

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION REPEALING RESOLUTION 92-44  
REGARDING THE PRIORITY SCHEDULE  
FOR SIDEWALK CONSTRUCTION AND REPLACEMENT  
IN THE VILLAGE OF DOWNERS GROVE**

WHEREAS, the Village Council has previously adopted Resolution 92-44 related to the priority schedule for sidewalk construction and replacement in the Village; and

WHEREAS, the provisions of this policy are no longer necessary as they shall be incorporated into the Municipal Code of the Village.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Downers Grove that Resolution 92-44 be and is hereby repealed and deleted.

This Resolution shall be in full force and effect from and after its passage in the manner provided by law.

\_\_\_\_\_  
Mayor

Passed:

Published:

Attest: \_\_\_\_\_  
Village Clerk



# Village of Downers Grove

## Official Village Policy Approved by Village Council

Description: Sidewalk Construction and Replacement, Priority Schedule

Res. or Ord. #: Res. 92-44

Effective Date: 10/19/92

Category: Engineering and Public Works

New Council Policy

Amends Previous Policy Dated:

2/11/85 and

2/26/90

Description of Previous Policy (if different from above):

Sidewalk Construction and Replacement

### RESOLUTION NO. 92-44

#### A RESOLUTION AMENDING RESOLUTION 90-7 REGARDING THE PRIORITY SCHEDULE FOR SIDEWALK CONSTRUCTION AND REPLACEMENT IN THE VILLAGE OF DOWNERS GROVE

~~WHEREAS, the Council of the Village of Downers Grove, (the "Village"), has heretofore determined that sidewalks are necessary and desirable to facilitate pedestrian movement in the Village and that it should, therefore, be the policy of the Village to encourage the construction of sidewalks in appropriate locations; and,~~

~~WHEREAS, sidewalks have not been constructed on all Village streets and the Council recognizes that it may not be necessary or feasible in the future to construct sidewalks on all such streets; and,~~

~~WHEREAS, the Council of the Village of Downers Grove has established by Resolution No. 85-6, adopted February 11, 1985, as amended by Resolution No. 90-7 adopted February 26, 1990, its policy on sidewalk construction and replacement in the Village of Downers Grove; and,~~

~~WHEREAS, the Village Council has now determined that the Sidewalk Policy should be further amended to set forth criteria for use of funds received in lieu of sidewalk construction.~~

~~NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Downers Grove, DuPage County, Illinois, as follows:~~

~~1. That the policy of the Council of the Village of Downers Grove contained in Chapters 19 and 20 of the Municipal Code is to require construction of sidewalks as part of the public improvements to be completed by the developer in new subdivisions, and to require construction of sidewalks by a property owner constructing any building within the Village except for:~~

~~a. accessory buildings and reconstruction or remodeling of, or additions to existing buildings in any single family or two family residential zoning district; and,~~

~~b. accessory buildings, reconstruction or remodeling of existing buildings, and additions to existing buildings which amount to less than 25% of the gross floor area of such building in all other zoning districts.~~

~~2. That when required by the conditions established in Paragraph 1 of this resolution, sidewalk shall be constructed along the side of all rights of way abutting the property to the limits of the property, unless it is determined by the Village Engineer that actual construction is not required pursuant to the criteria established in Paragraph 3 hereof.~~

~~3. That in lieu of constructing the sidewalk a contribution to the Village's sidewalk construction fund shall be required if:~~

~~a. The right of way abutting the property is not an arterial street as shown on the Village of Downers Grove future land use map; and~~

~~b. The installation of walk on such right of way, in addition to any existing walk, does not complete 50% or more of the side of the block of right of way on which such property is located.~~

~~4. That in all locations meeting the criteria established in paragraph 3 of this Resolution, the property owner shall pay a fee equal to the cost to the Village per square foot for construction of the sidewalk abutting the property. Said fee shall be annually determined on the basis of the unit price for new sidewalk construction in the most recently Council awarded contract for Village wide sidewalk improvements.~~

~~5. That all fees collected shall be segregated into four separate accounts, each account representing one of the four quadrants of the Village with said quadrants being delineated by the Burlington Northern Railroad and Main Street south of 39th Street, and Highland Avenue north of 39th Street.~~

~~6. That the Village shall utilize all collected funds from each quadrant for new walk being built within that quadrant; provided, that the value of walk being constructed shall not exceed the amount of accrued funds. In the event that the available money collected within a given quadrant exceeds the value of new walk, such funds along with all accrued interest shall be carried over to future sidewalk construction contracts.~~

~~7. Any person aggrieved by any decision of the Village Engineer regarding construction of sidewalks abutting such person's property may appeal the decision within 30 days of the date thereof to the Plan Commission which shall hear and decide such appeal. Application for such appeal shall be in writing, accompanied by a one hundred dollar (\$100.00) application fee. The Plan Commission may either affirm the decision of the Village Engineer, or may reverse such decision.~~

~~8. That in the event that the Plan Commission as part of its final review of any plat of subdivision or planned development recommends that sidewalk not be constructed on any right of way within or adjacent to the proposed subdivision or planned development, the developer shall be subject to the requirements of this resolution for payment of a fee in lieu of sidewalk construction.~~

~~9. That the Village Council will consider constructing sidewalks in areas previously developed without sidewalks upon a recommendation of the Village Manager or Parking and Traffic Commission that a special need for such sidewalks appears to exist. In making such a recommendation, the Village Manager or Parking and Traffic Commission shall consider such factors and criteria as they consider relevant, including, but not limited to, the following:~~

#### MAJOR CONDITIONS

~~a. The proximity to grade (K-6) schools.~~

~~b. The measured vehicular traffic volume of the adjacent street.~~

~~c. Pedestrian clearance width.~~

~~\_\_\_\_\_ d. \_\_\_\_\_ The measured volume of pedestrian traffic, both general and school related.~~

MINOR CONDITIONS

- ~~\_\_\_\_\_ e. \_\_\_\_\_ The proximity of the area to a significant pedestrian traffic generator.~~
- ~~\_\_\_\_\_ f. \_\_\_\_\_ Any roadside sight obstructions (Distance from edge of pavement to obstruction).~~
- ~~\_\_\_\_\_ g. \_\_\_\_\_ The impact of sidewalk installation on the character of the area.~~
- ~~\_\_\_\_\_ h. \_\_\_\_\_ Lighting in the area.~~

~~\_\_\_\_\_ 10. \_\_\_\_\_ That recommendations for construction of sidewalks in areas previously developed without sidewalks may be made at any time, but shall be compiled annually and programmed for implementation over time, as appropriate, based on need and availability of funds, within the annual Five Year Financial Plan of the Village.~~

~~\_\_\_\_\_ 11. \_\_\_\_\_ That in areas where sidewalks currently exist, it is the policy of the Village to replace hazardous or deteriorated sidewalks as funds become available, in accordance with the following priorities:~~

- ~~\_\_\_\_\_ a. \_\_\_\_\_ In Business Districts~~
- ~~\_\_\_\_\_ b. \_\_\_\_\_ Adjacent to Railroad Stations~~
- ~~\_\_\_\_\_ c. \_\_\_\_\_ Adjacent to School Property~~
- ~~\_\_\_\_\_ d. \_\_\_\_\_ On designated School Routes~~
- ~~\_\_\_\_\_ e. \_\_\_\_\_ Along other routes extending away from Schools~~
- ~~\_\_\_\_\_ f. \_\_\_\_\_ Along other streets upon the determination of the Village that the location or condition of the sidewalks warrants priority in replacement.~~

~~\_\_\_\_\_ 12. \_\_\_\_\_ In cases where a property owner requests replacement of sidewalk adjacent to his property other than in the order of priority stated above, the Village may, based on its evaluation of the condition of the sidewalk, and if funding is available, participate in up to one half of the replacement cost, such cost not to exceed the maximum per square foot cost determined uniformly and annually by the Village Engineer or his designee.~~

~~\_\_\_\_\_ 13. \_\_\_\_\_ In all areas, the Village will allow any property owner to replace the sidewalk adjacent to his property at the property owner's expense so long as the property owner or his contractor shall obtain the necessary permit from the Village.~~

~~\_\_\_\_\_ 14. \_\_\_\_\_ That nothing contained in this Resolution shall prevent the Village Council, on its own initiative, from installing sidewalks or other types of pedestrian ways other than as provided herein where the Council, in its discretion, deems such action to be necessary and appropriate.~~

~~\_\_\_\_\_ 15. \_\_\_\_\_ That all resolutions or parts of resolutions in conflict with the provisions of this Resolution, and specifically the provisions of Resolution No. 85-6 and Resolution 90-7, are hereby repealed.~~

~~\_\_\_\_\_ 16. \_\_\_\_\_ That this resolution shall be in full force and effect from and after its passage as provided by law.~~

\_\_\_\_\_  
Betty M. Cheever, Mayor

Passed: \_\_\_\_\_ October 19, 1992  
Attest: \_\_\_\_\_ Barbara Waldner, Village Clerk