

COUNCIL WORKSHOP ITEM

ITEM: AN ORDINANCE ESTABLISHING STANDARDS FOR
DEMOLITION AND CONSTRUCTION ACTIVITIES

DATE: November 19, 2003

PREPARED BY: Beth Janicki Clark, Staff Attorney
Don Rosenthal, Director of Code Services

PURPOSE: This Ordinance adds a new provision to Chapter 7 of the Code which
addresses demolition and construction site management.

DISCUSSION: This Ordinance was drafted at the suggestion of Don Rosenthal due to various construction/demolition site complaints noted by the Manager, Mayor and various Commissioners. This Ordinance is based on one currently in place in the Village of Hinsdale. Ordinances from Libertyville and Northbrook were also considered in its drafting. The proposed Ordinance sets forth rules for demolition and construction site management and requires personal notification to adjacent property owners of a pending demolition so that they are informed of the rules and know who to contact if there is a problem.

ATTACHMENT:

AN ORDINANCE ESTABLISHING STANDARDS FOR DEMOLITION AND
CONSTRUCTION ACTIVITIES

CERTIFICATE OF NOTIFICATION

CERTIFICATE OF RECEIPT OF RULES OF DEMOLITION /CONSTRUCTION SITE
MANAGEMENT

“WHAT TO EXPECT” INFORMATIONAL FLYER

RECOMMENDATION:

It is recommended that the attached ordinance be placed on the Workshop agenda of November 25, 2003 for Council consideration.

ORDINANCE NO. _____

**AN ORDINANCE ESTABLISHING STANDARDS
FOR DEMOLITION AND CONSTRUCTION ACTIVITIES**

BE IT ORDAINED by the Village Council of the Village of Downers Grove in DuPage County, Illinois, as follows: (Additions are indicated by shading/underline; deletions by ~~strikeout~~):

Section 1. That Section 7.11.1. is hereby amended to read as follows:

7.11.1. Demolition/Construction Site Management.

An applicant for a demolition and/or building permit (“permit applicant”) shall be responsible for safe construction site management during all phases of demolition and/or construction of permitted improvements. Failure to comply with the following minimum standards will constitute a violation of this Code.

(a) Each permit applicant shall be required to submit written certification, on a form provided by the Village, of personal notification to all adjacent property owners of the pending demolition of an existing structure. Such notification shall be made no less than 7 days prior to the initiation of demolition and shall consist of providing the adjacent property owners with a copy of an informational brochure provided by the Village, disclosure of site plan, a general explanation of the work to be done, and the name, address and telephone number of the individual supervising the work.

(b) No structure shall be eligible for demolition unless and until the permit applicant has notified all utilities having service connections within or about the structure such as water, electric, gas, sewer, telephone and any other connections. The Village Public Works Department shall be notified to remove the water meter or the Village may give written permission to allow the permit applicant to remove the water meter. The Sanitary District must be notified regarding the capping of sanitary sewers. A permit to demolish a structure shall not be issued until a release is provided by the relevant utilities stating that their respective service connections and appurtenant equipment, such as meters and regulators, have been removed or capped in a safe manner.

(c) The permit applicant shall be required to install six-foot high temporary chain link construction fencing around the perimeter of the lot. Stormwater measures (silt fencing) must be installed on the inside of the perimeter fence

(d) Each tree on the property, including the parkway, must be protected with fencing, and as provided in Section 24-4 of this Code.

(e) Construction/demolition debris and refuse containment shall be required for all job sites. Containment shall occur on the property that is the subject of the permit, and shall be within a dumpster or container that can be covered to prevent windblown debris. All such dumpsters or containers shall be covered at all times when no work is being performed on the property that is the subject of the permit.

(f) Construction sites shall be provided with a portable toilet. The location of the portable toilet shall be set back a minimum of six feet from all property lines and shall be depicted on plans submitted for permit approval.

(g) The permit applicant shall maintain all construction/demolition sites free and clear of debris and refuse generated by site preparation, reconstruction or demolition of buildings and structures.

(h) The hours of construction/demolition are as follows:

7:00 a.m. to 7:00 p.m. Monday-Saturday

No Work on Sundays

(i) The noise regulations contained in Section 15-5.1 of this Code shall be applicable.

(j) All streets and sidewalks must be kept free and clear of mud and debris and may not be blocked so as to prevent pedestrian or vehicular traffic. Permit applicants must comply with Section 19-44(i) of this

Code regarding Traffic Control Procedures.

(k) Airborne particles shall be controlled at the property that is the subject of the permit during work hours by thoroughly saturating all portions of the structure with water. Such spraying shall be undertaken at all times necessary to thoroughly control the creation and migration of airborne particles, including without limitation, dust from the property that is the subject of the permit. The water source for control of airborne particles shall be either (i) a water tanker truck with pump capacity of 100 gallons per minute at the nozzle or (ii) a public water hydrant. Water shall be delivered from the water source to the subject property by a hose with a minimum diameter of 2 ½ inches, which may be reduced to 1 ½ inches when on the property that is the subject of the permit. If a public water hydrant is used, a Village water meter and proper hydrant wrench must be used after acquiring permission from the Public Works Department. Any hose leading from a public water hydrant and crossing a driveway, street, alley or other vehicular right-of-way or path must be bridged in a manner sufficient to protect the water system. A hydrant meter may be obtained from the Public Works Department.

(l) No open burning is permitted at the demolition/construction site.

(m) All stormwater management measures must be completed, as required by Chapter 26 of this Code.

(n) Permit applicants shall submit written acknowledgment, on a form provided by the Village, of rules for construction/demolition site management.

(o) Permit fees shall be paid in the amount set forth in Section 7-11 of this Code. A bona fide certificate of insurance shall be supplied to the Village, showing minimum insurance coverage from an insurance company with at least a B+ rating of five hundred thousand dollars bodily injury, five hundred thousand dollars property damage and statutory coverage for workers compensation. This shall accompany the permit applications. The building official may waive the insurance requirement for minor demolition work.

(p) Within sixty days of the approval of the demolition permit application, a new structure must be started or approved site restoration must be completed. (Ord. No. 1527, § 1; Ord. No. 2918, § 1.)

Section 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:

Published:

Attest:

Village Clerk

VILLAGE OF DOWNERS GROVE

CERTIFICATE OF PERSONAL NOTIFICATION
TO ADJACENT PROPERTY OWNERS

I, _____, hereby certify that I made personal contact with the following persons, provided them with a copy of the informational brochure entitled "What to Expect", disclosed the site plan, provided contact information and gave a general description of the work to be done at the property located at _____, Downers Grove, Illinois.

Name	Address	Date
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____

I understand that pursuant to the Downers Grove Village Code, I must provide personal notification to all adjacent property owners of the pending demolition of an existing structure no less than 7 days prior to the initiation of the demolition.

BY: _____

Name: _____

Address: _____

Date: _____

VILLAGE OF DOWNERS GROVE

CERTIFICATE OF RECEIPT OF RULES OF DEMOLITION/CONSTRUCTION
SITE MANAGEMENT

I, _____, hereby certify that I received a copy of Section 7.11.1 of the Village of Downers Grove Code of Ordinances which sets forth the rules relating to demolition/construction site management.

By: _____

Name: _____

Address: _____

Date: _____

WHAT TO EXPECT

An Application for a permit to demolish a structure located adjacent to your home or business has been filed with the Village of Downers Grove. Pursuant to the Municipal Code, the permit applicant is required to make personal contact with all adjacent property owners, provide them with a copy of this informational flyer, provide them with an overview of the work to be done, and disclose a copy of the site plan for the property, if applicable.

The Village has certain rules and regulations regarding demolition/construction site management. The permit applicant is required to abide by these rules during all phases of demolition/construction. This flyer is intended to provide you with a brief overview of the site management rules. Contact information is also contained herein if you encounter a problem during any phase of the construction/demolition.

GENERAL RULES OF DEMOLITION/CONSTRUCT SITE MANAGEMENT

1. The permit applicant must make personal contact with the adjacent property owners no less than 7 days prior to the initiation of the demolition of the existing structure.
2. Utilities must be notified of the pending demolition and proof of adequate disconnection of all utilities must be provided to the Village.
3. A six foot tall temporary fence, with silt screening, must be installed around the perimeter of the property.
4. Trees on the property, including the parkway, must be protected by fencing.
5. A debris and refuse container must be provided on the job site. When no work is being performed the container must be kept covered so as to prevent windblown debris.
6. The site must be kept free and clear of debris and refuse.
7. Streets and sidewalks must be kept clear of mud and debris and may not be blocked so as to prevent vehicular or pedestrian traffic.
8. Permitted work hours are as follows:

7:00 a.m. to 7:00 p.m. Monday through Saturday
No Work permitted on Sundays
9. Noise generated by radios must be kept to a reasonable level.

10. No open burning is permitted.
11. A portable toilet must be provided on the site, and set back a minimum of six feet from all property lines.
12. Within sixty days of the approval of the demolition permit application, a new structure must be started or the site must be restored.

If you have questions:

1. Questions concerning the project, its design, schedule, or method of instruction should be directed to the Contractor. The Contractor is required to provide you with contact information during his personal contact visit with you.
2. If you observe any violations of the rules of demolition/construction site management, contact the Village Code Services Department at 630-434-5515.
3. For drainage concerns, contact Stormwater Department at 630-434-5460
4. For noise violations contact the Police Department at 630-434-5690. If the police do not observe a violation because the activity has stopped, you may be asked to make a complaint which may be referred to the Code Official.