

# A RESIDENT'S GUIDE TO NEIGHBORHOOD CONSTRUCTION

## *Blueprint for Residential Redevelopment*

Published by  
Village of Downers Grove  
Revised February 2016



*Acknowledgment*

*The Village of Downers Grove wishes to acknowledge the Downers Grove Coalition for Managed Redevelopment for their original publication upon which the 2008 version of this document was based.*

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**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. Since 2004, Downers Grove has taken great measures to involve the community in the redevelopment process. The Village Council has enacted ordinances 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.**
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## 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 Community Development Department 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.

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 zoning 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 Plan Commission, ZBA or 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](http://www.downers.us)

- **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. See Page 12 for references.
  
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, wetland, or localized poor drainage area (LPDA)? Is access to the property adequate and in a safe location? Are post-construction best management practices (PCBMPs) required?
  
4. **Tree Protection** for trees located on Village right-of-ways.
  
5. **Life/Safety Considerations** 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.

- **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. The Village recommends the contractor put up the construction bonds, as the Village will use these bonds if the contractor does not follow the site management program and/or does not complete the project, per the approved plans.

**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 before the Plan Commission or Zoning Board of Appeals 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, a *Notice of Public Hearing* sign will be posted on the subject property, and an agenda will be posted online at **www.downers.us**. All of these actions occur at least 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 the flyer, "*What to Expect During Neighborhood Construction.*"
- 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 and has been periodically amended since 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 7.1801\* of the Downers Grove Municipal Code when the project exceeds 600 square feet in size.

- Notification of residents within 100 feet of the construction site must occur at least one week before work begins.
- Install a six-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 or sediment filter logs) must be installed on the inside perimeter of the fence.
- Parkway trees must be protected by six-foot high, chain-link fencing per Section 24-7\*



- 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.
- 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, and the developer's name and telephone number. If applicable, the Stormwater Pollution Prevention Plan should also be posted.
- The site and surrounding areas, such as streets and sidewalks, shall be cleared of refuse, mud, gravel or other debris daily.
- The builder 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.

- Type I barricades shall be provided on both sides of a sidewalk that is disturbed by construction.
- 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 dispersed.
- Open burning on the site is not permitted.
- All work shall be limited to the subject property only, except for utility (water, sanitary sewer, etc.) work which may take place on public property.

**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 the 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.

For more information, contact the Village Forester at 1.630.434.5475.

## 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 5-7. The Police Department also assists Code Enforcement officers by reporting violations they observe on their neighborhood patrols and violations reported after normal business hours.

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 not in compliance with the fines paid, 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. If you believe there is a violation, call the Community Development Department at 630.434.5515 during business hours. For after hours, call the non-emergency Police Department number at 630.434.5600.

## 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. It is recommended the contractor put up the bond money. 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 7.1801 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.
- **ABANDONMENT OF SITE** 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 permanent stabilization such as grass or seed blankets.

## **HOW TO REPORT A SITE VIOLATION**

**CALL THE COMMUNITY DEVELOPMENT DEPARTMENT  
at 1.630.434.5515 OR  
COMMUNITY RESPONSE CENTER (CRC) at 1.630.434.2255**

You can also access the CRC via **[www.downers.us](http://www.downers.us)**  
and click on "Report a Problem."

The Village 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 software can be used in tracking the history of violations at construction sites, as well as documenting residents' concerns pertaining to other community issues.

Once an item is entered in the 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](mailto:CRC@downers.us)**.

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

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

## 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 project 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 are 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. However, some drawings may not be shared due to copyright.

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](http://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 7.1801
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](http://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 emergency matters which may  
threaten the property or personal safety of  
others)**