

A RESIDENT'S GUIDE TO NEIGHBORHOOD CONSTRUCTION

Blueprint for Residential Redevelopment



Acknowledgement

*The Village of Downers Grove wishes to acknowledge the
Downers Grove Coalition for Managed Redevelopment
for their original publication upon which this was based.*

*Published by
Village of Downers Grove
February 2008*

There's no doubt about it. Living near a construction site presents its share of inconvenience to residents, not only those next door, but to the neighborhood as a whole. Over the last few years, Downers Grove has taken great measures to involve the community in the redevelopment process. The Village Council* has enacted new ordinances and amended existing ones to regulate construction sites, protect adjacent properties and minimize the impact of construction activity on neighbors. When builders cooperate with the Village and residents are informed, the construction process runs smoothly, which is a benefit to everyone.

This brochure has been prepared by the Village to:

- 1. Advise residents of what to expect when redevelopment activities (demolition and/or construction) occur near them.**
- 2. Familiarize residents with the permit process and construction site maintenance.**
- 3. Provide residents with resources to obtain further information about a project.**
- 4. Encourage residents to take an interest in their neighborhood and the issues that affect them.**

***A complete list of contact information for Village Council members is available at www.downers.us**

HOW IS A BUILDING/DEMOLITION PERMIT OBTAINED?

Permits represent the Village's means to ensure that all construction adheres to an established standard that meets currently adopted building and zoning codes as well as fire, electrical, plumbing, stormwater and life/safety codes. The Department of Community Development enforces these standards and other ordinances adopted by the Village Council through the issuance of permits.

- **PLAN SUBMITTAL** The applicant (often a builder or general contractor) submits plans for their proposed project to the Community Development Department.
- **PLAN REVIEW** The plans are reviewed by Village staff in several categories to ensure that they adhere to Village codes and ordinances including, but not limited to:
 1. **Building Codes** Is the proposed building structurally sound, as indicated by the proposed materials to be used? Is the proposed building mechanically sound and will systems (heating, cooling, etc.) operate efficiently as shown? Does the electrical plan meet current electrical codes? Does the proposed plumbing meet current plumbing codes?
 2. **Zoning Ordinance** Community Development planners will determine if the project is an allowable use for the zoning district in which the property is located. Are the proper setbacks accounted for?* Does the plan meet or exceed the lot coverage allowed?* Is the plan in compliance with established height requirements?*

*These figures vary by Zoning District.

3. **Stormwater and Engineering** Village engineers will determine if the project needs to address possible drainage or traffic issues. Will the project impact a floodplain or wetland? Is access to the property adequate and in a safe location?
4. **Tree Protection** for trees located on Village rights-of-way.
5. **Life/Safety Considerations** Are smoke detectors interconnected? Does the plan show prohibited structures such as an in-ground fire pit?

If the submitted plans do not meet code requirements, the applicant will be notified and have the opportunity to submit additional documents and/or make changes to the original plans. At that time, a second Plan Review will be conducted. If the plans are still not satisfactory to the Village, they may go through a third or fourth Plan Review before the plans are approved, though this is not usually the case.

Some plans may need to be reviewed by the Plan Commission, a recommending body to the Village Council, or the Zoning Board of Appeals (ZBA) before they are approved. For example, if a structure does not conform to a certain code requirement, the applicant may petition for a variance. A Public Hearing would then be conducted at a ZBA meeting to decide if the request should be granted.

It is important to note that residents have the right to offer input regarding plans and permit requests being deliberated by the Village Council. Resident input is welcome and can be provided during Council Meetings, in writing, via email or telephone. A complete list of contact information for the Village Council is available at www.downers.us.

- **PERMIT ISSUED** After the plans have been approved, the permit will be issued. Permits will be issued once all applicable fees have been paid and construction bonds have been secured.

Construction or demolition may not begin until the permit is ISSUED, as defined above.

WHEN AND HOW WILL THE NEIGHBORHOOD BE NOTIFIED OF THE PROJECT?

If a Public Hearing is required as part of the permit approval process, all properties within a 250 foot radius of the subject property will be notified of the hearing by the Village, via mail. Public participation is encouraged at these meetings. In addition, a *Legal Notice* will be published in the local paper and a *Notice of Public Hearing* sign will be posted on the subject property. All of these actions occur 15 days in advance of the Public Hearing.

If a Public Hearing is not required, properties within 100 feet of the subject property will be notified by the builder, prior to the start of construction. The builder is required to:

- Provide residents with a copy of this brochure.
- Provide a general explanation of the work to be done and disclose the site plan.
- Provide residents with the name, address, and phone number of the individual in charge of supervising the work site.

The builder will ask for your signature on a "*Certificate of Personal Notification*" form. They will provide this document to the Village as proof that the notification requirement was fulfilled.

RESPONSIBILITIES OF THE BUILDER

The **Demolition and Site Management Ordinance** was first enacted in January 2004 to regulate construction sites, protect adjacent properties and minimize the impact of construction on neighbors.

In addition to obtaining all necessary permits, the builder must adhere to the following standards outlined in Section 7.11.1* of the Downers Grove Municipal Code, when the project exceeds 600 square feet in size.

- Notify residents within 100 feet of the construction site at least one week before work begins.
- Install a 6 foot high temporary chain-link fence, with gated opening, around the perimeter of the lot. *(Note: The fence may not be erected until a construction/demolition permit has been ISSUED.)* The gate must be closed when no construction activity is being performed on the site. The fence must remain in place until final grading of the property begins.
- Erosion control measures (i.e. silt fencing) must be installed on the inside perimeter of the fence.
- Parkway trees must be protected by 6 foot high, chain-link fencing per Section 24-7*. See page 7 for more details on Parkway Tree Protection.
- A fully covered debris and refuse container must be located on the site. It shall be covered at all times when no work is being performed, to prevent windblown debris. It shall be set back a minimum of 5 feet from the front and side lot lines and is not to be located on any public property.



- A portable toilet shall be located on the site, set back as far as possible from all property lines to within 3 to 4 feet from the excavation, but not less than 5 feet from the front and side lot lines. Whenever possible, the toilet should be located in the rear yard.
- Work may be performed Monday-Saturday only, between the hours of 7:00 a.m. and 7:00 p.m. Work on Sundays is not permitted.
- Observe noise regulations as contained in Section 15-5.1* .
- The builder shall post on the subject property, in a location visible from the public right-of-way, a sign containing rules applicable to Demolition/Construction Site Management (below), and the developer's name and telephone number.
- The site and surrounding areas, such as streets and sidewalks, shall be cleared of refuse, mud, gravel or other debris daily.
- Permit applicants must comply with Section 19-44(i)* regarding Traffic Control Procedures and may not block streets or sidewalks as to prevent pedestrian or vehicular traffic.
- A parking plan outlining the proposed location for all parking of contractor and worker vehicles must be submitted and followed.
- During demolition, water must be available on-site to thoroughly saturate the structure or area in any situation where airborne particles may be disbursed.
- Open burning on the site is not permitted.
- All work shall be limited to the subject property only.

**VILLAGE OF DOWNERS GROVE
DEMOLITION/CONSTRUCTION
SITE MANAGEMENT**

THE VILLAGE OF DOWNERS GROVE REQUIRES ALL CONTRACTORS TO FOLLOW ALL OF THE RULES AND REGULATIONS

WORK HOURS 7 AM - 7 PM MONDAY THROUGH SATURDAY

KEEP SITES AND NEIGHBORHOODS CLEAN

DISPLAY PERMIT AND ADDRESS SO IT CAN BE SEEN FROM THE PUBLIC RIGHT-OF-WAY
KEEP STREETS AND SIDEWALKS FREE OF MUD AND DEBRIS
KEEP SITES CLEAN, USE THE DUMPSTERS
DUMPSTERS MUST BE COVERED DURING NONWORKING HOURS
FENCING AND EROSION CONTROL MEASURES MUST BE KEPT IN PLACE
AIRBORNE PARTICLES SHALL BE CONTROLLED WITH WATER
PLACING DEBRIS OR RINSING TRUCKS ON THE PUBLIC RIGHT-OF-WAY OR INTO THE STORM SEWERS IS PROHIBITED

OBEY ALL VILLAGE TRAFFIC LAWS

PARK ACCORDING TO THE APPROVED PARKING PLAN
KEEP STREETS AND SIDEWALKS OPEN FOR USE

PROTECT THE EXISTING NEIGHBORHOOD

FOLLOW THE STORMWATER MANAGEMENT PLAN
PROTECT PARKWAY TREES
PROTECT ALL TREES REMAINING ON THE PROPERTY

WORK WITH THE NEIGHBORS

LIMIT ALL ACTIVITY TO THE PERMITTED PROPERTY
PROVIDE AND USE ON-SITE PORTABLE TOILETS
NO OPEN BURNING

VIOLATIONS MAY RESULT IN A STOP WORK ORDER AND/OR A MINIMUM FINE OF \$300.00 UP TO A MAXIMUM FINE OF \$500.00 PER DAY FOR EVERY DAY THE VIOLATION EXISTS

FOR ASSISTANCE CALL

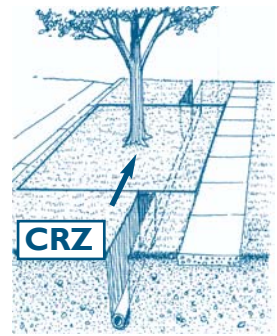
COMMUNITY RESPONSE CENTER (630) 434-2255
POLICE DEPARTMENT NIGHTS/WEEKENDS (630) 434-5600

* See MUNICIPAL CODE REFERENCES, page 12

PARKWAY TREE PROTECTION

Parkway Tree Protection (Section 24-7*) involves avoiding damage to the tree both above and below ground. Tree roots must be protected from severing or changes in their soil environment (such as compaction or grade changes) to prevent irreversible tree decline or death.

The Critical Root Zone (CRZ) is the area immediately surrounding a tree that needs to be protected from damage. This area is measured from the center of the tree and is ideally a circle with a radius of one foot for each inch of trunk diameter. CRZ depth extends to 4 feet below the natural ground surface level. At a minimum, a parkway tree should be fenced with a 6 foot high temporary chain link construction fence secured to metal posts spaced no further than 10 feet apart.



When severing roots within a portion of the CRZ is unavoidable, subject to the approval of the Village Forester, the smallest possible area should be disturbed and sharp clean cuts should be made on root ends to promote wound closure and root regeneration.

For more information, contact the Village Forester at 1.630.434.5475.

* See MUNICIPAL CODE REFERENCES, page 12

ENSURING CODE COMPLIANCE

There are a variety of checks and balances the Village uses to ensure that construction/demolition sites are in compliance with Village ordinances and building codes.

- **BUILDING INSPECTIONS** Throughout the course of the project, several inspections are conducted, as warranted by the building plans. These include electrical and plumbing, structural, life/safety, and grading inspections.
- **SITE INSPECTIONS** Code Enforcement Officers conduct random site inspections, looking for violations of the **Demolition and Site Management Ordinance**, as listed on pages 5 and 6. The Police Department also assists Code Enforcement Officers by reporting violations they observe on their neighborhood patrols.

Builders are typically issued a warning first and given fair opportunity to comply. If problems at the site continue to arise, the Code Enforcement Officer has the authority to issue administrative citations that carry daily fines. If the site is still not in compliance, a stop-work order may be issued. This is an effective tool to gain immediate compliance and is used in the most offensive cases.

When life/safety is at risk, the Code Enforcement Officer will stop the project and require immediate corrections.

- **COMMUNITY INVOLVEMENT** The Village encourages the neighborhood to become involved when they believe a builder is flagrantly breaking the rules that they are required to uphold. With as many as 300 residential construction sites in the Village at any one time, our residents are poised to be an asset in bringing safety matters to our attention.

OTHER PROVISIONS

In addition to the aforementioned, other measures of the **Demolition and Site Management Ordinance** guard against unsightly construction sites.

- **SITE MANAGEMENT ACCOUNT** The Village will retain a cash bond from the builder in the amount of \$5,000.00 as security for full performance of the work covered by the permit, subject to completion in a timely manner. The Village may draw on this account for the costs of legal fees and administrative expenses incurred by the Village in exercising any of its rights in Section 7.11.1 including administrative citation fees. If the Village draws on this bond, then the builder/applicant must replenish the bond to the full amount.

Upon satisfactory completion of all work at the site, the cash bond will be refunded.

- **RESTORATION PLAN** As a requirement for permit approval, a builder/applicant must submit a grading and site restoration plan. In the event that no substantial work is completed at a demolition site for 30 consecutive days once demolition has begun, the Village may deem the site abandoned.

Once an abandonment notice is issued, the builder/applicant has 10 days to either commence work on the site OR restore the property to a final grade and grass-seeded condition.

HOW TO REPORT A SITE VIOLATION

CALL THE COMMUNITY RESPONSE CENTER (CRC) at 1.630.434.2255.

The CRC uses a software program to track data relative to a variety of requests and concerns received from the public, including construction site issues. Calls entered into this system are assigned to a Village staff member to look into the issue and/or follow up with the customer. Actions taken to resolve or investigate the issue are documented to the record.

The CRC is a tool that can be used in tracking the history of violations at construction sites, as well as documenting concerns pertaining to other community issues.

Once an item is entered in the CRC database you can expect to be contacted within 24 to 48 hours by the Village staff member responsible for reviewing the matter and taking the appropriate corrective action.

After regular business hours you can contact the CRC and leave a voice message or send an email to **CRC@downers.us**.

You may also contact the Police Department's non-emergency number at 1.630.434.5600 to report site violations after business hours that do not pose an immediate threat to the safety of others.

For site violations which may threaten the property or personal safety of others, contact 9-1-1.

Please notify the Communications Office at 1.630.434.5550 if, at anytime during the CRC process, you are not satisfied with the service delivery or outcome regarding an issue.

WHERE TO GET MORE INFORMATION

- **ASK THE BUILDER** If construction activities are taking place in your neighborhood, talk to the supervisor in charge of the site. In addition to the builder providing the site supervisor's name and phone number to properties within 100 feet, the contact information must be posted at the site. You may also ask at the site to speak to the supervisor.
- **CALL COMMUNITY DEVELOPMENT** at **1.630.434.5515**. A copy of the approved plans is on file with the department at Village Hall, 801 Burlington Avenue, and most other questions about the construction/demolition site can be answered here.
- **SEARCH PUBLIC RECORDS** Most requests for information about a construction site can be handled with a phone call to Community Development. However, some requests for information may require that you file a *FREEDOM OF INFORMATION ACT (FOIA)* request with the Village Clerk's office.

The key to finding what you're looking for is to become familiar with the types of information available through this process. Examples of records or documents include minutes of meetings, inspection reports, permit files, financial transactions, electronic files, maps, photographs, video tapes, letters and correspondence.

It is very important that you be as specific as possible with your request when filing the *FOIA* form with regard to dates and types of documents sought.

FOIA forms may be obtained from the receptionist or Village Clerk at Village Hall, 801 Burlington Avenue. Forms are also available on the Village website, **www.downers.us**. In the search box at the top right of the screen, type "FOIA", then click on the first item returned in the list.

MUNICIPAL CODE REFERENCES

Listed below are the specific sections of the Downers Grove Municipal Code that have been referred to in this brochure, as well as other sections that are pertinent to building and construction in the Village.

SECTIONS REFERRED TO IN THIS DOCUMENT

1. Demolition and Site Management Ordinance: Section 7.11.1
2. Tree Protection: Section 24-7
3. Noise: Section 15-15.1
4. Traffic Control: Section 19.44(i)

HELPFUL CHAPTERS TO REFERENCE

1. Chapter 7: Buildings
2. Chapter 12: Historic Preservation
3. Chapter 20: Subdivisions
4. Chapter 26: Stormwater and Flood Plain Ordinance
5. Chapter 28: Zoning Ordinance

To read the code online, go to **www.downers.us**. Under the **Government** heading on the lower portion of the homepage, select "Municipal Code." From here you can navigate to the particular chapter or section.

A copy of the Municipal Code is also available at the Downers Grove Public Library.

CONTACTS

**Community Development
1.630.434.5515**

**Community Response Center (CRC)
1.630.434.2255**

**Police Department (Non-Emergency)
1.630.434.5600**

**Village Clerk's Office
1.630.434.5535**

**Village Forester
1.630.434.5475**

**Dial 9-1-1
(For site violations which may threaten
the property or personal safety of others)**

