



AGENDA ITEM #8B

**AGENDA ITEM EXECUTIVE SUMMARY
Village Board Meeting
6/26/2023**

Item Title: Construction Hours Update

Staff Contact: Caron Bricks, AICP, Community Development Manager

CONSENT

VILLAGE BOARD ACTION:

Pass an Ordinance Amending Chapter 11, Article 1, Section 11-2 of the Code of Ordinances of the Village of Roselle, Illinois.

Executive Summary:

As directed by the Village Board at the June 12, 2023 meeting, attached is an ordinance that updates the hours of construction within the Village of Roselle. Major changes include:

- Construction allowed every day from 7 AM to 6 PM
- Construction is not permitted on major holidays
- The prohibited portion of construction is more clearly defined to reflect noisy equipment such as generators, saws, nail guns, etc.

Implications:

Is this item budgeted? N/A

Estimated cost: N/A

Any other implications to be considered? Staff will update the website, building permit cards, and other written materials to reflect the changes.

Strategic Priority:

Customer Experience

Attachments:

Ordinance

THE VILLAGE OF ROSELLE
COOK AND DUPAGE COUNTIES, ILLINOIS

ORDINANCE
NUMBER _____

**AN ORDINANCE AMENDING
CHAPTER 11 ARTICLE 1 SECTION 11-2
OF THE CODE OF ORDINANCES OF
THE VILLAGE OF ROSELLE, ILLINOIS**

DAVID PILESKI, Mayor
AMANDA HAUSMAN, Village Clerk

TOM DELLA PENNA
WAYNE D. DOMKE
DENA FORSYTHE
CHERYL LENISA
TOM PIORKOWSKI
LEE TREJO

Village Board

Published in pamphlet form by authority of the
Mayor and the Board of Trustees of the Village of Roselle
on this the 26th day of June, 2023

ORDINANCE NO. _____

**AN ORDINANCE AMENDING
CHAPTER 11 ARTICLE I SECTION 11-2
OF THE CODE OF ORDINANCES OF
THE VILLAGE OF ROSELLE, ILLINOIS**

WHEREAS, the Village of Roselle (hereinafter referred to as the “Village”) is an Illinois Municipal Corporation organized pursuant to the laws of the State of Illinois;

WHEREAS, the Village has in full force and effect a codified set of ordinances which are of a general and permanent nature, which said codified set is known and designated as the Village Code of the Village of Roselle, as amended;

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs that protect the health, safety and welfare of its residents;

WHEREAS, the Village desires to amend its Village Code to provide for expanded times to allow for construction; and

WHEREAS, the Corporate Authorities of the Village of Roselle are of the opinion that it is in the best interests of the safety, health and welfare of the residents to amend the village’s code of ordinances as referenced herein.

NOW, THEREFORE, BE IT ORDAINED, in open meeting assembled, by the Mayor and Board of Trustees of the Village of Roselle, Cook and DuPage Counties, Illinois as follows:

Section One - Recitals

The Board of Trustees hereby find that all of the recitals hereinbefore stated as contained in the preamble to this ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this ordinance as legislative findings.

Section Two – Amendment Village Code of Ordinances Chapter 11 Article 1 Section 11-2

Chapter 11 Article I Section 11-2(10) shall be amended as follows (additions appearing underlined and any deleted language appearing with a ~~strike-through~~ line):

- (10) Excavation, construction, or repair. The excavation, demolition, alteration, or repair of any roadway, building, or other public or private improvement, is permitted other than between the hours of 7:00 a.m. and 6:00 p.m. ~~Mondays through Fridays,~~ seven days a week, except on the following holidays: New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day when such activities are not permitted. ~~except that~~ Ithe director or public works or village engineer may issue a permit in the case or urgent necessity to maintain the public health and safety for those days and times in which work is not permitted. ~~a~~Any such permit shall issue only for such duration as the director of public works or village engineer deems necessary to remediate the urgent necessity. ~~In all other cases, the president and board of trustees~~

~~may authorize the issuance of a permit permitting excavation, demolition, alteration or repair Mondays through Sundays during hours it authorizes, upon a determination that the loss or inconvenience which would result to any party interest would be greater than the impairment of the public health and safety. Such permit shall designate the date of its commencement and the date of its termination as well as permitted days and hours of operation. Extensions may only be granted by the president and board of trustees upon formal application by the party in interest. Activities subject to these limitations shall include, but are not limited to, noise generating activities, such as the operation of engines, equipment, hammers, power tools and similar equipment.~~

Section Three – Codification

The title, chapter(s) and section(s) adopted by this ordinance shall be numbered and placed in an appropriate title, chapter(s), and section(s) when and during the codification of the Roselle Municipal Code.

Section Four - Conflict Clause

That all ordinances, parts of ordinances, resolutions, parts of resolutions or board actions in conflict with the terms of this ordinance shall be repealed to the extent of said conflict.

Section Five - Passage Clause

That this ordinance shall take full force and effect from and after its passage, approval and publication as provided by law.

Section Six - Constitutionality Clause

Any part or parts of this ordinance declared by a court of law to be invalid or unconstitutional shall not affect the validity of the remaining provisions of this ordinance or the Roselle Municipal Code.

Section Seven - Publication

This ordinance shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Eight - Recording

This ordinance shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of Roselle.

The Remainder of this Page has been Intentionally Left Blank / Roll Call Vote to follow:

DECIDED pursuant to a Roll Call Vote:

	YES	NO	ABSTAIN	ABSENT
Tom Della Penna				
Wayne D. Domke				
Dena Forsythe				
Cheryl Lenisa				
Tom Piorkowski				
Lee Trejo				
David Pileski (if necessary)				
TOTAL				

PASSED AND APPROVED by the Village of Roselle Board of Trustees on the 26th day of June, 2023:

David Pileski
Mayor

ATTEST:

Amanda Hausman
Village Clerk

STATE OF ILLINOIS)
) SS
 COUNTIES OF DUPAGE AND COOK)

CLERK’S CERTIFICATION

I, Amanda Hausman, hereby certify that I am the duly elected and qualified Village Clerk in and for the Village of Roselle, DuPage and Cook Counties, Illinois; that I am the keeper of the files, records, and seal of said Village, and that the following is a true and correct copy of Ordinance No. _____

**AN ORDINANCE AMENDING
 CHAPTER 11 ARTICLE I SECTION 11-2 OF THE CODE OF ORDINANCES OF
 THE VILLAGE OF ROSELLE, ILLINOIS**

adopted and approved by the Mayor and the Board of Trustees at an official meeting held on June 26, 2023 and that the vote on the motion for adoption was as follows:

	YES	NO	ABSTAIN	ABSENT
Tom Della Penna				
Wayne D. Domke				
Dena Forsythe				
Cheryl Lenisa				
Tom Piorkowski				
Lee Trejo				
David Pileski (if necessary)				
TOTAL				

I do further certify that the deliberations of the Board on the adoption of said ordinance were conducted openly, that the vote on the adoption of said ordinance was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Village Code of the Village of Roselle, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

I further state that this Certification is issued under my hand and the seal of the Village of Roselle as required in the Illinois Compiled Statutes 65 ILCS 5/1-2-4.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Corporate Seal of said Village of Roselle, DuPage and Cook Counties, Illinois on the date set forth herein.

 Amanda Hausman, Village Clerk

(SEAL)