some part of its weight and that of its load rests upon or is carried by another vehicle.

***SENIOR CITIZEN HOUSING.*** A multiple- family building designed for occupancy by the elderly, which means a dwelling:

- (1) Provided under any state or federal housing subsidy program for elderly persons (as defined in any such program); or
- (2) Intended for and operated for occupancy by at least one person 55 years of age or older per unit, provided that the building shall:
  - (a) Provide significant facilities and services specifically designed to meet the physical or social needs of persons 55 years of age or older or, if the provision of such facilities and services is not practicable, such housing shall be determined to be necessary to provide important housing opportunities for older persons; and

(b) Have at least 80% of its units occupied by at least one person 55 years of age or older per unit or, if less than 80% of such units are so occupied, not less than 80% of such units shall be reserved for occupancy by persons 55 years of age or older, and

(3) Publish and adhere to policies and procedures which demonstrate an intent by the owner or manager to provide housing for persons 55 years of age or older.

**SERVICE.** Furnishing to the public of cable or video service.

**SERVICE ENTITY.** An individual or entity owning or operating any above ground service facility that provides services.

**SETBACK.** See **FRONT YARD, REQUIRED**.

**SEWAGE SYSTEM.** A facility designed for the collection, removal, treatment, and disposal of waterborne sewage.

**SHOPPING CENTER.** An integrated group of predominantly retail oriented establishments located on a parcel of land which is not less than two acres, is planned, developed, owned or managed as a unit, and is within a building or buildings with common parking facilities.

**SIGN.** An identification, description, illustration, or device which is affixed to or represented directly or indirectly upon a building, structure, or land and which directs attention to an object, product, place, activity, person, institution, business or organization or idea.

**SIGN, ALTERATION.** A change in the structure of a sign; an addition or enlargement of a sign; movement of a sign; change of the sign face, including color, or a change in the business use or identity associated with a sign. Repair of a sign without such changes shall not be considered alternation of the sign.

**SIGN, BUILDING IDENTIFICATION.** A non-illuminated or indirectly illuminated freestanding or wall sign, which states only the name, address, or other information that serves to identify a building or the uses therein.

**SIGN, CONSTRUCTION SITE.** A single-sided sign at a site on which new exterior construction is occurring, which sign directs attention to the rules and regulations applicable to such a site, including but not limited to, work hours, traffic rules, environmental regulations, and clean up regulations.

**SIGN, DIRECTIONAL.** A type of sign directing traffic movement onto or within a parcel which may also contain the name of the business and/or logo.

**SIGN, FLASHING.** An illuminated sign on which the artificial light is not maintained constantly or in stationary intensity or color at all times when such sign is in use. For the purpose of this chapter a FLASHING SIGN may include a revolving sign, any advertising device which

attracts attention by moving parts, or is operated by mechanical equipment, or for which movement is caused by natural sources, whether or not illuminated with artificial lighting.

***SIGN, FREESTANDING.*** Any sign which is not attached to any building, but is mounted on the ground.

***SIGN, GROSS SURFACE AREA OF.*** The entire area within a single continuous perimeter enclosing the extreme limits of a sign, exclusive of structural or framing elements.

***SIGN, INDIRECTLY ILLUMINATED.*** A sign having its characters, letters, figures, designs, or outlines illuminated entirely by its own source of artificial light located outside the perimeter of such sign, including but not limited to spot lights directed onto the sign face.

***SIGN, INTERNALLY ILLUMINATED.*** A sign illuminated by light sources enclosed entirely within the sign cabinet and not directly visible from outside the sign, including but not limited to lighting inside the sign structure or behind an opaque sign panel, and individually backlit letters.

***SIGN, MONUMENT.*** A sign which is displayed on a decorative feature of brick, wood, metal or other material, and which is intended to serve as an entry feature or focal point.

***SIGN, OFF-PREMISES FREESTANDING.*** Any sign which is not attached to any building, but is mounted on the ground, for which the copy does not relate directly to the business or enterprise conducted on the premises on which it is located.

***SIGN, ON-PREMISES.*** A sign which directs attention to a business commodity, service, entertainment, or other activity conducted upon the lot upon which such sign is located.

***SIGN, ORNAMENTAL ENTRY GATE.*** A non-illuminated or indirectly illuminated sign, which is located on the street side of an ornamental entry gate, and which sets forth the name and/or address of a residential or office subdivision or planned unit development.

***SIGN, POLE.*** A sign that is mounted to the ground, that is not attached or dependent for support from any building, and whose face or cabinet is supported by poles or braces or by a larger single pole.

***SIGN, PORTABLE-TRAILER TYPE.*** Any sign attached to or part of a vehicular trailer, which can be transported by motor vehicle, and which may use electrical or lighted displays for the purpose of advertising.

***SIGN, TEMPORARY.*** Any non-illuminated banner, pennant, streamer or advertising display sign, which is temporarily erected, installed, hung or displayed, not for long-term use.

***SIGN, WALL.*** Any sign attached, applied to, placed flat against or displayed parallel to the exterior front, rear or side wall of any building or structure.

**SIGN, WINDOW.** A sign that is visible from the exterior of a building or structure and that is permanently painted on a window, or hung immediately behind a window, or displayed from a window, for the specific purpose of identifying the proprietor, name of business, or items or services offered within the building.

**SIGN AREA.** The total area of the space to be used for advertising purposes, including the spaces between open-type letters and figures, and including the background structure or any other decoration or addition which is an integral part of a sign. Sign supports shall be excluded in determining the area of a sign. Each side of a double-faced sign shall be calculated in determining the total area of the sign.

**SNACK BAR.** Any place where light, quick meals are served, typically involving little or no food preparation.

**SPECIFIED ANATOMICAL AREAS.**

- (1) Less than completely and opaquely covered:
  - (a) Human genitals, pubic region, or pubic hair;
  - (b) Buttock; or
  - (c) Female breast below a point immediately above the top of the areola; and
- (2) Human male genitals in a discernible turgid state, even if completely and opaquely covered.

**SPECIFIED SEXUAL ACTIVITIES.**

- (1) Human genitals in a state of sexual stimulation or arousal;
- (2) Acts or representations of acts of human masturbation, sexual intercourse or sodomy, bestiality, oral copulation or flagellation;
- (3) Fondling or erotic touching of human genitals, pubic region, buttock or female breast;
- (4) Excretory functions as part of or in connection with any activities set forth in divisions (1) through (3) above.

**STORY.** That portion of a building included between the top surface of the next floor or roof above. The floor of a STORY may have split levels provided that there is not more than four feet difference in elevation between the different levels of the floor.

**STORY, HALF.** A space under a sloping roof for which the line of intersection of roof decking and wall is not more than three feet above the top floor level.

**STREET.** A permanent public right-of-way or private roadway which affords a primary means of vehicular access to abutting property.

**STRUCTURAL ALTERATION.** Except for such repair or replacement as may be required for the safety of a building, any change in the supporting members of a structure, such as bearing walls, columns, beams, or girders; or any substantial change in the roof or in the exterior walls.

**STRUCTURE.** Anything constructed or erected, the use of which requires a more or less permanent location on the ground or an attachment to something having a permanent location on

the ground, including but not limited to, buildings, signs, decks, fences, patios, swimming pools, pavements, driveways and walkways, provided that readily removable decorative landscape borders or features, including but not limited to bricks, stones, timbers, flower boxes and other similar features shall not be considered STRUCTURES and further provided that fences shall not be considered STRUCTURES for purposes of calculating the maximum permitted coverage of the front yard.

**SUBDIVISION.** See definition in § 159.04 of this code.

**SUPPORTING STRUCTURE, ANTENNA.** A structure and any support thereof, such as a self-supporting mast, pole, lattice tower, guy tower or monopole tower, or other supporting base, which is constructed as a freestanding accessory structure or in association with a building, other permanent structure or equipment, on which one or more antennas or satellite dish antennas are located.

**SWIMMING POOL, PRIVATE.** Any pool, used or capable of being used for swimming or bathing (including drained pools), 18 inches or more in depth, or with a surface area exceeding 75 square feet, which is used, or intended to be used, in connection with residences and available only to the families occupying such residences and their guests.

**SWIMMING POOL, PUBLIC.** Any pool, used or capable of being used for swimming or bathing (including drained pools), 18 inches or more in depth, or with a surface area exceeding 75 square feet, which is used, or intended to be used, by the general public.

**TAVERN.** An establishment which has as its principal purpose, the sale and consumption of alcoholic beverages on the premises by patrons. Food may be served and consumed at such an establishment, but is considered accessory to the principal use.

**TEMPORARY SALES LOT.** Any open land used or occupied under a temporary use permit for the purpose of buying and selling merchandise, including but not limited to, Christmas trees, pumpkins and other seasonal merchandise.

**TEMPORARY USE.** A use proposed to exist for a temporary period of time and for a limited number of such periods of time in any given calendar year, regardless of whether such use would ordinarily be permitted in the city, or in the zoning district for which such use is proposed.

**TERRACE.** A level, landscaped and/or masonry area consisting of concrete, paver bricks, or inlaid stone, directly adjacent to a principal building, not covered with a roof, and located at or within three feet of the finished grade.

**TRAILER.** A vehicle without motive power designed for the carrying, hauling, or transporting of persons or property, which is constructed and designed to be towed by a motor vehicle.

**TRUCK.** Every motor vehicle designed, used or maintained primarily for the transportation of property.

**TRUCK TRACTOR.** Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

**USE.** The purpose or activity for which the land and structures thereon, are designed, arranged, or intended, or for which they are occupied or maintained.

**USE, ACCESSORY.** An activity or structure incidental or secondary to the principal use on the same site.

**USE, PERMITTED.** A use which is or may be lawfully established in a particular district provided that it conforms with all requirements, regulations, and standards of this chapter for the district in which such use is located.

**USE, PRINCIPAL.** The dominant use of land or structures as distinguished from a subordinate or accessory use.

**USE, SPECIAL.** A use that has unusual operational, physical, or other characteristics that may be different from those of the predominant permitted uses in a district, but which is a use that compliments and is otherwise, or can be made, compatible with the intended overall development within a district. Compliance with special standards not necessarily applicable to other permitted uses or special uses in the district may be required for a special use, as established in this chapter, or by the City Council or the Planning and Zoning Commission.

**VEHICLE, COMMERCIAL.** Any vehicle operated for the transportation of persons or property in the furtherance of any commercial or industrial enterprise, for-hire or not-for-hire, but not including a commuter van, a vehicle used in a ridesharing arrangement when being used for that purpose, or a recreational vehicle not being used commercially.

**VIDEO SERVICE.** Video programming and subscriber interaction, if any, that is required for the selection or use of such video programming services, and which is provided through wireline facilities located at least in part in the public rights-of-way without regard to delivery technology, including internet protocol technology. This definition does not include any video programming provided by a commercial mobile service provider defined in 47 U.S.C. § 332(d) or any video programming provided solely as part of, and via, service that enables users to access content, information, electronic mail, or other services offered over the public Internet.

**YARD.** An open area between the building lines and the lot lines of a lot.

**YARD, FRONT.** The yard between a principal building and the front lot line. In the case of a corner lot or any other lot that fronts on more than one street, yards extending along all streets are front yards; provided that for purposes of determining what obstructions are permitted in the front yard under § 156.045(B), and for purposes of calculating the maximum permitted coverage of the front yard, the area of the required front yard shall govern. In any case, where a building line requirement has been established which is different from the front yard requirements, the stricter of the two requirements shall control.

**YARD, REQUIRED FRONT.** The yard which is bounded by the front yard line and the front lot line. In any case, where a building line requirement has been established, which is different from the front yard requirements, the stricter of the two requirements shall control.

**YARD, REQUIRED REAR.** A yard which is bounded by side lot lines, rear lot line, and the rear yard line. In the case of a corner lot, the yard bounded by the lot line and yard line parallel to and opposite of the most narrow lot line fronting on a street.

ont yard line, side yard line, and side lot line.

**YARD LINE, FRONT.** A line in a lot that is parallel to the front lot line and which is not nearer to the front lot line at any point than the required front yard depth.

**YARD LINE, REAR.** A line in a lot that is parallel to the rear lot line and which is not nearer to the rear lot line at any point than the required rear yard depth.

**YARD LINE, SIDE.** A line in a lot that is parallel to the side lot line and which is not nearer to the side lot line at any point than the required side yard depth.

**ZONING ADMINISTRATOR.** An individual appointed by the Mayor, who is authorized and responsible to administer and enforce the provisions of this chapter, making such determinations, interpretations, and orders as are necessary therefor, and requiring such plats, plans and other descriptive material in connection with applications for permits as are to judge compliance with this chapter.

**ZONING BOARD OF APPEALS.** The Planning and Zoning Commission acting as the Zoning Board of Appeals for the City of Oakbrook Terrace. See **PLANNING AND ZONING COMMISSION**.

**ZONING DISTRICT.** See **DISTRICT, ZONING**.

**ZONING DISTRICT MAP.** The official Zoning District Map of The City of Oakbrook Terrace.

**Section 3. Amendment of Section 156.035.** Section 156.035 entitled “Accessory Buildings and Uses” of Chapter 156 entitled “Zoning” of Title XV entitled “Land Usage” of the Code of Oakbrook Terrace, Illinois shall be amended to read as follows:

**§ 156.035 ACCESSORY BUILDINGS AND USES.**

(A) General. Accessory buildings, structures and uses other than highway advertising signs shall be compatible with the principal building, structure or use, shall not be established prior to the establishment of the principal building, structure or use, and, except for poultry pens as permitted under § 92.02(G) and § 156.075(B)(1)(a), shall not include the keeping of poultry or livestock, whether or not for profit. No accessory building or structure shall be used for dwelling purposes.

(B) Location. All accessory buildings or structures shall be erected, altered or moved only in conformance with the minimum required yard regulations applicable to the zoning district in which they are located, except for permitted obstructions in minimum required yards as provided in § 156.045(B)

(C) Maximum height and size. Unless otherwise permitted by a planned unit development or a variation, the maximum height and size for accessory buildings of structures shall be as follows:

(1) Maximum height - Single Family Residential District.

(a) The maximum height for a building or structure that is accessory to a principal single-family residential building or structure shall be 16 feet above grade, except as provided in division (C)(1)(c) through (f) below.

(b) The maximum height for any building or structure accessory to a principal nonresidential building or structure shall be the maximum height for principal nonresidential buildings or structures in the applicable zoning district, except as provision in division (C)(1)(d) and (f) below.

(c) The maximum height for an attached garage accessory to a principal single-family dwelling shall be the maximum building height for the dwelling.

(d) The maximum height for storage sheds accessory to a principal single-family building or structure or to a principal nonresidential building or structure shall be ten feet above grade.

(e) The maximum height for light poles accessory to a principal detached single-family residential building or structure shall be eight feet above grade; provided that the maximum height for light poles in conjunction with a swimming pool shall be four feet above grade. The maximum height for light poles accessory to a principal attached single-family building or structure shall be 16 feet above grade.

(f) The maximum height for generators accessory to a principal single-family residential building or structure shall be six feet above grade. The maximum height for generators accessory to a principal nonresidential building or structure shall be 16 feet above grade, and such a generator shall be screened from view by a six-foot solid fence or wall, with landscaping around the fence for an additional six-foot buffer.

(2) Maximum size - Single-Family Residential District.

(a) The maximum size for a shed accessory to a principal single-family residential building or structure or to a principal non-residential building or structure shall be 150 square feet.

(b) The maximum size for a detached garage accessory to a principal single-family residential building or structure shall be 920 square feet.

(c) The maximum size for a generator accessory to a principal single-family residential building or structure shall be 60 square feet.

(d) The maximum size for a generator accessory to a principal non-residential building or structure shall be 120 square feet, and such a generator shall be screened from view by a six-foot solid fence or wall, with landscaping around the fence for an additional six-foot buffer.

(3) **Maximum height - Business or Multiple-Family District.** The maximum height for an accessory building or structure in a Business or Multiple-Family District shall be 16 feet above grade; provided that the maximum building height for a parking structure in a business or multiple-family district shall not exceed the building height allowed for a principal building in the district where said structure is located and the maximum height for a highway advertising sign shall be as set forth in § 156.052(G) of this code.

(4) **Maximum size - Business or Multiple-Family District.**

(a) The maximum size for a shed shall be 150 square feet.

(b) The maximum size for a generator shall be 120 square feet, and such a generator shall be screened from view by a six-foot solid fence or wall, with landscaping around the fence for an additional six-foot buffer.

(c) The maximum size for a highway advertising sign shall be as set forth in § 156.052(G) of this code.

(D) **Maximum size - Residential District.** In a single-family residential district there shall be allowed a maximum of two accessory buildings. Such accessory buildings shall not occupy more than 8% of the lot area or 920 square feet, whichever amount is less.

(E) **Maximum height - Commercial District.** No accessory building in a commercial zone shall have a building height of more than one story or 16 feet, whichever is less, unless otherwise permitted by special use permit and/or variation. A parking structure in a commercial or multi-family zone shall have a building height of not more than the building height allowed by the business district where said structure is located.

(F) **Maximum size - Commercial District.** In a commercial district, an accessory building which is not part of the principal building shall not occupy more than 30% of the

required rear yard; provided, however, that no such accessory building shall exceed an area of 800 square feet. In a commercial and multi-family zone, areas of parking structures and principal buildings shall comply with floor area ratios of the business district where construction is located.

**Section 4. Amendment of Section 156.075.** Section 156.075 entitled “R-1 Single-Family Detached” of Chapter 156 entitled “Zoning” of Title XV entitled “Land Usage” of the Code of Oakbrook Terrace, Illinois shall be amended to read as follows:

**§ 156.075 R-1 SINGLE-FAMILY DETACHED.**

(A) Permitted uses. The following uses are permitted:

- (1) Single-family detached dwellings and permitted accessory buildings and accessory uses, including temporary sales offices for new developments.
- (2) Parks and forest preserves.
- (3) Home occupations in a dwelling unit, as an accessory use to a detached single-family dwelling, subject to the following restrictions:
  - (a) Such use shall be conducted entirely within the dwelling;
  - (b) Such use shall employ only members of the family residing on the premises and no more than one non-family member;
  - (c) Such use shall not have any sign or display, either outside or in any window of the dwelling, that will indicate from the exterior of that dwelling that it is being used for any use other than a residential dwelling;
  - (d) Such use shall involve no stock-in-trade or commodity that will be sold to customers who visit the premises to make purchases;
  - (e) Such use shall not involve the use or storage of any explosive or combustible materials, or the use of any mechanical or electrical equipment on the premises, that would create any offensive noise, vibrations, smoke, sewage, fumes, odor, heat, glare, or electrical interference, or any other noxious effects or dangers, or that would constitute a nuisance that would be noticeable at or beyond the property line;
  - (f) Such use shall have no separate entrance from outside the dwelling to serve the home occupation, and the area for the home occupation, including any storage, shall not utilize more than 10% of the floor area of the dwelling or 250 square feet, whichever is less;

(g) Such use shall not require any regular receipt or delivery of merchandise, goods, or equipment by any truck tractor drawing a semitrailer.

(4) Antennas as regulated by § 156.047 of this code.

(5) Day care homes, as an accessory use conducted within a detached single-family dwelling, provided that a day care home shall not be considered a home occupation but shall be subject to the following restrictions:

(a) No portion of the activities of the day care home shall be conducted in any attached or detached garage;

(b) Day care homes shall not have any sign or display, either outside or in any window, that will indicate from the exterior that the detached single-family dwelling is being used for any use other than a dwelling;

(c) If the operator of a day care home chooses to fence a yard around the play area, such fence shall be in conformance with the yard requirements for fences in § 156.039 of this code, enclose the entire perimeter of the yard, be a minimum of four feet in height, and self-closing and self-latching, with latches placed at least 42 inches above the ground.

(6) Above ground service facilities, but only in compliance with § 156.051.

(B) Special uses. The following uses may be allowed by special uses in accordance with the provision of § 156.022 of this code.

(1) Growing of farm, garden, and plant nursery crops for profit, in the open, provided that no livestock or poultry are kept, and no offensive odors or dust are created except as follows:

(a) No more than four female chickens may be housed in a poultry pen located within a rear yard of a single-family residential detached dwelling unit. The poultry pen shall be located a minimum of 25 feet from the side and rear property lines and a minimum of 10 feet from the single-family detached residential dwelling unit on the property. The poultry pen shall be maintained in compliance with § 92.02(G) of this code.

(2) Day care centers and preschools, with or without kindergartens.

(3) Public uses, police and fire stations, telephone exchanges, sewage lift stations, electric substations, and other similar public service or government uses.

(4) Schools, public and private, elementary and high, including playgrounds and athletic fields auxiliary thereto.

- (5) Libraries.
  - (6) Private solar collection panels when mounted on the roof.
  - (7) Freestanding antennas as regulated by § 156.047 of this code.
  - (8) Churches.
  - (9) Clubhouses and common recreational facilities accessory to single-family detached dwellings, for the sole use of residents and their guests.
- (C) Minimum floor area. There shall be provided a minimum floor area as follows:
- (1) Not less than 1,500 square feet, not including the basement, and not less than 800 square feet on the ground floor, for each new single-family detached dwelling, or any existing single-family detached dwelling that is enlarged or expanded by 50% or more of the existing floor area of such dwelling.
  - (2) No minimum floor area shall be required for a nonresidential building.
- (D) Lot area and lot width. There shall be provided a minimum lot area and minimum lot width as follows:
- (1) Not less than 11,000 square feet for each single-family detached dwelling hereafter erected, and a minimum lot width, measured at the established building line, of not less than 65 feet, except in the case of cul-de-sacs, where the minimum lot width, measured at the established building line shall be not less than 55 feet.
  - (2) Except for telephone exchanges, sewage lift stations, electrical substations, and similar public service uses, not less than 20,000 square feet for a permitted nonresidential building, and a minimum lot width, measured at the established building line, 100 feet.
  - (3) The area devoted to streets shall not be used in computing the lot area per dwelling unit.
- (E) Yard areas. (See Appendices A and B of this chapter.) There shall be provided minimum yards as follows:
- (1) Front yard:
    - (a) Except as provided in division (G)(2) of this section for additional building height, not less than 30 feet in depth for a lot occupied by a detached single-family dwelling.

(b) Not less than 30 feet in depth for a lot occupied by a nonresidential building, provided that there shall be a minimum front yard of not less than ten feet in depth for paved area.

(2) Interior side yards:

(a) Except as provided in division (G)(2) of this section for additional building height, not less than 12% of the front yard at the building line or ten feet in depth, whichever is greater, on each side of a lot occupied by a single-family dwelling.

(b) Not less than 12% of the front yard at the building line or ten feet in depth, whichever is greater, on each side of a lot occupied by a permitted nonresidential building, provided that there shall be a minimum side yard of not less than ten feet in depth on each side of the lot for paved area.

(3) Rear yard:

(a) Not less than 25 feet for a lot occupied by a detached single-family dwelling.

(b) Not less than 25 feet in depth for a lot occupied by a permitted nonresidential building; provided that there shall be a minimum rear yard of not less than ten feet in depth for paved area.

(F) Maximum lot coverage. There shall be allowed a maximum lot coverage as follows:

(1) Subject to the applicable restrictions established in § 156.045(B) of this code for permitted obstructions in yards, not more than 40% of the lot area may be occupied by a detached single-family dwelling and related structures, including accessory buildings, pavements, driveways, and walkways, and not more than 35% of the required front yard may be occupied by structures, as defined.

(2) Subject to the applicable restrictions established in § 156.045(B) of this code for permitted obstructions in yards, not more than 70% of the lot area may be occupied by a permitted nonresidential building and related structures, including accessory buildings, signs, pavements, driveways, and walkways. No maximum front yard coverage is established for lots occupied by a permitted nonresidential building. The floor area for permitted nonresidential buildings shall not exceed 0.5.

(G) Building height. There shall be a maximum building height as follows:

(1) Building height for a single-family detached dwelling only shall be defined as the vertical distance measured from the average elevation at the top of the shoulder or the top of the curb along the side of the right-of-way adjacent to the building lot to the highest point of the building or, if the average elevation of the finished grade along the front of the proposed building is below the average elevation at the top of the shoulder or the top of the curb along the side of the right-of-way adjacent to the building lot, then the building height shall be defined as the vertical distance measured from the average elevation of the finished grade along the front of the proposed building to the highest point of the building.

(2) Not more than 35 feet in height for a single-family detached dwelling; provided that for each one foot of building height over 25 feet, an additional one foot of side yard shall be required on each side of the lot, and an additional 1/2 foot of front yard shall be required on the lot.

(3) Not more than 35 feet for a permitted nonresidential building.

(H) Visual environment. In order to conserve existing property values, to preserve the attractiveness of homes and home surroundings, to prevent erosion, to assist in stormwater and flood control, and to provide for clean air, required front yards shall be devoted primarily to landscaped area except for the necessary paving of driveways and sidewalks to reach parking in the side or rear yard. Landscaped areas shall mean that the area is primarily devoted to the growing of shrubbery, grass, and other plant material. The applicable landscaping requirements of § 156.049 shall be met for any construction of a new single-family detached residence, or construction of any addition to an existing detached single-family residence that enlarges such residence by more than 50% of its existing floor area in the R-1 Single-Family Detached Zoning District. No lighting on a residential zoning lot shall cause any glare or excessive light spillover onto any adjacent residential property from interior or exterior lighting. All exterior lighting fixtures shall be directed or shaded to avoid casting direct light upon any adjacent residential property or into any public streets or parks. In no case shall such lighting exceed two foot candles measured at any lot line.

**Section 5. Severability.** If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by ordinance.

**Section 6. Repealer.** All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of the conflict.

**[The remainder of this page is left blank intentionally.]**

**Section 7. Effective Date.** This ordinance shall take effect ten (10) days following its passage, approval, and publication in pamphlet form as provided by law.

ADOPTED this 25<sup>th</sup> day of August 2015 pursuant to a roll call vote as follows:

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

NAYS: \_\_\_\_\_

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

ABSTENTION: \_\_\_\_\_

APPROVED by me this 25<sup>th</sup> day of August 2015.

---

Tony Ragucci, Mayor of the City of  
Oakbrook Terrace, DuPage County, Illinois

ATTESTED and filed in my office  
25<sup>th</sup> day of August 2015.

---

Michael Shadley, Clerk of the City of  
Oakbrook Terrace, DuPage County, Illinois

ORDINANCE NO. 15-55

**AN ORDINANCE AMENDING THE PROVISIONS OF SECTION 92.02 ENTITLED "STANDARDS AND PROHIBITIONS" OF CHAPTER 92 ENTITLED "ANIMAL CONTROL" OF TITLE IX ENTITLED "GENERAL REGULATIONS"; AND SECTION 154.04 ENTITLED "FEES FOR ANNEXATION, ZONING AND DEVELOPMENT PETITIONS" OF CHAPTER 154 ENTITLED "FEES AND DEPOSITS" OF TITLE XV ENTITLED "LAND USAGE" OF THE CODE OF OAKBROOK TERRACE, ILLINOIS, TO PERMIT THE HOUSING AND RAISING OF FEMALE CHICKENS WITHIN THE CITY OF OAKBROOK TERRACE, ILLINOIS**

---

**WHEREAS**, the City of Oakbrook Terrace (the "City") is a home-rule unit of local government under Article VII, Section 6 of the 1970 Illinois Constitution and, except as limited by such Section, it may exercise any power and perform any function pertaining to its government and affairs and the City Council of the City finds that the subject matter of this ordinance pertains to the government and affairs of the City and is passed pursuant to the provisions of Article VII, Section 6(a) of the 1970 Illinois Constitution;

**WHEREAS**, Section 92.02(G) of the Code of Oakbrook Terrace, Illinois, currently prohibits any owner or keeper of any animal to keep any poultry pen;

**WHEREAS**, the Centers for Disease Control and Prevention advises that in recent years, several human Salmonella outbreaks associated with live poultry contact have been reported to it and that it is common for chickens to carry Salmonella in their droppings and on their bodies and for Salmonella germs to be present in the pens and soil in the area where chickens live and roam and on the hands, shoes, and clothing of those who handle the chickens or work or play where they live and roam;

**WHEREAS**, the Illinois Department of Public Health advises that:

1. Salmonella and Campylobacter are common public health hazards potentially associated with chicken contact and are communicable to people through direct contact or exposure to manure;
2. The attraction of predators is a public health hazard potentially associated with urban chicken farming. The presence of chickens on a property might attract urban predators such as stray dogs, foxes and coyotes. This would increase the probability of conflict between humans and predators in the urban environment (e.g., animal bites). This hazard could be mitigated by requiring flock owners to provide sufficient structural protection to prevent predator access to their flocks;
3. The attraction of rodents is a public health hazard potentially associated with urban chicken farming. Failure to maintain a clean environment for the chickens could attract mice or rats to a property. This hazard could be mitigated by requiring flock owners to exercise the proper care and maintenance of chicken flocks;

**WHEREAS**, the City Council has determined that is desirable to permit the possession of female chickens and keeping of rear-yard poultry pens to encourage general health and welfare within the City subject to certain reasonable regulations to protect the health, safety and welfare of the City's residents;

**WHEREAS**, the City has filed a petition to amend Section 92.02 entitled "Standards and Prohibitions" of Chapter 92 entitled "Animal Control" of Title IX entitled "General Regulations"; and Section 154.04 entitled "Fees for annexation, zoning and development petitions" of Chapter 154 entitled "Fees and Deposits" of Title XV entitled "Land Usage"; of the Code of Oakbrook Terrace, Illinois, to regulate the housing and raising of female chickens within the City;

**WHEREAS**, the corporate authorities of the City of Oakbrook Terrace, Illinois, have determined that public necessity, convenience, general welfare require amendments to the regulations of Section 92.02 entitled "Standards and Prohibitions" of Chapter 92 entitled "Animal Control" of Title IX entitled "General Regulations"; and Section 154.04 entitled "Fees for annexation, zoning and development petitions" of Chapter 154 entitled "Fees and Deposits" of Title XV entitled "Land Usage"; of the Code of Oakbrook Terrace, Illinois, to regulate the housing and raising of female chickens within the City;

**NOW THEREFORE, BE IT HEREBY ORDAINED** by the City Council of the City of Oakbrook Terrace, DuPage County, Illinois, as follows:

**Section 1. Recitals.** The facts and statements contained in the preambles to this ordinance are found to be true and correct and are hereby adopted as part of this ordinance.

**Section 2. Amendment of Section 92.02.** Section 92.02 entitled "Standards and Prohibitions" of Chapter 92 entitled "Animal Control" of Title IX entitled "General Regulations" of the Code of Oakbrook Terrace, Illinois, is hereby amended to read as follows:

**§ 92.02 STANDARDS AND PROHIBITIONS.**

It shall be unlawful for the owner or keeper of any animal to do any of the following:

- (A) To fail to keep any animal under restraint at all times;
- (B) To permit any animal to be at large anywhere within the city;
- (C) To permit any animal to enter any place where food is stored, prepared or sold to the public, or any public building or hall; provided that this prohibition shall not apply to any person having a disability who uses a trained guide or support dog, or to any animal hospital;
- (D) To permit any animal to enter or remain on the premises of another person within the city without the consent of such person;
- (E) To permit any animal to damage or destroy any property;

(F) To keep, harbor or maintain more than three dogs or cats of more than four months in age, or any combination thereof, upon any property within the city; provided that such restriction shall not be applicable to any animal hospital or pet shop in a zoning district where such uses are permitted in the city, and further provided that any person who owned or kept more than three dogs or cats of more than four months in age, or any combination thereof, as of June 15, 2003, shall be entitled to own or keep such animals until the number thereof is reduced to three by death, sale, or gift, after which such owner or keeper shall comply with this restriction;

(G) To keep any stable, poultry yard or pen, or any other place for the housing of any livestock in any place in the city, except upon the granting of a special use permit as provided for and subject to the limitations provided in Section 156.075(B)(1)(a), a poultry pen may be located and maintained in the rear-yard of a single-family detached dwelling located in an R-1 zoning district.

(1) No person or owner shall keep, or allow to be kept, any poultry pen or fenced area containing chickens in a foul, offensive, nauseous or filthy condition.

(2) Poultry pens shall be kept in a clean, dry, odor free, and sanitary manner at all times. Poultry pens shall be cleaned at least once every twenty-four hours and all refuse shall be disposed of in a clean and sanitary fashion. All poultry pens shall be free from undue accumulation of waste such as to cause odors detectable on adjacent properties.

(3) Odors from chickens, manure, or related substances shall not be detectable beyond the property lines of the property on which the poultry pens is located.

(4) Poultry pens shall provide adequate ventilation, shade, and be resistant to predators, wild birds, and rodents.

(5) Chickens shall be kept in a poultry pen or fenced area at all times. The area maintained for the chickens and within which the poultry pen shall be maintained shall be enclosed with a fence that is constructed consistent with other restrictions within this Code. The fence shall be adequate to maintain the chickens within the enclosed space.

(6) Chickens must be maintained with adequate space to prevent psychological stress. Psychological stress shall be presumed to exist if less than four (4) square feet of poultry pen floor area is provided per chicken, and less than eight (8) square feet of outdoor run space per chicken are provided.

(7) Access door(s) to any poultry pen must be latched and secured at night with chickens inside.

(8) Chickens shall not be allowed to roam in any residential dwelling unit or in any area where food or drinks are prepared, served or stored.

(9) All feed shall be kept in containers that are rodent-proof.

- (10) The hands of any person coming in contact with the chickens or anything in the area where the chickens live or roam shall be thoroughly washed with soap and water immediately after touching the chickens or anything in the area where the chickens live or roam.
- (11) Children younger than 5 years of age shall not be permitted to handle or touch chickens without adult supervision.
- (12) Chickens are permitted to be raised for egg consumption only and may not be slaughtered within the City.
- (13) The use of poultry pens shall comply with all zoning regulations and other codes of the City.
- (H) To keep, harbor or maintain any potbellied pig within the city, except as follows:
- (1) No more than one potbellied pig shall be kept in any one residence;
  - (2) No potbellied pig shall be permitted outdoors other than for evacuation of waste material on the owner's or keeper's premises, for exercise periods on the owner's or keeper's premises which shall not exceed two hours per day, or for transporting such pig to and from the veterinarian or other necessary places. During any such transporting, the pig shall be leashed and under the control of the person in charge of the pig;
  - (3) No less than annually, any potbellied pig shall receive animal vaccinations for erysipelas and any other appropriate vaccinations from a veterinarian licensed by the State of Illinois, and certificates of such vaccinations shall be provided to any Animal Control Officer upon request;
  - (4) A potbellied pig shall be subject to the provisions regarding dangerous and vicious animals as provided in §§ 91.20 through 91.23;
  - (5) No potbellied pig shall be permitted to weigh more than 150 pounds or to exceed 22 inches at the shoulder. When the annual vaccination certificate from the veterinarian is issued, the veterinarian shall also provide the owner or keeper with documentation as to the height and weight of such pig, and such documentation shall be provided to an Animal Control Officer upon request.
- (I) To own any animal which is known to be infected with any disease transmittable to other animals or man, including severe parasitism, unless such animal shall be confined in such a manner that it will not expose other animals or humans to such disease;
- (J) To interfere in any way with any person who is known to be or who identifies himself or herself to be an Animal Control Officer or county employee or officer enforcing the provisions of this chapter or engaged in catching or impounding any animal under the authority of this chapter.

**Section 3. Amendment of Section 154.04.** Section 154.04 entitled “Fees for annexation, zoning and development petitions” of Chapter 154 entitled “Fees and Deposits” of Title XV entitled “Land Usage” of the Code of Oakbrook Terrace, Illinois, is hereby amended to read as follows:

**§ 154.04 FEES FOR ANNEXATION, ZONING AND DEVELOPMENT PETITIONS.**

At the time an application for any of the following annexation, zoning or development changes are submitted to the city, the following nonrefundable fees will be charged:

- (A) Annexation fees:
  - (1) \$100 for a voluntary petition for annexation, without an annexation agreement.
  - (2) \$1,000 per case for an annexation requiring an annexation agreement.
  - (3) \$1,000 per case for an amendment to an existing annexation agreement.
  - (4) In addition to the annexation fee established above in this division (A), and in conjunction with annexation to the city, the applicant shall be required to pay any applicable fees for requested zoning relief as established in divisions (B) through (G) hereinafter.
  
- (B) Variations (that are not part of PUDs):
  - (1) \$500 per case for a single-family residential variation.
  - (2) \$1,000 per case for a business or multiple-family variation.
  
- (C) Special uses (that are not part of PUDs):
  - (1) \$500 per case for a single-family residential special use including poultry pens which shall be \$500.00 per case; however, no court reporter shall be required for the public hearing for the special use for a poultry pen.
  - (2) \$2,000 per case for a business or multiple-family special use.
  - (3) \$500 per case for an amendment to a single-family residential special use permit.
  - (4) \$2,000 per case for an amendment to a business or multiple-family special use permit.

- (D) Amendments:
  - (1) Map amendments (that are not part of PUDs):
    - (a) \$500 per single-family residential case.
    - (b) \$2,000 per business or multiple-family case, plus \$100 per acre or portion of an acre over one acre.
  - (2) Text amendments: \$1,000 per case.
- (E) Subdivisions (that are not part of PUDs):
  - (1) \$500 plus \$200 per acre or portion of an acre over one acre.
  - (2) \$400 plus \$150 per acre or portion of an acre over one acre for an amendment of a subdivision plat.
- (F) Planned unit developments:
  - (1)
    - (a) That are predominantly a single-family detached or attached residential subdivision: \$2,000 plus \$200 per acre or portion of an acre over two acres.
    - (b) That are predominantly a multiple-family residential use or subdivision: \$2,000 plus \$300 per acre or portion of an acre over two acres.
    - (c) That are predominantly a commercial use: \$2,000 plus \$100 per acre or portion of an acre over two acres.
  - (2) For purposes of this division and division (G), PREDOMINANTLY shall mean that the use specified is the main or controlling element of the planned unit development, either in amount of acreage occupied by such use, or in the case of residential uses, in number of units.
- (G) For an amendment to a planned unit development, the following fee schedule is established:
  - (1) \$500 for an amendment to any planned unit development which is predominantly single-family residential and where all occupancy permits have been previously issued by the city;
  - (2) \$1,000 for an amendment to any planned unit development which is predominantly single-family residential, and where a minimum of 50%, but less

than 100%, of the anticipated occupancy permits have been previously issued by the city;

(3) \$1,000, plus \$100 per acre or portion of an acre over two acres, for an amendment to any planned unit development which is predominantly single-family residential, and where less than 50% of the anticipated building permits have been previously issued by the city;

(4) \$1,000 for an amendment to any planned unit development which is predominantly business or multiple-family, and where all occupancy permits have been previously issued by the city;

(5) \$2,000 plus \$50 per acre or portion of an acre over two acres, for an amendment to any planned unit development which is predominantly business or multiple-family, and where a minimum of 50%, but less than 100%, of the expected occupancy permits have been previously issued by the city, or where a minimum of 50%, but less than 100%, of the construction value as listed on the permit application has actually been built.

(6) \$2,000, plus \$150 per acre or portion of an acre over two acres, for an amendment to any planned unit development which is predominantly business or multiple-family, and where less than 50% of the expected building permits have been previously issued by the city, or where less than 50% of the expected construction value as listed on the permit application has actually been built.

(H)

(1) Appeal from a decision of the Building and Zoning Administrator:

(a) \$500 per case for a single-family residential appeal.

(b) \$1,000 per case for a business or multi-family appeal.

(2) The fee for an appeal from a decision of the Building and Zoning Administrator shall be refunded if such decision is reversed by the Planning and Zoning Commission. Fees incurred to reimburse the city for the costs of professional and technical consultant services, including any court reporter fees that exceed \$250, as prescribed by § 154.05(A) will not be refunded.

(I)

(1) Appeal from a decision of the Stormwater Administrator:

(a) \$500 per case for a single-family residential appeal.

(b) \$1,000 per case for a business or multi-family appeal.

(2) The fee for an appeal from a decision of the Stormwater Administrator shall be refunded if such decision is reversed by the Stormwater Oversight Committee. Fees incurred to reimburse the city for the costs of professional and technical consultant services, including any court reporter fees that exceed \$250, as prescribed by § 154.05(A) will not be refunded.

**Section 4 Severability.** If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by ordinance.

**Section 5. Repealer.** All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of the conflict.

**Section 6. Effective Date.** This ordinance shall take effect ten (10) days following its passage, approval, and publication in pamphlet form as provided by law.

ADOPTED this 25<sup>th</sup> day of August 2015 pursuant to a roll call vote as follows:

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

NAYS: \_\_\_\_\_

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

ABSTENTION: \_\_\_\_\_

APPROVED by me this 25<sup>th</sup> day of August 2015.

\_\_\_\_\_  
Tony Ragucci, Mayor of the City of  
Oakbrook Terrace, DuPage County, Illinois

ATTESTED and filed in my office  
25<sup>th</sup> day of August 2015.

\_\_\_\_\_  
Michael Shadley, Clerk of the City of  
Oakbrook Terrace, DuPage County, Illinois

AUG 25 2015



## Interdepartmental Memo

**To:** Mayor Ragucci and City Council, City Administrator Marrero  
**From:** Michael Sarallo-Asst. to the Mayor and Administrator  
**Re:** IMRF  
**Date:** August 19, 2015

The City of Oakbrook Terrace has long been a member of the Illinois Municipal Retirement Fund (IMRF) providing retirement benefits for non-sworn/police employees classified as working a minimum of 600 hundred hours per year. Due to confusion and concerns about part-time and seasonal employees being eligible for participation, I would recommend the City consider rescinding and adopting the 1,000 hour minimum standard.

If considered and adopted:

- Employees currently enrolled will not be affected nor be changed
- Future employees hired would follow the 1,000 hour standard
- Elected officials currently enrolled will not be affected
- The only elected position eligible will be the Mayor
- The job positions most affected will be the seasonal Public Services and part-time Police desk clerks. At the same time, these departments will have more flexible avenues for scheduling current personnel.

If the Council is in agreement the following Resolutions would have to be adopted:

- Form 6.68 Adopting the 1,000 hour standard  
Form 6.64 Participation of Elected Officials  
Form 6.64T Termination of Participation of Elected Officials (Treasurer/elect),  
(this is simply paper work clean up since the City eliminated this elected position)



**RESOLUTION TO ADOPT THE ANNUAL 1,000 HOUR STANDARD FOR IMRF PARTICIPATION**

IMRF Form 6.68 (Rev. 8/11)

**(Can be used only by non-school employers. Cannot be used by school districts or educational cooperatives.)**

PLEASE ENTER Employer IMRF I.D. Number  
69 033 4990

RESOLUTION  
Number \_\_\_\_\_

WHEREAS, Section 7-137 of the Illinois Pension Code provides that effective August 12, 2011, non-school employers in the Illinois Municipal Retirement Fund may elect to exclude from participation in the Fund persons in positions normally requiring performance of duty for less than 1,000 hours per year; and

WHEREAS, the exclusion may be applicable only to persons first employed in positions under the Fund after the adoption of this resolution; and

WHEREAS, \_\_\_\_\_ CITY OF OAKBROOK TERRACE \_\_\_\_\_ is authorized by Section 7-137  
NAME OF BOARD, COUNCIL, ETC.

of the Illinois Pension Code to adopt such exclusion and it is desirable that it do so;

BE IT RESOLVED that the \_\_\_\_\_ CITY COUNCIL \_\_\_\_\_ of \_\_\_\_\_ CITY OF OAKBROOK TERRACE \_\_\_\_\_  
NAME OF BOARD, COUNCIL, ETC. EMPLOYER NAME

does hereby elect to exclude from participation in the Illinois Municipal Retirement Fund all officials and employees in positions normally requiring performance of duty for less than 1,000 hours per year;

BE IT FURTHER RESOLVED that this exclusion shall apply only to officials and employees who first occupy offices or positions under the Fund after adoption of this resolution;

BE IT FURTHER RESOLVED that the \_\_\_\_\_ CITY CLERK \_\_\_\_\_ is authorized and  
CLERK OR SECRETARY OF THE BOARD

directed to file a duly certified copy of this resolution with the Illinois Municipal Retirement Fund.

**CERTIFICATION**

I, \_\_\_\_\_ MICHAEL SHADLEY \_\_\_\_\_, the \_\_\_\_\_ CITY CLERK \_\_\_\_\_  
NAME CLERK OR SECRETARY OF THE BOARD

of the \_\_\_\_\_ CITY OF OAKBROOK TERRACE \_\_\_\_\_ of the County of \_\_\_\_\_ DuPAGE \_\_\_\_\_  
EMPLOYER NAME COUNTY

State of Illinois, do hereby certify that I am keeper of its books and records and that the foregoing is a true and correct copy of a resolution duly adopted by its \_\_\_\_\_ CITY COUNCIL \_\_\_\_\_ at a meeting duly convened  
NAME OF BOARD, COUNCIL, ETC.

and held on the \_\_\_\_\_ 8 \_\_\_\_\_ day of \_\_\_\_\_ SEPTEMBER \_\_\_\_\_, 20 \_\_\_\_\_ 15 \_\_\_\_\_.

SEAL \_\_\_\_\_  
CLERK OR SECRETARY OF THE BOARD



**A RESOLUTION RELATING TO PARTICIPATION BY ELECTED OFFICIALS  
IN THE ILLINOIS MUNICIPAL RETIREMENT FUND**

IMRF Form 6.64 (Rev. 03/12) (Income tax information can be found on the reverse side of this resolution)

PLEASE ENTER Employer IMRF I.D. Number  
69 033 4990

**RESOLUTION**

Number \_\_\_\_\_

**WHEREAS**, the \_\_\_\_\_ **CITY OF OAKBROOK TERRACE** \_\_\_\_\_  
EMPLOYER NAME

is a participant in the Illinois Municipal Retirement Fund; and

**WHEREAS**, elected officials may participate in the Illinois Municipal Retirement Fund if they are in positions normally requiring performance of duty for 1,000 hours or more per year; and  
600 OR 1,000

**WHEREAS**, this governing body can determine what the normal annual hourly requirements of its elected officials are, and should make such determination for the guidance and direction of the Board of Trustees of the Illinois Municipal Retirement Fund;\*

**NOW THEREFORE BE IT RESOLVED** that the \_\_\_\_\_ **CITY COUNCIL** \_\_\_\_\_  
BOARD, COUNCIL, ETC.

finds the following elected positions qualify for membership in IMRF.

TITLE OF ELECTED POSITION	DATE POSITION BECAME QUALIFIED
MAYOR	09/08/2015

**CERTIFICATION**

I, MICHAEL SHADLEY, the \_\_\_\_\_ **CITY CLERK** \_\_\_\_\_  
NAME CLERK OR SECRETARY OF THE BOARD

of the \_\_\_\_\_ **CITY OF OAKBROOK TERRACE** \_\_\_\_\_ of the County of \_\_\_\_\_ **DuPAGE** \_\_\_\_\_,  
EMPLOYER NAME COUNTY

State of Illinois, do hereby certify that I am keeper of its books and records and that the foregoing is a true and correct copy of a resolution duly adopted by its \_\_\_\_\_ **CITY COUNCIL** \_\_\_\_\_ at a meeting duly  
BOARD, COUNCIL, ETC.

convened and held on the 8 of \_\_\_\_\_ **SEPTEMBER** \_\_\_\_\_ 2015.  
DAY MONTH YEAR

\_\_\_\_\_  
SIGNATURE CLERK OR SECRETARY OF THE BOARD

\* Any person who knowingly makes any false statement or falsifies or permits to be falsified any record of the Illinois Municipal Retirement Fund in an attempt to defraud IMRF is guilty of a Class 3 felony (40 ILCS 5/1-135).

**Illinois Municipal Retirement Fund**  
2211 York Road, Suite 500, Oak Brook, Illinois 60523-2337  
Member Services Representatives 1-800-ASK-IMRF (1-800-275-4673)



**A RESOLUTION RELATING TO TERMINATION OF PARTICIPATION BY ELECTED OFFICIALS IN THE ILLINOIS MUNICIPAL RETIREMENT FUND**  
**IMRF Form 6.64T (03/12)**

PLEASE ENTER Employer IMRF I.D. Number  
 69 033 4990

**RESOLUTION**  
 Number \_\_\_\_\_

**WHEREAS**, the \_\_\_\_\_ **CITY OF OAKBROOK TERRACE** \_\_\_\_\_  
EMPLOYER NAME

is a participant in the Illinois Municipal Retirement Fund:

**WHEREAS**, elected officials with the \_\_\_\_\_ **CITY OF OAKBROOK TERRACE** \_\_\_\_\_  
EMPLOYER NAME

may participate in the Illinois Municipal Retirement Fund if they are in positions normally requiring performance of duty for  
 600 \_\_\_\_\_ hours or more per year; and  
600 or 1,000

**WHEREAS**, this governing body can determine what the normal annual hourly requirements of its elected officials are, and should make such determination for the guidance and direction of the Board of Trustees of the Illinois Municipal Retirement Fund;

and

**WHEREAS**, this governing body has previously determined that the following elected position required performance of duty for at least 600 \_\_\_\_\_ hours per year: \_\_\_\_\_ **TREASURER (ELECTED)** \_\_\_\_\_; and  
600 or 1,000 ELECTED POSITION

**WHEREAS**, the duties and responsibilities of this position have changed and it no longer requires performance of duty for at least 600 \_\_\_\_\_ hours per year, effective 09/08/2015 \_\_\_\_\_  
600 or 1,000 DATE (MM/DD/YY)

**NOW THEREFORE BE IT RESOLVED** that the \_\_\_\_\_ **CITY COUNCIL** \_\_\_\_\_  
BOARD, COUNCIL, ETC.

of \_\_\_\_\_ **CITY OF OAKBROOK TERRACE** \_\_\_\_\_ finds that the position of \_\_\_\_\_ **TREASURER (ELECTED)** \_\_\_\_\_  
EMPLOYER NAME ELECTED POSITION

no longer qualifies for IMRF participation, as of 09/08/2015 \_\_\_\_\_  
DATE (MM/DD/YY)

**CERTIFICATION**

I, \_\_\_\_\_ **MICHAEL SHADLEY** \_\_\_\_\_, the \_\_\_\_\_ **CITY CLERK** \_\_\_\_\_  
NAME CLERK OR SECRETARY OF THE BOARD

of the \_\_\_\_\_ **CITY OF OAKBROOK TERRACE** \_\_\_\_\_, of the County of \_\_\_\_\_ **DuPAGE** \_\_\_\_\_  
EMPLOYER NAME COUNTY

State of Illinois, do hereby certify that I am keeper of its books and records and that the foregoing is a true and correct copy of a resolution duly adopted by its \_\_\_\_\_ **CITY COUNCIL** \_\_\_\_\_ at a meeting duly convened  
BOARD, COUNCIL, ETC.

and held on the \_\_\_\_\_ **8** \_\_\_\_\_ of \_\_\_\_\_ **SEPTEMBER** \_\_\_\_\_, 20 **15** \_\_\_\_\_  
DAY MONTH YEAR

\_\_\_\_\_  
 Signature of Clerk or Secretary of the Board

**Illinois Municipal Retirement Fund**  
 2211 York Road, Suite 500, Oak Brook Illinois 60523-2337  
 Member Services Representatives 1-800-ASK-IMRF (1-800-275-4673)