

# **City of Berwyn City Council Meeting**

**May 27, 2008**

# BERWYN CITY COUNCIL MEETING

MAY 27, 2008

DEAR ATTENDEE.....THE MAYOR AND CITY COUNCIL WELCOME YOU. PLEASE KEEP IN MIND THAT THIS IS A MEETING OF THE MAYOR AND COUNCIL MEMBERS AS OPPOSED TO A PUBLIC HEARING WHERE ATTENDEES ARE ENCOURAGED TO PARTICIPATE. UNLESS INVITED BY THE MAYOR TO SPEAK, YOU ARE REQUESTED NOT TO INTERRUPT. IF YOU ARE RECOGNIZED BY THE MAYOR, PLEASE PREFACE YOUR REMARKS BY STATING YOUR NAME AND ADDRESS FOR THE RECORD. THANK YOU.

MICHAEL A. O'CONNOR  
MAYOR

THOMAS J. PAVLIK  
CITY CLERK

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## AGENDA

### ROLL CALL

- (A) PLEDGE OF ALLEGIANCE - MOMENT OF SILENCE
- (B) OPEN FORUM - (TOPIC MUST NOT BE ON THE AGENDA)
- (C) PRESENTATION OF PREVIOUS MEETINGS MINUTES FOR APPROVAL
  - 1. REG MTG-5/13/08-COW 5/13/08
- (D) BID OPENING - TABULATIONS
  - 1. 22<sup>ND</sup> ST (CERMAK ROAD) MEDIAN IMPROVEMENTS
  - 2. STATE ROUTE PAVEMENT MAINTENANCE
  - 3. 2008 ALLEY IMPROVEMENTS
- (E) BERWYN DEVELOPMENT CORP.-BERWYN TOWNSHIP/HEALTH DISTRICT
  - 1. DEFER-BDC-6537 ROOSEVELT RD AMENDED REDEVELOPMENT AGREEMENT
  - 2. BDC-DEPOT DISTRICT TIF AMENDMENTS
- (F) REPORTS AND COMMUNICATIONS FROM THE MAYOR
  - 1. DEFER-IXTAPA RESTAURANT REQ-C-3.2 LIQUOR LICENSE
  - 2. DEFER-APPT.H.R. DIR-ASSISTANT FIRE CHIEF-DIR OF COMMUNITY OUTREACH-DIR COMMUNITY DEVELOPMENT-GRANT ADMINISTRATOR/COMMUNITY DEV.
  - 3. RESOL-GIRL SCOUT GOLD AWARD-CHRISTINA AMARO
  - 4. RESOL-SUPPORT CHICAGO'S BID FOR 2016 OLYMPIC & PARALYMPIC GAMES
  - 5. APPOINTMENT OF FINANCE DIRECTOR JOHN WYSOCKI
  - 6. DISCUSSION OF AT&T PROPOSAL
  - 7. PROPOSED SECURITY UPGRADES FOR PUMPING STATIONS
  - 8. DISCUSSION OF PROPOSAL FOR ADDITIONAL PARKING AT 32<sup>ND</sup> & HARLEM
  - 9. DISCUSSION OF UPGRADE TO NEW GENERAL LEDGER SYSTEM
  - 10. RECOMMENDATION OF NON-UNION PERSONNEL SALARY INCREASE
  - 11. CLOSURE OF STREETS FOR ICE CREAM SOCIALS-JUNE 9<sup>TH</sup> & JUNE 16<sup>TH</sup>
- (G) REPORTS AND COMMUNICATIONS FROM THE CITY CLERK
- (H) COMMUNICATIONS FROM ( ZONING) BOARD OF APPEALS
  - 1. DEFER ZBA RESOL/ORD-KOPICKI-6901 ROOSEVELT RD

(I) REPORTS AND COMMUNICATIONS FROM ALDERMEN, COMMITTEES OTHER BOARDS AND COMMISSIONS

1. SKRYD-CITY COUNCIL MEETING PARLIAMENTARIAN

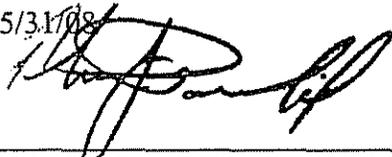
(J) STAFF REPORTS

1. DEFER-LAW -SIGN ORDINANCE
2. DEFER-LAW-LIQUOR LICENSE REVISION ORD
3. DEFER-LAW-F& P COMMITTEE RECOMMENDATIONS-GRIEVANCE (A)
4. DEFER-LAW-F&P COMMITTEE RECEOMMDATIONS-GRIEVANCE (B)
5. LAW DEPT-SIGN ORDINANCE
6. LAW DEPT-ACQUISITION OF 7128 W. CERMAK RD
7. LAW DEPT-ZONING CODE -CHGE IN DEFINITION" SINGLE HOUSINGKEEPING UNIT"
8. LAW DEPT-PENDING LITIGATION
9. LAW DEPT-COMMUNITY RELATIONS ORDINANCE
10. LAW DEPT-ORD AMEND SEC 242.03-APPT OFFICERS-APPTMNT PROCEDURE
11. FIRE CHIEF-RESOL OF GOVERNING BODY EXTRACT OF MINUTES FOR FINANCIAL AGREEMENT FOR PURCHASE OF NEW FIRE ENGINE
12. FIRE CHIEF-MEDICAL REIMBURSEMENT SERVICES CONTRACT
13. DIR COMPUTER TECHNOLOGY-RETIRED TELEPHONE EQUIPMENT
14. PW DIR-REQ FOR DISCUSSION OF WATER SYSTEM SECURITY STUDY
15. PW DIR-SERVICE REQ FROM MORTON WEST
16. FLEET MGR-REQ SCRAP PD-1995 FORD

(K) CONSENT AGENDA: ALL ITEMS ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE IN NATURE AND WILL BE ENACTED IN ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER SO REQUESTS. IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED AS THE FIRST ITEM AFTER APPROVAL OF THE CONSENT AGENDA

1. DEFER-ERICKSON-HANDICAP SIGN-J. RAMIREZ-1230 WESLEY
2. BUDGET CHAIRMAN-PAYROLL-5/14/08-\$876,490.40
3. BUDGET CHAIRMAN-PAYABLES-5/27/08-\$353,594.35
4. WEINER-HANDICAP REQ-DIAZ-RESTREPO-6945 RIVERESIDE DR-APPROVE
5. WEINER-HANDICAP REQ-M. SUBA-2948 WISCONSIN-APPROVE
6. DAY-HANDICAP REQ-C. TURNER-1828 CUYLER-APPROVE
7. DAY-HANDICAP REQ-L HANNIGAN-1324 HARVEY-APPROVE
8. RAMOS-HANDICAP REQ-H. HILLMAN-3545 HARVEY-APPROVE
9. SKRYD-HANDICAP REQ-S. CAPUTO-2717 CUYLER-APPROVE
10. BERWYN PK DIST-CLOSE 2300 GROVE-REDEDICATE FOUNTAIN- MRAZ PK
11. SOKOL STICKNEY-TAG & CANDY DAYS-5/30 & 5/31/08
12. SBC SHOE CORP- 6548 CERMAK-SIDEWALK SALE-5/29 -6/1/08
13. STREET FAIR/BLOCK PARTY-6600-6800 ROOSEVELT RD-8/23/08
14. BLOCK PARTY-2900 BLK MAPLE-7/4/08
15. BLOCK PARTY-1900 HARVEY-7/4/08
16. ALLEY GARAGE SALE-3200 MAPLE-5/31/08

ITEMS SUBMITTED ON TIME 51

  
THOMAS J. PAVLIK - CITY CLERK

# Sections A & B

A. Pledge of Allegiance-Moment of Silence

B. Open Forum  
Topic must NOT be on the Agenda  
Open space for comments or ideas.

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# Section C

## **Presentation of Previous Meeting Minutes For Approval**

C-1

**MICHAEL A. O'CONNOR**  
**MAYOR**

**THOMAS J. PAVLIK**  
**CITY CLERK**

**MINUTES**  
**BERWYN CITY COUNCIL**  
**MAY 13, 2008**

1. The regular meeting of the Berwyn City Council was called to order by Mayor O'Connor at 8:20 p.m. Upon the call of the roll, the following responded present: Chapman, Ramos, Weiner, Skryd, Day, Phelan, Lovero, Erickson.
2. The Pledge of Allegiance was recited and a moment of silence was observed for the safety of our armed forces, police, firefighters, paramedics.
3. The Open Forum Portion of the meeting was announced. Alderman Lovero recognized Anthony Laureto, Berwyn Fire Lieutenant, for receiving the 2008 Pav YMCA Teeter Award, Alderman Erickson read a statement into record announcing the "Joe Cockerin Foundation" for the 1<sup>st</sup> Annual Pet Adoption and Micro Chipping event to be held this summer and thanks Mayor O'Connor for a \$500 donation and for the annual pledge from the Berwyn Banner publication for the non for profit organization. Clerk Pavlik requested a copy of his statement, alderman agreed, copy has not been provided for original minutes, Alderman Phelan spoke in regards to the building department director regarding storm wind damage to the fence on his property and inappropriate comments made by the director along with his disagreement with the requirement of having a building permit to repair existing fence, Alderman Chapman reported that "Bloom & Zoom" held in the Depot District was a success and thanked all the volunteers on the committee and the BDC for their help, Joe Ramirez, 1230 Wesley commented regarding the handicap request denial on the Council agenda and requested Alderman Erickson's attention to the matter.
4. The minutes of the regular City Council meeting held on April 22,, 2008, and the Committee of the Whole meeting held on April 22<sup>nd</sup> and April 28, 2008 were submitted. Alderman Skryd questioned item #17 of the April 22<sup>nd</sup> City Council minutes and made a motion to amend, seconded by Chapman. After discussion, the motion to amend was withdrawn. Thereafter, Ramos made a motion, seconded by Weiner, to concur and approve the minutes as submitted. The motion carried by a voice vote.
5. Weiner made a motion, seconded by Chapman, to suspend the rules and bring forth item F-1. The motion carried. F-1 is a Resolution submitted by

the Mayor regarding Teacher Appreciation Week and declared May 4th through May 11th, 2008 as Teacher Appreciation Week for the North Berwyn School District #98 and the South Berwyn School District #100 in the City of Berwyn. Thereafter, Weiner made a motion, seconded by Chapman, to concur and adopt the Resolution as presented and accept the matter as informational. The motion carried by a voice vote.

6. The Mayor submitted a Resolution for support of Application to the Illinois Transportation Enhancement Program for the Joint Streetscape Improvement along Roosevelt Road. Thereafter, the Mayor recognized Tony Griffin director of the Berwyn Development Corporation who explained the Resolution. Thereafter, Lovero made a motion, seconded by Erickson, to concur and adopt the Resolution as presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a voice vote.
7. The Mayor submitted a Resolution for support of Application to the Illinois Transportation Enhancement Program for the Depot District Multi-Modal Signage Improvement. . Thereafter, the Mayor recognized Tony Griffin director of the Berwyn Development Corporation who reviewed same. Thereafter, Lovero made a motion, seconded by Erickson, to concur and adopt the Resolution as presented and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a voice vote.
8. The Berwyn Development Corporation submitted a communication regarding Artspace Prefeasibility Study-TIF Eligibility. Thereafter, the Mayor recognized Tony Griffin director of the Berwyn Development Corporation who explained the program. Thereafter, Skryd made a motion, seconded by Lovero, to concur and approve in an amount not to exceed \$7,500 and to amend the agreement to include the BDC as contact. The motion carried by the following roll call: Yeas: Chapman, Weiner, Skryd, Lovero. Nays: Day, Phelan, Erickson.
9. The Berwyn Development Corporation submitted a communication regarding a TIF application for Deece Automotive, 6545 Stanley Avenue. Thereafter, Phelan made a motion, seconded by Chapman, to recuse Alderman Lovero from the vote. The motion carried. Thereafter, Ramos made a motion, seconded by Chapman, to concur and approve in an amount not to exceed \$12,000. The motion carried by the following roll call: Yeas: Chapman, Ramos, Skryd, Day, Phelan, Nays: Weiner, Erickson. Excused: Lovero
10. The Berwyn Development Corporation submitted a communication regarding a TIF application for Dr. Grud, DDS,MS, 7024-26 Cermak Road.

Thereafter, Lovero made a motion, seconded by Skryd, to concur and approve as submitted in an amount not to exceed \$135,000. . The motion carried by the following roll call: Yeas: Chapman, Ramos, Skryd, Day, Phelan, Lovero. Nays: Weiner, Erickson.

11. The Berwyn Development Corporation submitted a communication requesting the loan approval for R&B Automotive, 6606 W. Ogden Avenue. Thereafter, Ramos made a motion, seconded by Chapman, to concur and approve as submitted. The motion carried by a unanimous roll call vote.
12. The Berwyn Development Corporation submitted a communication regarding the City Council Agenda item, 6537 W. Roosevelt Road Amended Redevelopment Agreement. Erickson made a motion, to defer the matter for 2 weeks. After discussion, the motion was withdrawn. Thereafter, Erickson made a motion, seconded by Lovero, to concur and approve as amended. The motion carried by a unanimous roll call vote.
13. The Mayor submitted a communication regarding the Sears Home and the request from the Berwyn Historical Society to postpone demolition. After discussion, Skryd made a motion, seconded by Erickson, to accept the matter as informational and to request the Berwyn Historical Society and the Berwyn Park District to meet, discuss, and enter into an agreement regarding same. The motion carried by a voice vote.
14. The Mayor submitted a communication regarding inventory of the City-owned property at 1535 Clarence Avenue. Thereafter, Skryd made a motion, seconded by Chapman, to accept the matter as informational. The motion carried by a voice vote.
15. The Mayor submitted a communication regarding the cigarette butts litter amendment requiring that all license holders provide "cigarette butt collectors". After discussion, Skryd made a motion, seconded by Chapman, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
16. The Mayor submitted a communication regarding a change in basement Kitchen restrictions. Chapman made a motion, seconded by Ramos, to refer the matter to the Law department to amend ordinance. The motion carried by a voice vote.
17. The Mayor submitted a communication regarding a change order for the 16<sup>th</sup> Street Firehouse as discussed in the Committee of the Whole on April 8, 2008. Thereafter, Skryd made a motion, seconded by Lovero, to concur and approve as submitted. The motion carried by a voice vote.

18. The Mayor submitted a communication regarding the "Think Green" campaign in conjunction with the Community Outreach Director, North Berwyn Park District, and Waste Management for "Think Green" awareness citywide. Thereafter, Lovero made a motion, seconded by Skryd, to concur and approve as submitted in an amount not to exceed \$7,500. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Day, Lovero, Erickson. Nays: none. Abstained: Phelan.
19. The Mayor submitted a communication regarding Ixtapa Restaurant request for C-3.2 liquor license; adjustment in number of available C-1 licenses. After discussion regarding past history and violations, Lovero made a motion, seconded by Skryd, to deny. After further discussion, the motion was withdrawn. Thereafter, Lovero made a motion, seconded by Weiner, to defer the matter for 2 weeks. The motion carried by a voice vote.
20. The Mayor submitted a communication regarding the re appointments of Dominick Castaldo, Joel Chrastka, Robert J. Fejt, and Don Miller to the Zoning Board of Appeals. Thereafter, Skryd made a motion, seconded by Ramos, to concur and approve the appointments as submitted. The motion carried by a voice vote.
21. Erickson made a motion, seconded by Day, to suspend the rules and bring forth items F-10 through F-16 and to refer all to the Law department to amend ordinance 242.03 for the following officers: F-10, Director of Community Outreach, F-11, Assistant Fire Chief, F-12, Director of Human Resources, F-13, Director of Community Development, F-14, Grants Administrator/Community Development, F-15, Director of Finance; eliminate Director of Finance and Human Resources, F-16, to eliminate certain Appointed Officers; Chief Building Inspector, Chief Water Clerk, City Planner, City Sealer, Corporation Counsel, Deputy Liquor Commissioner. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Day, Lovero, Erickson. Nays: Phelan.
22. Erickson made a motion, seconded by Day, to suspend the rules and bring forth items F-18 through F-36 and make germane to F-17 and approve as submitted. F-17 is a communication from the Mayor regarding Mayoral appointments. Thereafter, the motion carried by the following roll call: Yeas; Ramos, Wiener, Day, Erickson. Nays: Phelan. Present: Chapman, Skryd, Lovero.
23. Erickson made a motion, seconded by Weiner, to suspend the rules and bring forth items F-37 through F-41 and to defer for 2 weeks. F-37, Appointment of Director of Human Resources, F-38, Appointment of

Assistant Fire Chief, F-39, Appointment of the Director of Community Outreach, F-40, Appointment of Director of Community Development, F-41, Appointment of Grant Administrator/Community Development. The motion carried by a voice vote.

24. The City Clerk submitted a communication requesting the approval of Closed Committee of the Whole minutes of March 20, 25, April 8, and April 14, 2008. Thereafter, Lovero made a motion, seconded by Ramos, to concur and approve as submitted. The motion carried by a voice vote.
25. The Zoning Board of Appeals submitted a Resolution and Ordinance regarding the Kopicki property located at 6901 W. Roosevelt Road. Thereafter, Erickson made a motion, seconded by Day, to defer the matter for 2 weeks. The motion carried by a voice vote.
26. A deferred communication from Alderman Skryd regarding the Citizens Police and Fire Academy Graduates/Alumni/Neighborhood Watch Block Captains. Thereafter, Skryd made a motion, seconded by Chapman, to suspend the rules and bring forth item J-14 as germane. The motion carried by a voice vote. J-14 is a communication from the Berwyn Police Chief regarding Neighborhood Watch Volunteer Ordinance proposal. Thereafter, Skryd made a motion, seconded by Chapman, to accept the matter as informational. The motion carried by a voice vote.
27. Alderman Chapman submitted a communication requesting 35<sup>th</sup> Street "No Parking" signs, residential parking only from 8 am to 10 am, & 2pm to 4pm Monday through Friday for 35<sup>th</sup> Street between Oak Park and Grove Avenues. After discussion, Chapman made a motion, seconded by Skryd, to concur and approve as submitted and to authorize public works to install said sign and to refer the matter to the Ordinance and Resolutions to amend the ordinance. The motion carried by a unanimous roll call vote.
28. Alderman Chapman submitted a communication regarding Library Board appointments requesting the reappointment of Louise Sommese and Eileen Pech and the appointment of Alderman Chapman to fill the Board vacancy. Thereafter, Chapman made a motion, seconded by Skryd, to refer the matter to the Mayor. The motion carried by a voice vote.
29. Alderman Weiner submitted a communication regarding diagonal parking at the Ukranian Baptist Church. Weiner made a motion, seconded by Skryd, to refer the matter to the Traffic Engineer. The motion carried by a voice vote.

30. Alderman Weiner submitted a communication regarding Aldermanic Health Insurance. Thereafter, Weiner made a motion to concur. The Mayor declared the motion failed for a lack of a second.
31. Alderman Erickson submitted a communication regarding information on Costco being lauded as a true pioneer in the area of employee rights. Thereafter, Erickson made a motion, seconded by Skryd, to accept the matter as informational. The motion carried by a voice vote.
32. Alderman Erickson submitted a communication regarding Vehicle Sticker revenue. Thereafter, Erickson made a motion, seconded by Skryd, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
33. Alderman Erickson submitted a communication regarding the Berwyn Banner. Thereafter, Erickson made a motion, seconded by Skryd, to accept the matter as informational. The motion carried by a voice vote.
34. The Building, Zoning, and Planning Committee submitted a communication regarding advertising for a new Compliance Inspector with the recommendation to hold off on the position until more information on revenues can be had. Thereafter, Chapman made a motion, seconded by Ramos, to accept the matter as informational. The motion carried by a voice vote.
35. The Education Committee submitted a communication regarding the meeting held on April 24, 2008 with the new Chairman, Alderman Day, with committee's goals to share ideas on how the city may best serve the children of the City of Berwyn. Thereafter, Weiner made a motion, seconded by Skryd, to accept the matter as informational. The motion carried by a voice vote.
36. The Public Works committee submitted a communication from the meeting held on April 25, 2008 regarding RFP for Seasonal Planting and Maintenance with the recommendation to use the updated RFP to go out for bid and be returned by May 7, 2007 at 10:00 a.m. Chapman made a motion, seconded by Skryd, to accept the matter as informational. The motion carried by a voice vote.
37. The Public Works committee submitted a communication regarding awarding of bid for Seasonal Planting with the recommendation to accept the bid from McAdams in the amount not to exceed \$83,008.15. After discussion, Chapman made a motion, seconded by Skryd, to concur and approve as submitted. The motion carried by the following roll call vote.

Yeas: Chapman, Ramos, Weiner, Skryd, Lovero. Nays: Day, Phelan, Erickson.

38. The Public Works committee submitted a communication regarding the awarding of contract for Sidewalk, Curbs, and Gutter Repairs to Gem Construction, Inc. After discussion, Chapman made a motion, seconded by Weiner, to defer the matter to the end of the meeting to obtain more information. The motion carried.
39. A deferred communication from the Public Works director regarding the approval to bid for the Ridgeland Avenue alley installation. Thereafter, Skryd made a motion, seconded by Chapman, to concur and approve to go out to bid. The motion carried by a unanimous roll call vote.
40. A deferred communication from the Law department regarding the Sign ordinance. Thereafter, Skryd made a motion, seconded by Lovero, to suspend the rules and bring forth item J-6 as germane and to defer the matter for 2 weeks. The motion carried by a voice vote.
41. A deferred ordinance from the Law department entitled:

**AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO CONTRACT WITH OAK PARK REGIONAL HOUSING CENTER FOR 2008**

Thereafter, Weiner made a motion, seconded by Lovero, to suspend the rules and bring forth item J-7 as germane. Item J-7 is the contract for services between the City of Berwyn and the Oak Park Regional Housing Center. Thereafter, Weiner made a motion, seconded by Lovero to adopt the ordinance and approve the agreement as submitted and to authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Ramos, Weiner, Skryd, Day, Phelan, Lovero, Erickson. Nays: Chapman.

42. A deferred communication from the Human Resource director regarding the Public Works union contract. Thereafter, Lovero made a motion, seconded by Erickson, to concur and approve as submitted. The motion carried by a unanimous roll call vote.
43. A deferred communication from the Berwyn Historic Preservation Commission regarding the request for the Approval of the Certified Local Government Application. Thereafter, Chapman made a motion, seconded by Skryd, to suspend the rules and bring forth item J-8 as germane. After discussion, Lovero made a motion, seconded by Weiner, to concur and

approve as submitted and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote.

44. The Law department submitted a Liquor License Revision ordinance. Thereafter, Lovero made a motion, seconded by Skryd, to defer the matter for 2 weeks. The motion carried by a voice vote.
45. The Law department submitted an Automated Rental Machine License ordinance. Thereafter, Skryd made a motion, seconded by Chapman, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
46. The Law department submitted (5) communications regarding Fire and Police Committee Recommendations. After discussion, Erickson made a motion, seconded by Chapman, to separate out each item and labeling "A", "B", "C", "D", and "E". The motion carried by a voice vote. Item "A" is a grievance from the Illinois Municipal Police Association regarding Personnel with the recommendation of the committee to direct the Fire and Police commission to conduct a Hearing. Thereafter, Erickson made a motion, seconded by Chapman, to defer with Alderman Chapman requesting the Committee Chairman to produce original meeting minutes. The motion carried by a voice vote.
47. Fire and Police committee grievance "B" from the Illinois Municipal Police Association regarding "Shift Biddings" with the committee's recommendation to deny the grievance. After discussion, Erickson made a motion, seconded by Chapman, to defer. The motion carried by a voice vote with Chapman requesting original minutes be provided.
48. Fire and Police committee grievance "C" from the Illinois Municipal Police Association regarding the "Police Lieutenant List" with the committee's recommendation in favor of the grievance. Thereafter, Erickson made a motion, seconded by Chapman, to concur and approve as amended to include Sergeants list. The motion carried by a unanimous roll call vote.
49. Fire and Police committee grievance "D" from the Illinois Municipal Police Association regarding the Promotion of James T. Sasseti to the rank of Sergeant with the recommendation of the committee to Sustain the Grievance. After discussion, Erickson made a motion seconded by Day, to amend on face page 3 of the recommendation of the Police and Fire Committee to reflect the vote as voting Aye: Chapman, Day. Nay: Erickson. The motion carried by a voice vote. After further discussion, Erickson stated that Alderman Day wished to change his vote from the Committee meeting from Aye to Nay. After further discussion, Day made a motion,

seconded by Erickson, to change Alderman Day's vote to Nay. The motion carried on the following roll call Yeas: Weiner, Skryd, Day, Erickson, O'Connor. Nays: Chapman, Ramos, Phelan, Lovero. After discussion, Lovero made a motion, seconded by Chapman, to sustain the Sassetti grievance. Erickson requested that Skryd be disqualified from the vote. Discussion ensued, with Alderman Skryd refuting the reasoning for Erickson's request to have her be disqualified. Thereafter, Erickson accused Officer Sassetti of going out and soliciting campaign contributions on behalf of Alderman Lovero and stated Lovero should be disqualified based on the evidence. Discussion ensued, then Mayor O'Connor requested that the Berwyn Police Officers present, remove resident Regina Mendicino from the Council Chambers. Ms. Mendicino left on her own accord. After further discussion, Lovero once again, made a motion, seconded by Chapman, to concur and sustain the Sassetti grievance. The Mayor refused to recognize the motions made. Thereafter, Erickson made a motion, seconded by Day, to disqualify Skryd and Lovero. The motion failed by the following roll call: Yeas: Day, Erickson. Nays: Chapman, Ramos, Weiner, Skryd, Phelan, Lovero. Thereafter, Lovero asked for his motion to be recognized, at which time the Mayor stated that the Committee chairman should make the motion. Lovero stated that he is an alderman, and should be able to make the any motion. After the Clerk began the call to roll, the Mayor stated that this council needs to stop spending money and if the council votes in favor of this matter, he will personally file a lawsuit to stop the promotion, and Chapman needs to stop trying to take care of her friends and buddies. Lovero interjected stating that there is a motion and a second on the floor. At which time, the Mayor gaveled Lovero, out of order, and asked the Police Officers present to remove Alderman Lovero from the Council Chambers. Alderman Lovero left on his own accord at 9:55 p.m. After order was restored, the motion by Lovero and seconded by Chapman, to sustain the grievance, failed on the following roll call: Yeas: Chapman, Skryd, Phelan. Nays: Ramos, Weiner, Day, Erickson. Absent: Lovero.

50. Fire and Police committee grievance "E" from the Illinois Municipal Police Association (I.M.P.A.) regarding Kronos Time Keeping system with the recommendation of the committee to sustain and be subjected to further negotiation between the union and the city. Thereafter, Erickson made a motion, seconded by Day, to concur. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Day, Phelan, Erickson. Nays: none. Thereafter, Clerk Pavlik questioned the Council on the matter of Alderman Lovero not being present for the vote. Thereafter, Erickson made a motion, seconded by Day, to excused Alderman Lovero. The motion carried by a voice vote.

51. Chapman made a motion to adjourn the meeting at 10:02 p.m. The motion failed for a lack of a second. Thereafter, Erickson made a motion, seconded by Weiner, to extend the meeting past 10:00 p.m. as per ordinance. The motion carried by the following roll call: Yeas: Ramos, Weiner, Skryd, Day, Phelan, Erickson. Nays: Chapman. Excused: Lovero.
52. The Law department submitted an ordinance regarding the time period for the purchase of a new vehicle sticker. Thereafter, Skryd made a motion, seconded by Chapman, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
53. The Law department submitted a lease agreement for the cell monopole which will be located at the 16<sup>th</sup> Street Fire Station. Thereafter, Weiner made a motion, seconded by Erickson, to concur and approve the contract as submitted and to authorize the corporate authorities to affix their signatures thereto. The motion carried by a unanimous roll call vote with Lovero excused.
54. The Fire Chief submitted a contract regarding the Paramedic Services of Illinois. The Mayor recognized Fire Chief O'Halloran who explained the various differences in the length of the contract. After discussion, Skryd made a motion, seconded by Chapman, to concur and approve the contract for a 2 year period. The motion carried on the following roll call: Yeas: Chapman, Ramos, Skryd, Phelan. Nay: Weiner, Day, Erickson. Excused: Lovero
55. The Public Works director submitted a communication regarding Engineering Services proposal for Storage Tank repair. Thereafter, Weiner made a motion, seconded by Skryd, to concur and approve as submitted in an amount not to exceed \$9,889. The motion carried by a unanimous roll call vote with Lovero excused.
56. The Public Works director submitted a communication regarding a proposal for Security Upgrades for Pump Stations. After discussion, Chapman made a motion, seconded by Skryd, to refer the matter to the Public Works director to issue an RFP. After further discussion, the motion and second was withdrawn. Thereafter, Chapman made a motion, seconded by Erickson, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
57. The Public Works director submitted a communication regarding Landscape Agreement with ATT Lightspeed. Skryd made a motion, seconded by Chapman, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.

58. The Finance Department Consultant, Stephanie Walker, submitted a communication regarding the disposal of vehicles. Skryd made a motion, seconded by Weiner, to concur and approve as submitted. The motion carried by a unanimous roll call vote with Lovero excused.
59. The Finance Department Consultant, Stephanie Walker, submitted a communication regarding the General Ledger bids. Skryd made a motion, seconded by Chapman, to refer the matter to the Committee of the Whole. The motion carried by a voice vote.
60. The Community Relations director regarding amendments to ordinance 620, to include "sexual orientation" to current ordinance along with amending the ordinance to change wording from "handicap" to "disability" and also to rename the ordinance "Community Relations/Human Rights. Thereafter, Skryd made a motion, seconded by Erickson, to concur and approve as amended and to refer the matter to Odelson & Sterk to supply a draft ordinance. The motion carried by a unanimous roll call vote with Lovero excused.
61. The City Traffic Engineer submitted a communication regarding parking management options at 32<sup>nd</sup> Street and Harlem. Thereafter, Weiner made a motion, seconded by Erickson, to refer the matter to Law department with the recommendation No. (1). The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Day, Erickson. Nays: Phelan. Excused: Lovero.
62. The Public Works committee, item #38 that was tabled until the end of the meeting, regarding Sidewalk, Curbs, and Gutter Repairs, with the recommendation to award the contract to Gem Construction, Inc. in an amount not to exceed \$107,302.50. Thereafter, Chapman made a motion, seconded by Skryd, to concur and approve for payment. The motion carried by a unanimous roll call vote with Lovero excused.
63. Erickson made a motion, seconded by Ramos, to suspend the rules and bring forth item K-3 from the consent agenda, a handicap sign for Jose Ramirez, 1230 Wesley, and to defer the matter for 2 weeks. The motion carried by a voice vote.
64. Ramos made a motion to approve the remaining items in the Consent agenda. After further discussion, the motion was withdrawn. Thereafter, Phelan made a motion, seconded by Erickson, to suspend the rules and bring forth item K-5 from the Consent agenda. The motion carried. K-5 is a block party request for the 2100 block of Elmwood with a recommendation to deny. After discussion, Phelan made a motion, seconded by Erickson, to

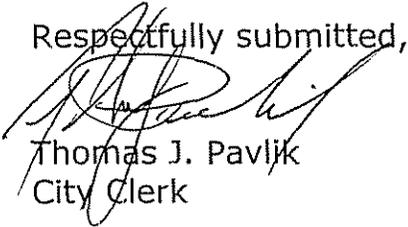
overrule the recommendation to deny and approve the request as submitted. The motion carried by a unanimous roll call vote with Lovero excused.

65. Chapman made a motion, seconded by Phelan, to suspend the rules and bring forth item K-2 from the Consent agenda. K-2 is a communication from the Budget chairman regarding the payables for approval. Chapman questioned page 1 item made out to cash for \$750,000. Thereafter, the Mayor recognized Treasurer Pater who explained, that this was made out to Citizens Bank for a Cashier's check as directed by the Citizen's Bank president. Thereafter, Chapman made a motion, seconded by Ramos, to concur and approve for payment in the amount of \$2,649,637.61. The motion carried by a unanimous roll call vote with Lovero excused.
66. The Consent Agenda K-1, K-4, K-6 through K-14 were submitted.
  - K-2- The Budget Chairman submitted the payables for April 30, 2008 in the amount of \$796,439.52.
  - K-4 The Clerk submitted a request for a handicap sign for N. Kubat, 3703 Clarence with a recommendation to **approve**
  - K-6 The collector submitted the business licenses issued during the month of April, 2008
  - K-7 The building director submitted the building permits issued during the month of April, 2008
  - K-8 J. Sterling Morton H.S. submitted a request for a Homecoming Parade on Saturday, September 27, 2008
  - K-9 A block party was requested for the 3200 block of Kenilworth on May 25, 2008
  - K-10 A block party was requested for the 2300 block of Euclid on June 14, 2008
  - K-11 A block party was requested for the 1900 block of Clinton on June 14, 2008
  - K-12 The NBPD requested permission to hold a Flea Market on May 3, 2008 Approval was granted at the April 22, 2008 City Council meeting
  - K-13 The Lions Club requested its Annual Candy Drive on May 2, 3, & 4<sup>th</sup>, 2008. Approval was granted at the April 22, 2008 City Council meeting
  - K-14 MacNeal Hospital requested consideration to allow oversized banners To be placed on various buildingsThereafter, Ramos made a motion, seconded by Weiner to concur and Approve by Omnibus Vote Designation. The motion carried by a voice vote.
67. The Mayor called for a Committee of the Whole meeting for Tuesday, May 20, 2008 at 7:30 p.m. for referrals and a Committee of the Whole for Tuesday, May 27, 2008 at 6:00 p.m. for referrals

BERWYN CITY COUNCIL MEETING  
MAY 13, 2008

68. There being no further business to come before the meeting, same was, after a motion by Ramos, and seconded by Chapman, to adjourn at the hour of 10:34 p.m. The motion carried by a voice vote.

Respectfully submitted,



Thomas J. Pavlik  
City Clerk

MINUTES  
COMMITTEE OF THE WHOLE  
MAY 13, 2008

1. The Committee of the Whole was called to order by Mayor O'Connor at 6:04 p.m. Upon the call of the roll, the following responded present: Chapman, Ramos, Weiner, Skryd, Day, Lovero, Erickson. Absent: Phelan. Thereafter, the Mayor declared a quorum present and the meeting duly convened for business.
2. Chapman made a motion, seconded by Skryd, to excuse Alderman Phelan. The motion carried by a voice vote.
3. The Mayor referred to Anthony Griffin of the BDC regarding a Super Block update. Griffin reported that by April 1, 2008, the developer must submit plans regarding the remodeling of the bank building and the renovation for restaurant use. On May 1, 2008 they received a General Mix Use, phase II plan for condo and retail for 45 units and stated that the developer may need variances for 100% coverage and parking. Alderman Lovero questioned if there was some type of separation between the residential and development area. The Mayor questioned the earliest time that the city may close on the property, Griffin stated, July or August 1<sup>st</sup>.
4. Big Box Ordinance-The Mayor once again introduced Tony Griffin of the BDC who reported that discussion took place prior to the meeting between the Mayor and himself. Griffin supplied a template ordinance which referred to proposing and possibly amending square footage to a standard Big Box ordinance.
  - Alderman Lovero questioned how it applies to vacant properties in bankruptcy i.e. Service Merchandise in the Cermak Plaza.
  - Alderman Weiner questioned Berwyn Finer Foods on Oak Park Avenue, where the building was sold, but remains vacant.The Mayor then asked if the City Council was interested in moving forward and referring the matter to the Law department to research and draft a proposed ordinance, Council 7-0 in favor.
5. The Mayor referred to Antonio of the BDC regarding the Marketing Presentation and Billboard Program. Antonio reviewed the presentation regarding Research Methodology and the results from the Research of the 2007 campaign and reported that 60% of those surveyed, stated that they have seen the billboards, 73% stated that they have a higher opinion. Thereafter, Antonio proposed a strategic focus for 2008 and to continue with the bull's eye campaign including a junior billboard program for 2008

which will emphasize hobbies, dining, homes, recreation, and living in Berwyn makes life easier. The Mayor then took a consensus from the aldermen on moving forward with the program, 7-0 in favor. Afterward, the Mayor praised Antonio and the BDC for their excellent work with the campaign.

6. Berwyn Housing Center presentation-The Mayor introduced Rob Breymaier of the Housing Center who gave an update on the activities at the Berwyn Housing Center including placing ads in various newspapers to attract and maintain ethnic diversity.
- Rob reported dealing with 30 apartment owners at the end of 2007 and that:
  - They are currently working with 67 property owners
  - Collaborating with the BDC regarding being more prominently placed on the BDC website, and are working to participate in the BDC activities and working on membership.
  - Rob reported losing money at this time and his goal is to strive to break even as a good non for profit organization should.
  - Looking to increase Board members from 10 to 15 and would like to include residents of Berwyn on the member Board.

Chapman questioned the number of clients that have been placed from out of town, answer, approximately 20.

Ramos questioned how many goals did the Berwyn Housing Center meet in 2007, answer, they fell short on all goals because of over estimating advertising and word of mouth at the Oak Park Center.

The Mayor thanked Mr. Breymaier and stated that the item is on the Council agenda to renew the agreement.

7. Preservation Ordinance, item J-8- The Mayor recognized Attorney Walsh of Odelson & Sterk, who presented the Historic Preservations request for the CLG Application and stated that the Preservation Commission wants a voice in the demolition permit requests and that Odelson & Sterk reviewed the CLG Application, which is deferred item J-5. Lovero commented on understanding or clarification of the CLG and after discussion with Lori Thielen and visiting the website, he had a better understanding of what the CLG Agreement, and questioned the amendment to the Preservation Ordinance and the Preservation Commission having the final say on demolition requests. Odelson & Sterk suggested the Council have the final say in the matter. The Mayor questioned the City Council regarding a recommendation for amending the Preservation Ordinance and recognized Jeremiah Windsor and Lori Thielen of the Berwyn Historic Preservation Commission, who asked for the Historic Preservation Commission to be able to review demolition requests, and suggested amending the Demolition

Ordinance giving City Council the final approval. The Mayor asked for a consensus with aldermen, 7-0 in favor.

8. Sign Ordinance, item J-2 on the Council agenda-Alderman Skryd requested a 2 week deferral to review.
9. Metra Lease Agreement-The Mayor recognized Rich Bruen of Odelson & Sterk who reported setting up a meeting with Metra to address the parking spaces also to be able to move forward with the Platform Lease.
10. The Mayor stated that the New World Software presentation has been moved to the May 27<sup>th</sup> Committee of the Whole meeting.
11. The Mayor handed out an Independent Accountant's report on applying agreed upon procedures for parking adjudication from the auditing firm of Sikich, LLP, see attached. The Mayor also stated that the last 2 pages were addressing the revenue deficit for 2008 and year to date expenses.
12. Item J-22 on the Council agenda from the City Traffic engineer regarding the parking management options for 32<sup>nd</sup> Street and Harlem Avenue. The Mayor stated that the developer is looking for a right of way and first refusal on parking spaces for the first year if the developer is going to move forward with the investment to create these spots. The Mayor is seeking a consensus from the Council to agree to begin negotiations, 6-0 in favor with Alderman Erickson requesting more information at this time.
13. Item F-4 on the Council agenda-Cigarette butts litter amendment-Alderman Skryd questioned the Mayor on what type of businesses that we're looking to include in the amendment. The Mayor stated all those that allow smoking outside their premises. Alderman Skryd is requesting this matter to be referred to the Committee of the Whole for further discussion.
14. Item I-12 on the Council agenda-Seasonal planting bids-Alderman Skryd stated that there was an update from the public works director regarding watering in the request for proposal and the recompiled bids regarding the lowest bidder.
15. Item J-21 on the Council agenda from the Director of Community Relations regarding Community Relations ordinance 620 and suggested referring to the legal department to include additional input from Marge Paul. Alderman Lovero stated that he and Alderman Chapman were in attendance at the Community Relations meeting where the matter was discussed and is in agreement.

COMMITTEE OF THE WHOLE  
MAY 13, 2008

16. The Mayor recognized a resident from the audience, regarding a discrimination matter, and questioned the Mayor if the matter should be referred to the Community Relations Commission, directed to her resident alderman, or the Mayor's office regarding the parking issue. The Mayor suggested contacting his office and or staff to discuss the matter.
17. Ramos made a motion, seconded by Skryd, to close the Committee of the Whole at 7:12 p.m. for personnel, contract negotiations, land acquisitions, and pending litigations. The motion carried

Respectfully submitted,



Thomas J. Pavlik  
City Clerk

# Section D

## Bid Openings – Tabulations

0-1

**NOTICE TO BIDDERS**

**CITY OF BERWYN  
22<sup>nd</sup> STREET (CERMAK ROAD) MEDIAN IMPROVEMENTS**

**TIME AND PLACE OF OPENING OF BIDS:** Sealed Proposals for the improvement described below will be received at the office of the City Clerk, City of Berwyn, 6700 W. 26<sup>th</sup> Street, Berwyn, Illinois 60402, in Cook County, Illinois until 12:00 Noon on May 27, 2008. Proposals will be opened and read at 8:00 p.m. on May 27, 2008, at the regularly scheduled meeting of the Mayor and City Council.

**DESCRIPTION OF WORK:** Removal of existing raised median in 22<sup>nd</sup> Street (Cermak Road) and replacement with raised landscaped and paved medians. Work consists of median pavement removal, construction of landscaped/irrigated medians, construction of paved medians, pavement patching, irrigation service connections and all incidental and collateral work.

**BIDDERS INSTRUCTIONS:**

1. All applicable work will be in conformance with the "Standard Specifications for Road and Bridge Construction", dated January 1, 2007.
2. Plans and proposal forms will be available in the office of **Frank Novotny & Associates, Inc., 825 Midway Drive, Willowbrook, Illinois 60527, 630/887-8640**, for a non-refundable fee of \$100.00.  
**Proposal forms are non-transferable.** Only those Proposals that have been obtained from, and with the approval of, Frank Novotny & Associates will be accepted at the bid opening.
3. Only prequalified Contractors who can furnish satisfactory proof that they have performed work of similar nature as Contractors will be entitled to receive Plans and submit Proposals. A "Certificate of Eligibility" issued by the Illinois Department of Transportation must be submitted for evaluation by Engineer in order to receive Plans. The Owner reserves the right to issue Bid Documents only to those Contractors deemed qualified.
4. All Proposals must be accompanied by a Bank Cashier's Check, Bank Draft, Certified Check, or Bid Bond for not less than five percent (5%) of the total amount of the Bid, or as provided in the applicable sections of the "Standard Specifications".

**REJECTION OF BIDS:** The Owner reserves the right to reject any or all Proposals, to waive technicalities, and to accept the Proposal deemed to be most favorable to the Owner.

By Order of  
MAYOR & CITY COUNCIL  
CITY OF BERWYN

By: Thomas J. Pavlik, City Clerk (s)

D-2

**NOTICE TO BIDDERS**

**CITY OF BERWYN  
STATE ROUTE PAVEMENT MAINTENANCE**

**TIME AND PLACE OF OPENING OF BIDS:** Sealed Proposals for the improvement described below will be received at the office of the City Clerk, City of Berwyn, 6700 W. 26<sup>th</sup> Street, Berwyn, Illinois 60402, in Cook County, Illinois until **12:00 Noon on May 27, 2008**. Proposals will be opened and read at **8:00 p.m. on May 27, 2008**, at the regularly scheduled meeting of the Mayor and City Council.

**DESCRIPTION OF WORK:** Pavement patching, surface patching, thermoplastic pavement marking restoration, detector loop replacement and all other appurtenant construction at various locations on State routes throughout the City.

**BIDDERS INSTRUCTIONS:**

1. All applicable work will be in conformance with the "Standard Specifications for Road and Bridge Construction", dated January 1, 2007.
2. Plans and proposal forms will be available in the office of Frank Novotny & Associates, Inc., 825 Midway Drive, Willowbrook, Illinois 60527, 630/887-8640, for a non-refundable fee of \$35.00.  
Proposal forms are non-transferable. Only those Proposals that have been obtained from, and with the approval of, Frank Novotny & Associates will be accepted at the bid opening.
3. Only qualified Contractors who can furnish satisfactory proof that they have performed work of similar nature as Contractors will be entitled to receive Bid Documents and submit Proposals. In order to meet this requirement, at the request of the Engineer, bidders will be required to submit a "Statement of Experience" consisting of a list of previous projects of similar nature in order to receive Bid Documents. The Owner reserves the right to issue Bid Documents only to those Contractors deemed qualified.
4. All Proposals must be accompanied by a Bank Cashier's Check, Bank Draft, Certified Check, or Bid Bond for not less than five percent (5%) of the total amount of the Bid, or as provided in the applicable sections of the "Standard Specifications".

**REJECTION OF BIDS:** The Owner reserves the right to reject any or all Proposals, to waive technicalities, and to accept the Proposal deemed to be most favorable to the Owner.

By Order of  
MAYOR & CITY COUNCIL  
CITY OF BERWYN

By: Thomas J. Pavlik, City Clerk (s)

D-3

**NOTICE TO BIDDERS**  
**CITY OF BERWYN**  
**2008 ALLEY IMPROVEMENTS**

**TIME AND PLACE OF OPENING OF BIDS:** Sealed Proposals for the improvement described below will be received at the office of the City Clerk, City of Berwyn, 6700 W. 26<sup>th</sup> Street, Berwyn, Illinois 60402, in Cook County, Illinois until **12:00 Noon on May 27, 2008**. Proposals will be opened and read at **8:00 p.m. on May 27, 2008**, at the regularly scheduled meeting of the Mayor and City Council.

**DESCRIPTION OF WORK:** Concrete alley removal and replacement, earth excavation, aggregate base course, sidewalk removal and replacement, driveway pavement removal and replacement, structure adjustments, storm sewer installation, hot-mix asphalt roadway patching, and all other appurtenant construction.

**BIDDERS INSTRUCTIONS:**

1. All work will be in conformance with the "Standard Specifications for Road and Bridge Construction", dated January 1, 2007.
2. Plans and proposal forms will be available in the office of **Frank Novotny & Associates, Inc., 825 Midway Drive, Willowbrook, Illinois 60527, 630/887-8640, for a non-refundable fee of \$75.00.**  
**Proposal forms are non-transferable.** Only those Proposals that have been obtained from, and with the approval of, Frank Novotny & Associates will be accepted at the bid opening.
3. Only qualified Contractors who can furnish satisfactory proof that they have performed work of similar nature as Contractors will be entitled to receive Bid Documents and submit Proposals. In order to meet this requirement, at the request of the Engineer, bidders will be required to submit a "Statement of Experience" consisting of a list of previous projects of similar nature in order to receive Bid Documents. The Owner reserves the right to issue Bid Documents only to those Contractors deemed qualified.
4. All Proposals must be accompanied by a Bank Cashier's Check, Bank Draft, Certified Check, or Bid Bond for not less than five percent (5%) of the total amount of the Bid, or as provided in the applicable sections of the "Standard Specifications".

**REJECTION OF BIDS:** The Owner reserves the right to reject any or all Proposals, to waive technicalities, and to accept the Proposal deemed to be most favorable to the Owner.

By Order of  
MAYOR & CITY COUNCIL  
CITY OF BERWYN

By: Thomas J. Pavlik, City Clerk (s)

# Section E

**Berwyn Development Corp.**  
**Berwyn Township/Health District**

E-1

**CITY OF BERWYN**

**CITY COUNCIL MEETING** (Date) 05/27/08

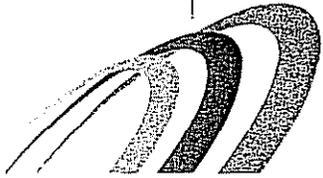
**Deferred Communication**

Agenda Item E-1 is a Deferred Communication from C C Meeting dated 05/13/08 Agenda item #12

FROM BDC

Re: 6537 ROOSEVELT ROAD AMENDED REDEVELOPMENT AGREEMENT

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berwyn development  
CORPORATION

ITEM NO. 12  
DATE MAY 13 2008  
DISPOSITION concur  
Approved  
11 extended

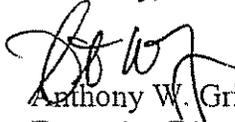
May 13, 2008

To: City of Berwyn Mayor Michael O'Connor and the City Council

Re: City Council Agenda Item - 6537 Roosevelt Road Amended Redevelopment Agreement

Staff work on the amended redevelopment agreement for 6537 Roosevelt Road is completed; therefore, ready for City Council consideration.

Sincerely,

  
Anthony W. Griffin  
Executive Director

3322 S. Oak Park Avenue  
Second Floor  
Berwyn, IL 60402  
708.788.8100  
fax: 708.788.0966  
www.berwyn.net

## AMENDED REDEVELOPMENT AGREEMENT

THIS AMENDED REDEVELOPMENT AGREEMENT ("Amended Agreement") is dated this \_\_\_\_ day of \_\_\_\_\_, 2008, by and between Homewerks-Voigt Development LLC or its nominee ("Developer"), and the City of Berwyn, Cook County, Illinois ("City").

WHEREAS, pursuant to 65 ILCS 5/11-74.1-1, *et seq.* (the "Act" or the "TIF Act"), the City has created the Roosevelt Road Tax Increment Financing Redevelopment Project and Plan and Redevelopment Project Area (the "RPA"); and

WHEREAS, Developer is the owner and or contract purchaser of property described on **Exhibit A** attached hereto and made a part hereof (collectively the "Subject Property"); and

WHEREAS, the Subject Property is within the RPA and has common addresses of 6537, 6539, 6541, 6545 and 6549 West Roosevelt Road; and

WHEREAS, on or about October 1, 2005, Developer entered into a Redevelopment Agreement, a true and correct copy of which is attached hereto and made a part hereof as **Exhibit B**, with the City wherein Developer agreed to redevelop the Subject Property by demolishing the existing structures thereon, bringing utilities to the Subject Property; purchasing the Subject Property; and improving the Subject Property with a 43 unit (42 residential units and 1 ground floor commercial space) condominium development substantially in accordance with plans previously submitted to the City (the "Redevelopment Plan"); and,

WHEREAS, Developer defaulted under the Redevelopment Agreement and has represented to the City that the Redevelopment Plan is no longer feasible due to changing market conditions; and,

WHEREAS, Developer now proposes to develop the Subject Property with a mixed-use building project which is described in **Exhibit C** substantially in accordance with plans to be submitted to the City (the "Amended Redevelopment Plan"); and

WHEREAS, the corporate authorities of the City have determined that the Amended Redevelopment Plan is consistent with the goals and objectives of the Roosevelt Road Redevelopment Project and Plan; and

WHEREAS, Developer anticipates incurring up to One Million Two Hundred Thousand Dollars (\$1,200,000) in eligible Redevelopment Project costs; and

WHEREAS, it is the purpose of this Amended Agreement to provide a framework pursuant to which the City reimburses Developer for eligible Redevelopment Project costs as set forth more fully herein below, provided Developer completes Amended Redevelopment Plan improvements also as provided herein below.

NOW, THEREFORE, it is hereby agreed:

**SECTION 1: Incorporation of Recitals.** The recitals set forth hereinabove are incorporated as if set forth fully herein.

**SECTION 2: Agreement to Reimburse.** The City will reimburse Developer for up to One Million Two Hundred Thousand Dollars (\$1,200,000) in Developer's eligible Redevelopment Project costs subject to the terms and conditions of this Amended Agreement. Developer's good faith estimate of eligible Redevelopment Project costs are set forth on **Exhibit D** attached hereto and made a part hereof.

**SECTION 3: Manner of Reimbursement; Initial Land Acquisition Costs, and Lawsuit.**

The City provided Developer with Seven Hundred Twenty-Five Thousand Dollars (\$725,000) for

the acquisition of the Subject Property pursuant to the October 2005 Redevelopment Agreement, the receipt of which Developer hereby acknowledges. This loan was subject to the terms and conditions of a Promissory Note dated April 6, 2006, a true and correct copy of which is attached hereto as **Exhibit E**, and was secured by a Mortgage in the Subject Property, a true and correct copy of which is attached hereto as **Exhibit F**. Developer defaulted under the Note and the City filed a lawsuit in the Circuit Court of Cook County as Case No. 08 CH 10495 for breach of the Note and to foreclose on the Mortgage (“Lawsuit”).

The parties wish to resolve the Lawsuit amicably and without further litigation. Developer will provide the City with an acceptable letter of review from the Developer’s lenders establishing to the City’s satisfaction Developer’s ability to complete the Amended Redevelopment Plan to the City’s satisfaction. Developer will then submit plans for zoning approval to the City within ninety (90) days of the execution of this Amended Agreement (“Primary Due Date”). Upon receiving the necessary zoning approval, the Developer shall have an additional seventy five days (75) after that zoning approval to: (i) submit applications for necessary permits; and (ii) obtain a post-appraisal construction financing commitment which is sufficient to complete the Amended Redevelopment Plan in its entirety (the “Secondary Due Date”). Upon receiving zoning approval and financing approval subject to foreclosure dismissal, the City will dismiss the Lawsuit without prejudice and enter an order of dismissal with the court within thirty (30) days of the satisfaction of these conditions. If all of these conditions are not satisfied, Developer agrees to the entry of a Judgment for Foreclosure and Sale in the Lawsuit, and expressly waives any and all defenses to the entry of such an order. Developer further agrees to waive its rights of reinstatement and redemption pursuant to 735 ILCS 5/15-1601. During the aforesaid one hundred and fifty (150) day time period, the City

will inform the Court that the parties are working towards an amicable resolution of the matter pursuant to this Amended Agreement. The City reserves the right to take all steps necessary in the Lawsuit to avoid the prejudice of any of its legal rights.

**SECTION 4: Security.** Developer's obligation as set forth in Section 3 hereinabove shall continue to be secured by the Mortgage attached hereto as Exhibit E.

**SECTION 5: Subordination of Mortgage.** In the event Developer satisfies all of the conditions set forth in Section 3 hereinabove, the City will subordinate its Mortgage to the mortgage of the construction lender. This subordination shall take place in conjunction with Developer's closing on its construction loan.

**SECTION 6 : Periodic Release of Mortgage; Additional Reimbursement for Eligible Costs.** The City will provide Developer with an additional reimbursement for Developer's TIF eligible costs as described below in Section 7. The ground floor commercial space will be occupied by tenants that produce retail sales tax. -. In addition, the ground floor commercial spaces shall be retail in nature with the following exceptions but exceptions not limited to:

- A. Barber and beauty shops (including nail salons);
- B. Variety stores;
- C. Business professional, loan, or medical offices;
- D. Tobacco shops;
- E. Currency exchanges;
- F. Payday loan stores;
- G. Pawn shops; and
- H. Video stores with a floor area of less than 5,000 square feet.

The City shall have five (5) business days to object to the tenant based upon the intent of not qualifying as retail and types of exceptions detailed above. The City shall not unreasonably withhold or delay an objection.

TIF eligible costs are described in Exhibit D. The reimbursement will be made on a per-leasing basis. The City will further partially release the Mortgage and Note obligation. These incentives will be provided as follows:

A. The City will execute partial releases of its Mortgage and forgive the Note in the amount of One Hundred Eighty One Thousand Two Hundred and Fifty Dollars (\$181,250.00) per every 25% of leased square footage, providing the first two releases are not triggered before 50% occupancy.

B. The City will provide an additional incentive payment of One Hundred Eighteen Thousand Seven Hundred Fifty Dollars (\$118,750.00) in conjunction with each Partial Release Payment per every 25% of leased square footage, providing the first two releases are not triggered before 50% occupancy .

**SECTION 7: Procedures to Receive Payment.**

Within five (5) business days of the City receiving the approved construction lending documentation from Developer, the City will earmark funds and deposit in a separate joint escrow account the amount of Four Hundred Seventy Five Thousand Dollars (\$475,000.00). The escrowee will be charged with handling the review and confirmation of Developer's obligations to this Agreement. As Developer leases space, Developer shall furnish the City and joint escrowee with fully executed copies of signed tenant lease agreements and copies of the initial rent checks received

by Developer from tenants and proof of actual expenditures for Eligible Redevelopment Project Costs. Upon review and approval of those documents by the City and escrowee, the:

A. Escrowee will tender the appropriate Partial Reimbursement Payment to the Developer pursuant to Section 6(B).

B. City will prepare and record a release of Mortgage with the Cook County Recorder of Deeds in which releases the Mortgage by the amount forgiven pursuant to Section 6(A). Upon such recording, the corresponding amount of the Note shall be considered forgiven.

C. The City shall bear no closing or escrow costs.

**SECTION 8: Mutual Agreements.**

A. This Amended Agreement incorporates all agreements and understandings of the parties hereto as of the date of its execution. Each party acknowledges that no representations or warranties have been made which have not been set forth herein.

B. Time is of essence.

C. All notices and requests, if any, required pursuant to this Amended Agreement shall be sent by certified mail as follows:

To: Homewerks-Voigt Development LLC      Angelo Palumbo  
700 E. Diehl Rd, Ste 130  
Naperville, IL 60563

To: The City      Mayor Michael A. O'Connor  
City of Berwyn  
6700 West 26<sup>th</sup> Street  
Berwyn, Illinois 60402

With Copies to:      Richard F. Bruen, Jr.  
Odelson & Sterk, Ltd. 3318 W. 95<sup>th</sup> St.  
Evergreen Park, IL 60805

D. This Amended Agreement shall be construed and enforced in accordance with the laws of the State of Illinois.

E. Developer shall not assign this Amended Agreement to any person or entity without the written consent of the City, which consent shall not be unreasonably held. All obligations of Developer shall remain in full force and effect until such time as the assignee to which the City has consented has assumed all such obligations.

F. In the event any provision of this Amended Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provisions hereof.

G. No recourse under or upon any obligation, covenant, or provision of this Amended Agreement, or for any claim based thereon or otherwise in respect thereof shall be had against the City, its officers, agents, and employees, in any amount or in excess of any specific sum agreed by the City to be paid to Developer, hereunder, subject to the terms and conditions herein, and no liability, rights or claim at law or in equity shall attach to or shall be incurred by the City, its officers agents, and employees in excess of such amounts; and all and any such rights or claims against the City, its officers, agents, and employees are hereby expressly waived and released as a condition of and as consideration for the execution of this Amended Agreement by the City.

H. Force Majeure shall be limited to acts of God, acts of the public enemy, war, blockades, insurrection, riots, epidemics, landslides, earthquakes, fires, floods, washouts, tornadoes, hurricanes, arrests and restraints of government and people, explosions, labor strikes or any other

occurrence not within the control of the party claiming such inability, which by the exercise of due diligence and due care such party could not have been avoided.

**SECTION 9 : Representations and Warranties.** The Developer hereby represents and warrants that:

- A. It has no knowledge and has not received any notice of any pending special assessment, condemnation proceeding or proceeding under the power of eminent domain, nor is there any threat thereof known to Developer;
- B. To the best of its knowledge, the Subject Property is being used, occupied and operated in accordance with applicable zoning laws and ordinances;
- C. There are no outstanding or pending liens on the Subject Property other than those disclosed on attached **Exhibit G**.
- D. Developer is the sole owner of the Subject Property and neither the Subject Property, nor any right, title or interest therein: has been sold, assigned, liened or encumbered by any act or actions of the Developer other than the execution of the Mortgage and as disclosed on attached Exhibit G;
- E. The Subject Property is not subject to any claims, demands, security interests, liens or any other encumbrances whatsoever of any kind, nature or description other than the Mortgage, general real estate taxes and as disclosed on attached Exhibit F; and,
- F. Neither the Developer, nor any of its agents, employees and independent contractors have entered into any contracts for deed, laid contracts or other executory agreement whatsoever for the sale or transfer of all or any portion of the Subject Property.

**SECTION 10: Defaults.**

- A. The breach of or the failure to fulfill any of the terms of this Amended Agreement;
- B. The breach of any of the Representations and Warranties set forth in Section 9 above;
- C. The filing of any action or any zoning, building, fire or health code violations or

of the determination of any violation of any other statute, ordinance or code against the Subject Property that is not cured within 60-days of notification to Developer;

- D. Any failure of compliance with state or county laws or regulations which are not cured within the acceptable timeframe allowed by those laws or regulations;
- E. Any use or occupancy of the Subject Property which violates any applicable, statute, zoning law or ordinance that is not cured within 60-days of notification to Developer;
- F. Any failure to timely and fully pay any bill for labor and material supplied to the Subject Property, any supplies or services rendered to the Subject Property, or any utility bills for the Subject Property unless Developer has validly disputed claim with sub-contractor, supplier or utility, in which case the Developer shall notify the City, in writing, of the nature of the dispute within thirty (30) days after the dispute arises and shall thereafter keep the City reasonably well informed of the status of the dispute;
- G. The sale of any right, title or interest in the Subject Property prior to 75% occupancy and 100% building completion (excluding punch list items) without the prior approval of the City;
- H. The failure to timely pay real estate taxes on the Subject Property in the maximum allowable time frame;
- I. The recording of any lien or other encumbrance on the Subject Property unless Developer has a validly disputed claim with sub-contractor, supplier or utility. Should the Developer have a validly disputed claim, Developer shall have the right to contest and bond-over any liens via the Developer's construction escrow title company. Developer shall have 90 days to resolve any validly disputed claim prior to bonding-over.
- J. Subject to Force Majeure, unless otherwise specified, failure on the part of Developer

to comply with any term, representation, warranty, provision, or condition of this Amended Agreement within thirty (30) days after written notice thereof from the City shall constitute an event of default, provided; however, that if any such default cannot be cured by Developer within such

thirty (30) day period, no default shall have occurred if Developer commences to cure such violation within said thirty (30) day period, diligently pursues such cure, and keeps the City apprised of such efforts.

K. Upon an occurrence of an event of default, the City shall be relieved of any and all of its obligations arising pursuant to this Amended Agreement, and such obligations shall be immediately canceled and without any force or effects, and the City may take whatever action at law or in equity as may appear necessary or desirable to enforce the performance and observance of any obligation, understanding, covenant or agreement of Developer, including but not limited to a lawsuit to foreclose on the Mortgage. Further, upon an occurrence of an event of default by Developer shall be responsible to the City for reimbursement of Redevelopment Project Costs paid by the City pursuant to this Amended Agreement and for all costs incurred by the City in seeking to enforce the performance and observance of any obligation, understanding, covenant, or agreement as aforesaid, including, but not limited to, costs incurred by use of its employees, officers and attorneys.

L. In the event Developer discontinues the Project or fails to complete the Project for any reason Developer shall repay to the City any and all sums paid by the City under the terms of this Amended Agreement with interest at the rate of seven percent (7%) per annum from the date of this Amended Agreement; in the event Developer discontinues the Project due to the City's failure to approve the building and zoning approvals described as necessary for completion of the Project, Developer shall repay to the City any and all sums paid by the City under the terms of this Amended Agreement within thirty (30) days of the denial by the City, after which interest at the rate of seven percent (7%) per annum of the unpaid principal balance shall be due and payable.

**SECTION 11: Developer's Indemnification, Representations and Warranties**

The Developer hereby covenants and agrees to indemnify, defend and hold harmless the City, its officials, officers, employees, agents, attorneys and representatives, in both their official and individual capacities, from and against any and all claims, causes of action and suits of every kind and nature, including liabilities, damages, costs, expenses and reasonable attorneys' fees brought by third parties arising from any and all conduct of the Developer, its officials, officers, employees, agents, attorneys and representatives in connection with the Amended Redevelopment Plan, or any of its components, or for that which may arise directly or indirectly or in connection with any term or condition contained or required of the Developer within this Amended Agreement. The Developer shall, at its own cost and expense, appear, defend and pay all charges for attorneys' fees, costs and other expenses arising there from or incurred in connection therewith. If any judgment shall be rendered against the City, its officials, officers, employees, agents, attorneys and representatives, in any such action, the Developer shall, at its own expense, satisfy and discharge the judgment and any and all legal fees and cost of any kind.

Except for any breach of this agreement by the City, the Developer hereby covenants and agrees that no recourse or remedy, whatsoever, under or upon any obligation or agreement contained herein or for any claim in law or equity shall be had individually or in an official capacity against the City, its officials, officers, employees, agents, attorneys and representatives in any amount and no liability, right or claim at law or in equity shall attach to or shall be incurred by them in any amount and any and all such rights or claims are hereby expressly waived and released as a condition of and as consideration for the execution of this Amended Agreement by the City. Without limiting the

generality of the foregoing, the Developer hereby covenants and agrees that in the event any legal proceedings against the City are instituted and the Developer secures a judgment in its favor, the court having jurisdiction thereof shall determine that none of the expenses of such legal proceedings incurred by the Developer, including, but not limited to, court cost, attorney's fees and witness' fees shall be paid by the City.

The Developer hereby covenants and agrees to defend, indemnify and hold the City, its officials, officers, employees, agents, attorneys and representatives, harmless from and against all claims, actions, loss, cost, damage and expense (including reasonable attorneys' fees) resulting from an intentional misrepresentation or a willful breach by the Developer of Developer's representations, warranties and covenants in this Amended Agreement.

The indemnifications, representations, warranties and covenants contained herein shall survive the termination or expiration of this Amended Agreement.

**SECTION 12: Insurance Requirements**

The Developer covenants and agrees to add the City as additional insured on all policies pertaining to the site throughout the term of this Amended Agreement and deliver copies of these insurance certificates thereof to the City demonstrating such minimum coverage throughout the term of this Amended Agreement:

Automobile Liability	\$2,000,000.00
Workers' Compensation	\$2,000,000.00
Employers' Liability	\$2,000,000.00
Builder's Risk Insurance for Actual Replacement	\$10,000,000.00
General Liability and Umbrella/Excess Combined	\$10,000,000.00

It is specifically understood and agreed by the parties hereto that the City will not allow the

Developer to commence the Project until the endorsement is secured and evidence of such is received and approved by the City. The endorsement shall also provide for the City to receive no less than thirty (30) days written notice in the event of cancellation of any revision providing the required coverage. Failure by the Developer, at any point in time, during the term of this Amended Agreement, to maintain said insurance coverage will not relieve the Developer of any and all indemnifications, representations, warranties and covenants contained herein.

**SECTION13: Agreement Term.** The terms of this Amended Agreement shall commence as of the date of the execution after approval by the Corporate Authorities and shall terminate upon completion of all obligations of the parties hereunder, but in no event later than March 31, 2010.

**EXECUTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

CITY OF BERWYN, an Illinois municipal corporation

By: \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Homewerks-Voigt Development LLC , an Illinois Limited Liability Company

By: \_\_\_\_\_

Its: \_\_\_\_\_

**EXHIBIT A**

Legal Description

Parcel 1:

**Address: 6537 W. Roosevelt Road**

Lot 6 in Henry G. Peters' Subdivision of Block 4, a Subdivision of Section 19, Township 39 North, Range 13, East of the Third Principal Meridian, (except the South 300 acres thereof), in Cook County, Illinois.

**Address: 6539-41 W. Roosevelt Road**

All of Lot Seven (7), Lot Eight (8) (except West 14.28 feet thereof) in Henry G. Peters Subdivision of Block four (4) in the Subdivision of Section 19, Township 39 North, Range 13, East of the Third Principal Meridian, (except the South 300 acres thereof) in Cook County, Illinois.

Parcel 2:

**Address 6545-49 W. Roosevelt Road**

The West 14.28 feet of Lot 8, Lot 9 and Lot 10 in Henry G. Peters Subdivision of Block 4 in the Subdivision of Section 19, Township 39 North, Range 13, East of the Third Principal Meridian, (except the South 300 acres thereof) in Cook County, Illinois.

**EXHIBIT B**  
**(ORIGINAL REDEVELOPMENT AGREEMENT)**

**EXHIBIT C**  
**(AMENDED REDEVELOPMENT PLAN)**

## EXHIBIT D

### Developer's Estimate of Eligible Redevelopment Project Costs

<u>Category</u>	<u>Amount</u>
Land acquisition	\$1,150,000
Demolition and site remediation	\$50,000

**EXHIBIT E**  
**(APRIL 2006 PROMISSORY NOTE)**

**EXHIBIT F**  
**(APRIL 2006 MORTGAGE)**

**EXHIBIT G  
(LIST OF LIENS)**

## EXHIBIT C

### Project description

#### The project shall have the following qualities:

- A minimum of 14,500 square feet of residential units.
- Minimum residential standards of quality shall include:

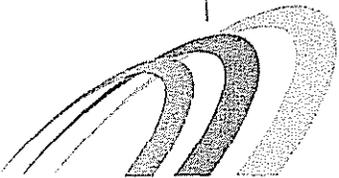
**Kitchens:** stainless refrigerator, stainless gas range, stainless dishwasher, stainless overhead microwave, oak cabinetry, high-grade durable laminate counters, high-grade ceramic tile, pre-wiring for garbage disposal.

**Baths:** oak vanities, high-grade ceramic tile, quality plumbing fixtures, "Hollywood" lighting, decorative hardware.

**Living Area:** in-unit laundry, individual forced heat and air conditioning, quality carpeting in living areas and bedrooms, high-grade ceramic tile foyers, pre-wiring for additional lighting, pre-wiring for wall-mounted plasma television.

**General Building:** full masonry construction, thermo-pane windows, Juliet balconies, security fencing.

- Residential tenant leases will be no less than one-year in length.
- In order to facilitate a future condo conversion, each residential unit shall be separately metered for gas and electric.
- In order to facilitate a future condo conversion, residential tenant leases will have a purchase option attached to all 2-year leases. This purchase option will be subject to the building's conversion to condominiums, which can not be guaranteed within a specific timeframe.
- A minimum of 4,500 square feet of ground floor commercial space.
- A portion of retail parking will also serve as "flexible parking" after business hours.



berwyn development  
CORPORATION

E-2

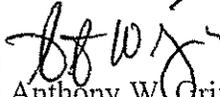
May 22, 2008

To: City of Berwyn Mayor Michael O'Connor and the City Council

Re: Depot District TIF Amendment

The purpose of attached Public Hearing and JRB Resolution is to "kick off" the formal process of TIF adoption. In this case, the process involves an amendment to the TIF District. As you may recall from earlier discussions, the City needs to amend this particular TIF Districts for 2 reasons: a) to bring in 3 properties, including property for the parking deck; and b) amend the TIF budget. On the TIF budget, it is simply a matter of compliance with the TIF Act that the City not go over budget. The current TIF Plan has a very small TIF budget which does not have an inflation adjustment, so we would amend to cover inflation and provide the ability to tackle additional redevelopment projects.

Respectfully Submitted,



Anthony W. Griffin  
Executive Director

3322 S. Oak Park Avenue  
Second Floor  
Berwyn, IL 60402  
708.788.8100  
fax: 708.788.0966  
www.berwyn.net

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

**AN RESOLUTION PROPOSING CERTAIN AMENDMENTS TO THE  
REDEVELOPMENT PLAN AND PROJECT OF THE SOUTH BERWYN  
(DEPOT)  
REDEVELOPMENT PROJECT AREA,  
CONVENING A JOINT REVIEW BOARD, AND CALLING A  
PUBLIC HEARING IN CONNECTION THEREWITH**

WHEREAS, pursuant to the Tax Increment Allocation Redevelopment Act, as supplemented and amended (the "Act"), the City of Berwyn, Cook County, Illinois (the "City"), by ordinance has heretofore approved a redevelopment plan and project (the "Redevelopment Plan and Project") for and has designated a redevelopment project area known as the South Berwyn (Depot) Redevelopment Project Area of the City (the "Redevelopment Project Area") further described in Exhibit "A" attached hereto, and has adopted tax increment allocation financing for the Redevelopment Project Area; and

WHEREAS, Corporate Authorities have determined that it is in the best interests of the City to amend the Redevelopment Plan and Project so as to revise the budget and alter the boundaries of the Redevelopment Project Area to include additional parcels (the "Amendments"); and

WHEREAS, the Act requires the City to conduct a public hearing prior to the adoption of an ordinance Approving the Amendments, at which hearing any interested person or affected taxing district may file with the City Clerk written objections to and may be heard orally with respect to the

proposed Amendments to the Redevelopment Plan and Project; and

WHEREAS, the Act further requires that, prior to holding a public hearing, the City convene a joint review board consisting of a representative selected by each community college district, local elementary school district and high school district or each local community unit school district, park district, library district, township, fire protection district, and county that has authority to directly levy taxes on the property within the Redevelopment Project Area, a representative selected by the City and a public member to consider the subject matter of the public hearing; and

WHEREAS, the Act requires that notice of the public hearing be given by publication and mailing to the last taxpayer of record of each property within the Redevelopment Project Area; and

WHEREAS, the Act requires that the City shall provide notice of the availability of the proposed Amendments to the Redevelopment Plan and Project, including how to obtain such information, by mail within a reasonable time after the adoption of this Resolution, to all residential addresses that, after a good faith effort, the City determines are located within 750 feet of the boundaries of the Redevelopment Project Area; and

WHEREAS, the Redevelopment Plan and Project as amended certifies that the City will not displace residents in 10 or more inhabited dwelling units;

WHEREAS, the Corporate Authorities have heretofore and it hereby is determined that it is advisable to hold a public hearing and convene a joint review board to consider the proposed Amendments to the Redevelopment Plan and Project.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Berwyn, Cook County, Illinois, as follows:

Section 1. That the foregoing recital clauses to this Resolution are adopted as findings of the Corporate Authorities of the City and are incorporated herein by specific reference.

Section 2. The Amendments to the Redevelopment Plan and Project to amend the budget and modify the Redevelopment Project Area boundaries contained therein is hereby proposed.

Section 3. A public hearing shall be held by the Corporate Authorities at 6:00 p.m. on the 22<sup>nd</sup> day of July, 2008, at the Berwyn City Hall, Council Chambers, 6700 26th Street, Berwyn, IL 60402 for the purpose of hearing from any interested persons of affected taxing districts regarding the proposed Amendments to the Redevelopment Plan and Project.

Section 4. Notice of the public hearing, substantially in the form attached hereto as Exhibit "B," shall be published at least twice, the first publication to be not more than 30 nor less than 10 days prior to the public hearing, in a newspaper of general circulation within the taxing districts having property in the Redevelopment Project Area. In addition, notice shall be mailed by certified mail not less than 10 days prior to the date set for the public hearing, addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract, or parcel of land lying within the Redevelopment Project Area. In the event taxes for the last preceding year were not paid, the notice shall also be sent to the persons last listed on the tax rolls within the preceding three years as the owners of such property.

Section 5. Notice shall also be given by certified mail to all taxing districts of which taxable property is included in the Redevelopment Project Area and to the Illinois Department of Commerce and Economic Opportunity (aka Illinois Department of Commerce and Community Affairs) not less than 45 days prior to the public hearing, and such notice shall also include an invitation to each taxing district and the Illinois Department of Commerce and Economic Opportunity (aka Illinois Department of Commerce and Community Affairs) to submit written comments prior to the date of the public hearing to the City, to the attention of the City Clerk, City Hall, Council Chambers, 6700 26th Street, Berwyn, IL 60402, concerning the subject matter of the public hearing. Each such mailed notice shall include a copy of the Redevelopment Plan, as proposed to be amended.

Section 6. Notice of the availability of the Amendments to the Redevelopment Plan and

Project, including how to obtain such information, shall also be given by mail within a reasonable time after the adoption of this Resolution to all residential addresses that, after a good faith effort, the City determines are located within 750 feet of the exterior boundaries of the Redevelopment Project Area.

Section 7. On May 2, 2008, a draft of the proposed Amendments to the Redevelopment Plan and Project was placed on file at the Office of the City Clerk, City Hall, 6700 26th Street, Berwyn, IL 60402 and has been available for public inspection since that date.

Section 8. A joint review board as set forth in the Act is hereby convened and the board shall meet, review such documents, and issue such report as set forth in the Act. The first meeting of said joint review board shall be held at 3:00 p.m. on the 17<sup>th</sup> day of June 2008, at the City Hall, 2<sup>nd</sup> Floor conference room, 6700 26th Street, Berwyn, IL 60402.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Section 9. That this Resolution shall be in full force and effect from and after its passage and in the manner as provided by law.

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2008.

AYES \_\_\_\_ NAYS \_\_\_\_ ABSENT \_\_\_\_

APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
CITY CLERK

**EXHIBIT "A"**

Legal Description

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

## LEGAL DESCRIPTION

### Exhibit "A"

That part of Sections 31 and 32 in Township 39 North, Range 13 East of the Third Principal Meridian in Cook County, Illinois, bounded and described as follows:

Beginning at the intersection of the north line of Stanley Avenue with the west line of Home Avenue; thence east along the northerly line of Stanley Avenue and northerly line extended to the west line of Clinton Avenue; thence north along the west line of Clinton Avenue to the extended northerly line of the east-west alley, lying north of Stanley Avenue and south of 32nd Street; thence easterly along the northerly line and northerly line extended of the last described alley to the west line of Kenilworth Avenue; thence north along the west line of Kenilworth Avenue to the extended northerly line of the aforesaid east-west alley; thence easterly along the northerly line and northerly line extended of said alley to the east line of the north-south alley lying south of 32nd Street, east of Kenilworth Avenue, north of Stanley, and west of Grove Avenue; thence north along the east line and east line extended of the last described alley to a point on the north line of 32nd Street; thence east along the north line of 32nd Street to the west line of the north-south alley lying between Grove Avenue and Oak Park Avenue; thence north along the west line and west line extended of the last described alley to the north line of the northwest quarter of said Section 31; thence east along the last described line to the extended east line of the north-south alley lying between Oak Park Avenue and Euclid Avenue; thence south along the east line and east line extended of the last described alley to the north line of the east-west alley lying north of Stanley Avenue and south of 31st Street; thence east along the north line and north line extended to the west line of Gunderson Avenue; thence north along the west line of Gunderson Avenue to the north line of the northeast quarter of said Section 31; thence east along the last described line to the northeast corner of said northeast quarter; said point also being the northwest corner of the northwest quarter of said Section 32; thence east along the north line of said northwest quarter to the southerly line of the I.C.R.R.; thence southeasterly along the last described line and the last described line extended to the northerly line of the C.B. & Q.R.R.; thence westerly along the last described line to the easterly line of Ridgeland Avenue; thence south along the easterly line of Ridgeland Avenue to the south line and south line extended of Windsor Avenue; thence west along the south line and south line extended of Windsor Avenue to a point on the east line of Oak Park Avenue; thence south along the last described line to the south line of 34th Street; thence west along the last described line and last described line extended to the west line of Grove Avenue; thence north along the west line and west line extended of Grove Avenue to the north line of Lot 21 in Block 9 in Berwyn Subdivision; thence west along the north line and north line extended of lot 21 to the west line of the north-south alley lying south of Windsor Avenue and north of 34th Street; thence north along the west line of the last

described alley to the south line of the east-west alley lying south of Windsor Avenue; thence west along the south line and south line extended of the last described alley to the west line of Home Avenue; thence north along the west line and west line extended of Home Avenue to the point of beginning.

## STREET LOCATION

### Exhibit "B"

Certain commercial blocks adjacent to the Burlington Rail Line and Oak Park Avenue; more specifically, the commercial frontage on Oak Park Avenue beginning at 31st Street on the north to 34th Street on the south (excluding the hospital complex); and the commercial blocks along the south side of the Burlington Rail Line beginning at Home Avenue to Oak Park Avenue; and along the north said of said rail line beginning at Clinton Avenue going east to where the two rail lines intersect, east of Ridgeland Avenue.

The Plan objectives to reduce or eliminate blighting conditions in the proposed redevelopment project area, to enhance the tax base of the City of Berwyn and other affected taxing districts by encouraging private investment in commercial development within the proposed redevelopment project area, to prevent the recurrence of blighting conditions, and to preserve and enhance the value of properties therein are not to be changed, all in accordance with the provisions of the *Tax Increment Allocation Redevelopment Act*, effective January 10, 1977, as amended. The City may issue obligations to finance Project costs in accordance with the Plan, which obligations may also be secured by the special tax allocation fund and other available funds, if any, as now or hereafter permitted by law and which also may be secured by the full faith and credit of the municipality.

FIELD-TRIP, H. J.

Exhibit "C"

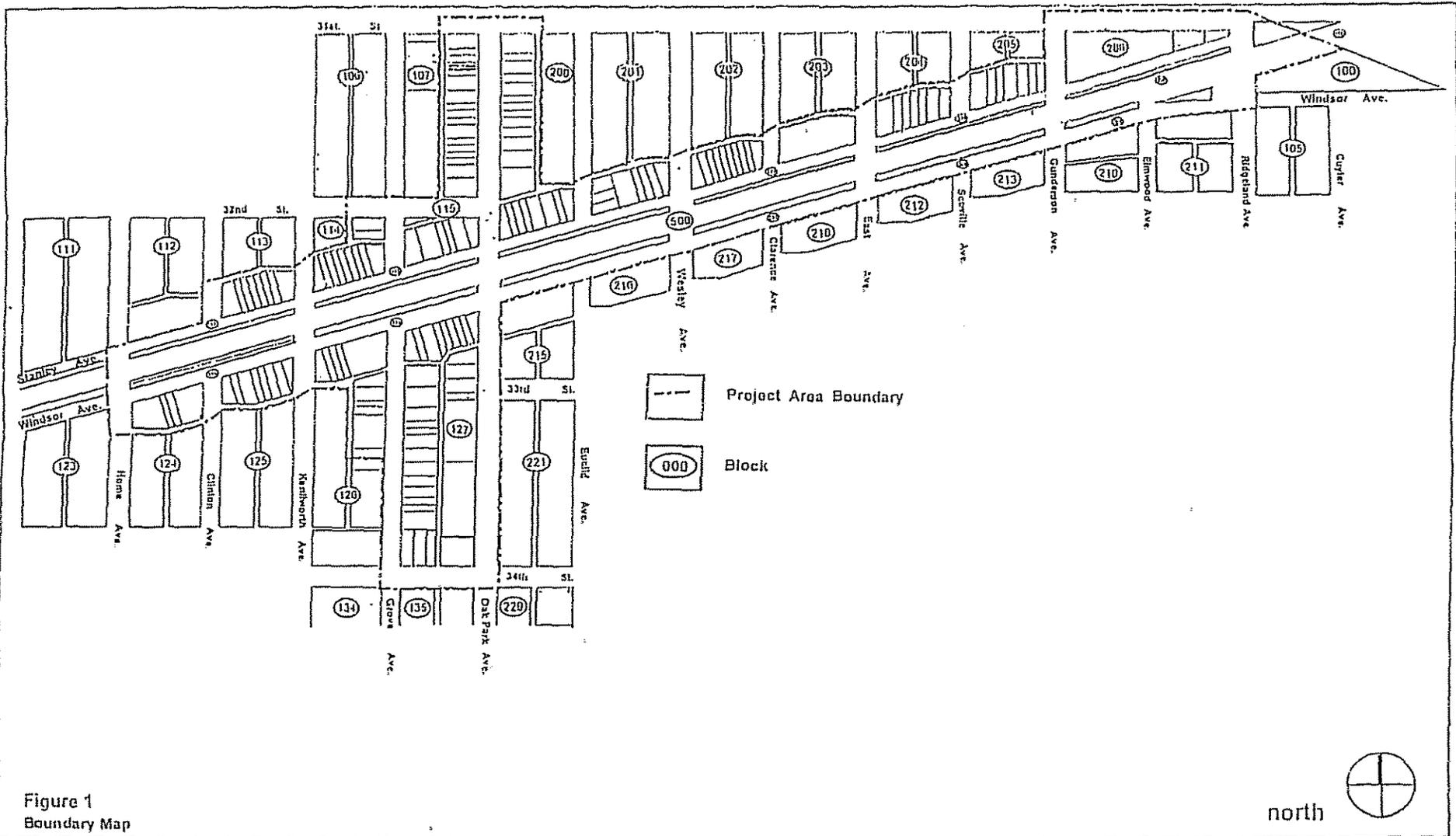


Figure 1  
Boundary Map



## **Legal Description Parcels to Be Added to the Depot TIF District via Amendment**

Also including;

That part of the East half of the Northwest Quarter Section 31, Township 39 North, Range 13 East of the Third Principal Meridian, described as follows: Beginning at the northeast corner of Lot 21 in Block 9 in Berwyn Subdivision, said northeast corner also being a point on the west right-of-way line of Grove Avenue; thence south along said west right-of-way line of Grove Avenue to the southeast corner of Lot 25 in said Block 9; thence west along the south line of said Lot 25 and its westerly extension to the west line of the north-south alley lying south of Windsor Avenue and north of 34<sup>th</sup> Street; thence north along said west line of the last described alley to the westerly extension of the north line of said Lot 21 in Block 9; thence easterly along said westerly extension and north line of Lot 21 to the Point of Beginning, all in Cook County, Illinois.

Also including;

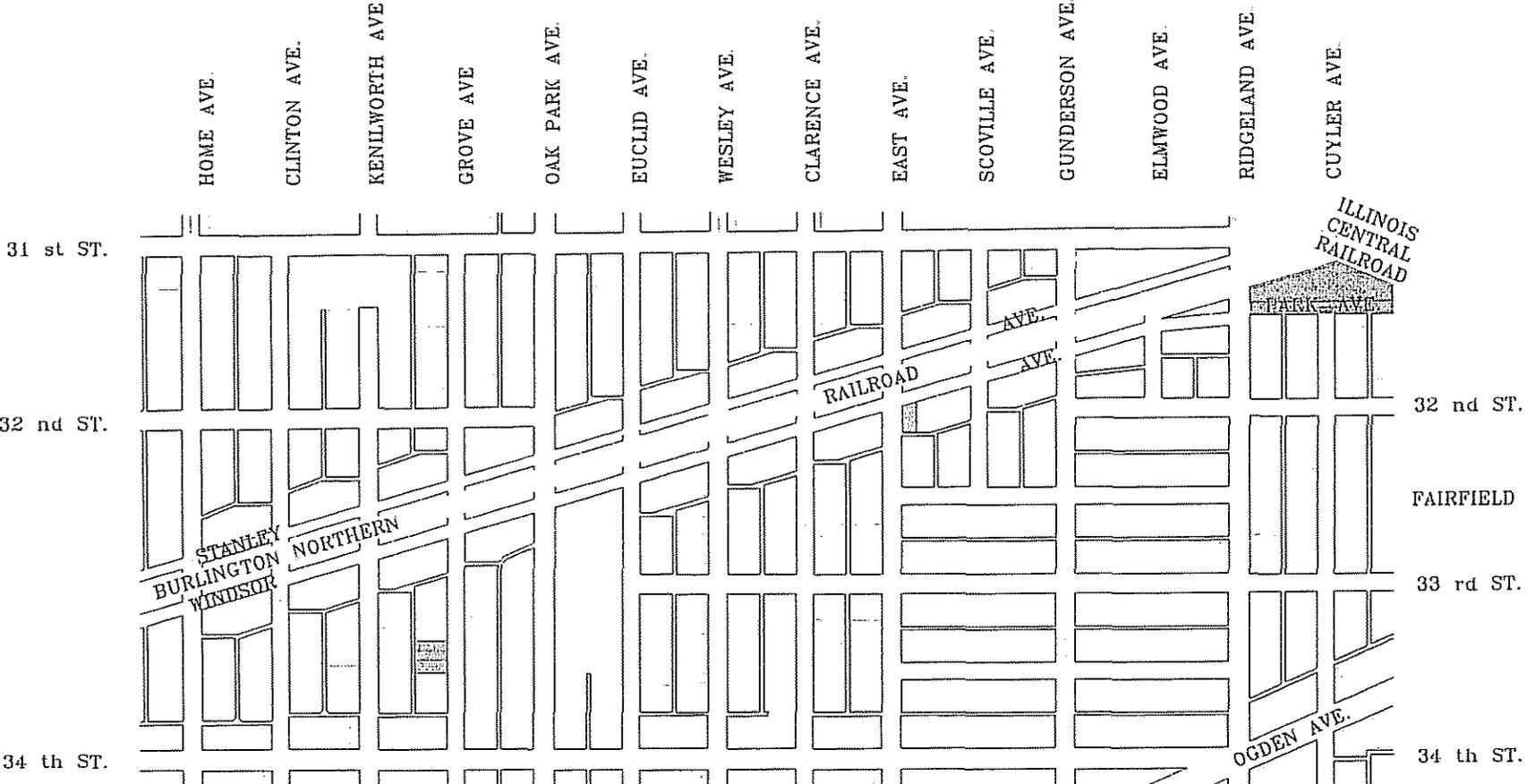
That part of the Northeast Quarter of Section 31, Township 39 North, Range 13 East of the Third Principal Meridian, described as follows: Beginning at the northeast corner of Lot 2 in Block 3 in Bolen's Resubdivision of Woods Subdivision of Blocks 2 and 15 in LaVergne, a Subdivision of Part of said Section 31, said northeast corner also being a point on the southerly right-of-way line of Windsor Avenue; thence south along the east line of said lot 2 and its southerly extension to the south line of the east-west alley lying south of Windsor Avenue and north of Fairfield Avenue; thence west along said south line and its westerly extension to the west line of East Avenue; thence north along said west line to said southerly right-of-way line of Windsor Avenue; thence Northeasterly along said southerly right-of-way line of Windsor Avenue to the Point of Beginning, all in Cook County, Illinois.

Also including;

That part of the West half of the Northwest Quarter Section 32, Township 39 North, Range 13 East of the Third Principal Meridian, described as follows: Beginning at the point of intersection of the southwesterly right-of-way line of the Illinois Central Railroad and the Southeasterly right-of-way line of the Chicago, Burlington and Quincy Railroad ; thence southeasterly along said southwesterly right-of-way line to the North right-of-way line of Park Avenue; thence southerly along a line that is perpendicular to said north right-of-way line to a point on the South right-of-way line of said Park Avenue; thence west along a said south line of Park Avenue to the east right-of-way line of Ridgeland Avenue; thence north along said east right-of-way line of Ridgeland Avenue to said Southeasterly right-of-way line of the Chicago, Burlington and Quincy Railroad ; thence northeasterly along said Southeasterly right-of-way line to the Point of Beginning, all in Cook County, Illinois.

# CITY OF BERWYN, ILLINOIS DEPOT DISTRICT TIF DISTRICT MAP

MAYOR - MICHAEL A. O'CONNOR  
CITY CLERK - THOMAS J. PAVLIK



Existing TIF District Parcels  
 Proposed TIF District Extension

REVISIONS					
NO.	BY	DATE	DESCRIPTION	APP.	CHK.

DATE: April 23, 2008

**FRANK NOVOTNY AND ASSOCIATES, INC.**  
 CIVIL ENGINEERS  
 100 WEST WASHINGTON ST., SUITE 1000, CHICAGO, IL 60604

**EXHIBIT B**

Notice of Public Hearing

CITY OF BERWYN, COOK COUNTY, ILLINOIS  
AMENDMENTS TO REDEVELOPMENT PLAN AND PROJECT FOR THE  
SOUTH BERWYN (DEPOT) REDEVELOPMENT PROJECT AREA

Notice is hereby given that on July 22, 2008, at 6:00p.m. at the City Hall, Council Chambers, 6700 26th Street, Berwyn, IL 60402, a public hearing will be held to consider the approval of Amendments to the Redevelopment Plan and Project for the South Berwyn (Depot) Redevelopment Project Area (the "Redevelopment Project Area"). The Redevelopment Project Area consists of the territory legally described in Exhibit I," attached hereto and made a part hereof.

There will be considered at the public hearing Amendments to the Redevelopment Plan and Project for the Redevelopment Project Area. The proposed Amendments to the Redevelopment Plan and Project was placed on file on May 16, 2008 and is available for public inspection at the office of the City Clerk, City Hall, 6700 26th Street, Berwyn, IL 60402. The proposed Amendments to the Redevelopment Plan and Project amends the budget contained in the Redevelopment Plan and Project and adds certain parcels to the Redevelopment Project Area.

Prior to the date of the public hearing, each taxing district having property in the Redevelopment Project Area and the Illinois Department of Commerce and Economic Opportunity (fka Illinois Department of Commerce and Community Affairs) may submit written comments to the City, to the attention of the City Clerk, 6700 26<sup>th</sup> Street, Berwyn, Illinois.

There is hereby convened a joint review board to consider the proposed approval of the Amendments to the Redevelopment Plan and Project. The joint review board shall consist of a representative selected by each community college district; local elementary school district and high school district or each local community unit school district; park district; library district; township; fire protection district; and county that has authority to directly levy taxes on the property within the Redevelopment Project Area, a representative selected by the City, and a public member. The first meeting of said joint review board shall be held at 3:00 p.m. on the 17<sup>th</sup> day of June, 2008, at the Berwyn City Hall, 6700 26th Street, Berwyn, IL 60402.

At the public hearing, all interested persons or affected taxing districts may file written objections with the City Clerk and may be heard orally with respect to any issues regarding the approval of the Amendments to the Redevelopment Plan and Project. The hearing may be adjourned by the Mayor and Council of the City without further notice other than a motion to be entered upon the minutes of the hearing fixing the time and place of the subsequent hearing.

/s/ Thomas J. Pavlik  
City Clerk, City of Berwyn, Illinois

**EXHIBIT B**

Notice of Public Hearing

CITY OF BERWYN, COOK COUNTY, ILLINOIS  
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/s/ Thomas J. Pavlik  
City Clerk, City of Berwyn, Illinois

## LEGAL DESCRIPTION

### Exhibit "A"

That part of Sections 31 and 32 in Township 39 North, Range 13 East of the Third Principal Meridian in Cook County, Illinois, bounded and described as follows:

Beginning at the intersection of the north line of Stanley Avenue with the west line of Home Avenue; thence east along the northerly line of Stanley Avenue and northerly line extended to the west line of Clinton Avenue; thence north along the west line of Clinton Avenue to the extended northerly line of the east-west alley, lying north of Stanley Avenue and south of 32nd Street; thence easterly along the northerly line and northerly line extended of the last described alley to the west line of Kenilworth Avenue; thence north along the west line of Kenilworth Avenue to the extended northerly line of the aforesaid east-west alley; thence easterly along the northerly line and northerly line extended of said alley to the east line of the north-south alley lying south of 32nd Street, east of Kenilworth Avenue, north of Stanley, and west of Grove Avenue; thence north along the east line and east line extended of the last described alley to a point on the north line of 32nd Street; thence east along the north line of 32nd Street to the west line of the north-south alley lying between Grove Avenue and Oak Park Avenue; thence north along the west line and west line extended of the last described alley to the north line of the northwest quarter of said Section 31; thence east along the last described line to the extended east line of the north-south alley lying between Oak Park Avenue and Euclid Avenue; thence south along the east line and east line extended of the last described alley to the north line of the east-west alley lying north of Stanley Avenue and south of 31st Street; thence east along the north line and north line extended to the west line of Gunderson Avenue; thence north along the west line of Gunderson Avenue to the north line of the northeast quarter of said Section 31; thence east along the last described line to the northeast corner of said northeast quarter; said point also being the northwest corner of the northwest quarter of said Section 32; thence east along the north line of said northwest quarter to the southerly line of the I. C. R. R. ; thence southeasterly along the last described line and the last described line extended to the northerly line of the C. B. & Q. R. R. ; thence westerly along the last described line to the easterly line of Ridgeland Avenue; thence south along the easterly line of Ridgeland Avenue to the south line and south line extended of Windsor Avenue; thence west along the south line and south line extended of Windsor Avenue to a point on the east line of Oak Park Avenue; thence south along the last described line to the south line of 34th Street; thence west along the last described line and last described line extended to the west line of Grove Avenue; thence north along the west line and west line extended of Grove Avenue to the north line of Lot 21 in Block 9 in Berwyn Subdivision; thence west along the north line and north line extended of lot 21 to the west line of the north-south alley lying south of Windsor Avenue and north of 34th Street; thence north along the west line of the last

described alley to the south line of the east-west alley lying south of Windsor Avenue; thence west along the south line and south line extended of the last described alley to the west line of Home Avenue; thence north along the west line and west line extended of Home Avenue to the point of beginning.

## STREET LOCATION

### Exhibit "B"

Certain commercial blocks adjacent to the Burlington Rail Line and Oak Park Avenue; more specifically, the commercial frontage on Oak Park Avenue beginning at 31st Street on the north to 34th Street on the south (excluding the hospital complex); and the commercial blocks along the south side of the Burlington Rail Line beginning at Home Avenue to Oak Park Avenue; and along the north side of said rail line beginning at Clinton Avenue going east to where the two rail lines intersect, east of Ridgeland Avenue.

The Plan objectives to reduce or eliminate blighting conditions in the proposed redevelopment project area, to enhance the tax base of the City of Berwyn and other affected taxing districts by encouraging private investment in commercial development within the proposed redevelopment project area, to prevent the recurrence of blighting conditions, and to preserve and enhance the value of properties therein are not to be changed, all in accordance with the provisions of the *Tax Increment Allocation Redevelopment Act*, effective January 10, 1977, as amended. The City may issue obligations to finance Project costs in accordance with the Plan, which obligations may also be secured by the special tax allocation fund and other available funds, if any, as now or hereafter permitted by law and which also may be secured by the full faith and credit of the municipality.

Exhibit "C"

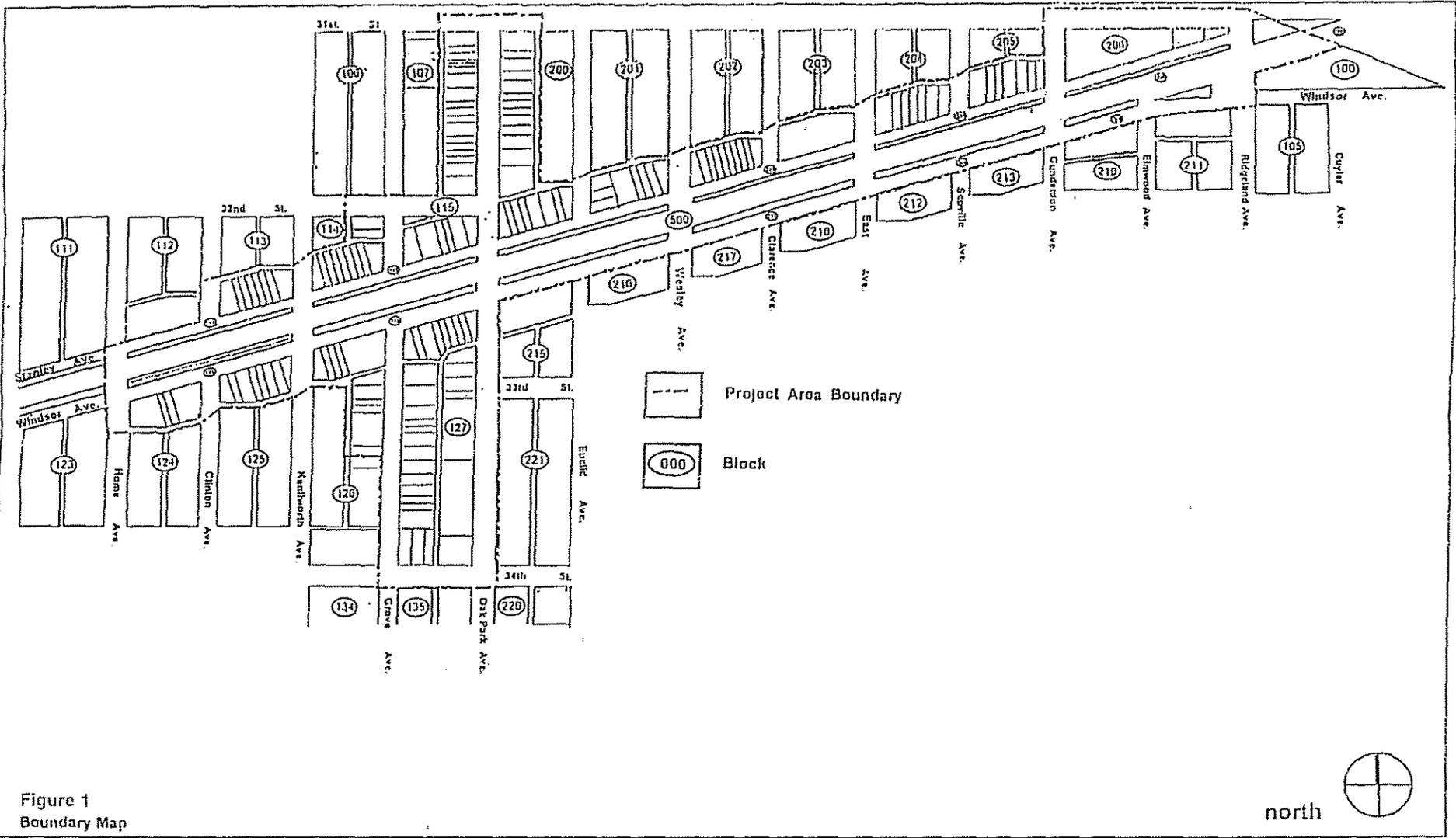


Figure 1  
Boundary Map

**Legal Description**  
**Parcels to Be Added to the Depot TIF District via Amendment**

Also including;

That part of the East half of the Northwest Quarter Section 31, Township 39 North, Range 13 East of the Third Principal Meridian, described as follows: Beginning at the northeast corner of Lot 21 in Block 9 in Berwyn Subdivision, said northeast corner also being a point on the west right-of-way line of Grove Avenue; thence south along said west right-of-way line of Grove Avenue to the southeast corner of Lot 25 in said Block 9; thence west along the south line of said Lot 25 and its westerly extension to the west line of the north-south alley lying south of Windsor Avenue and north of 34<sup>th</sup> Street; thence north along said west line of the last described alley to the westerly extension of the north line of said Lot 21 in Block 9; thence easterly along said westerly extension and north line of Lot 21 to the Point of Beginning, all in Cook County, Illinois.

Also including;

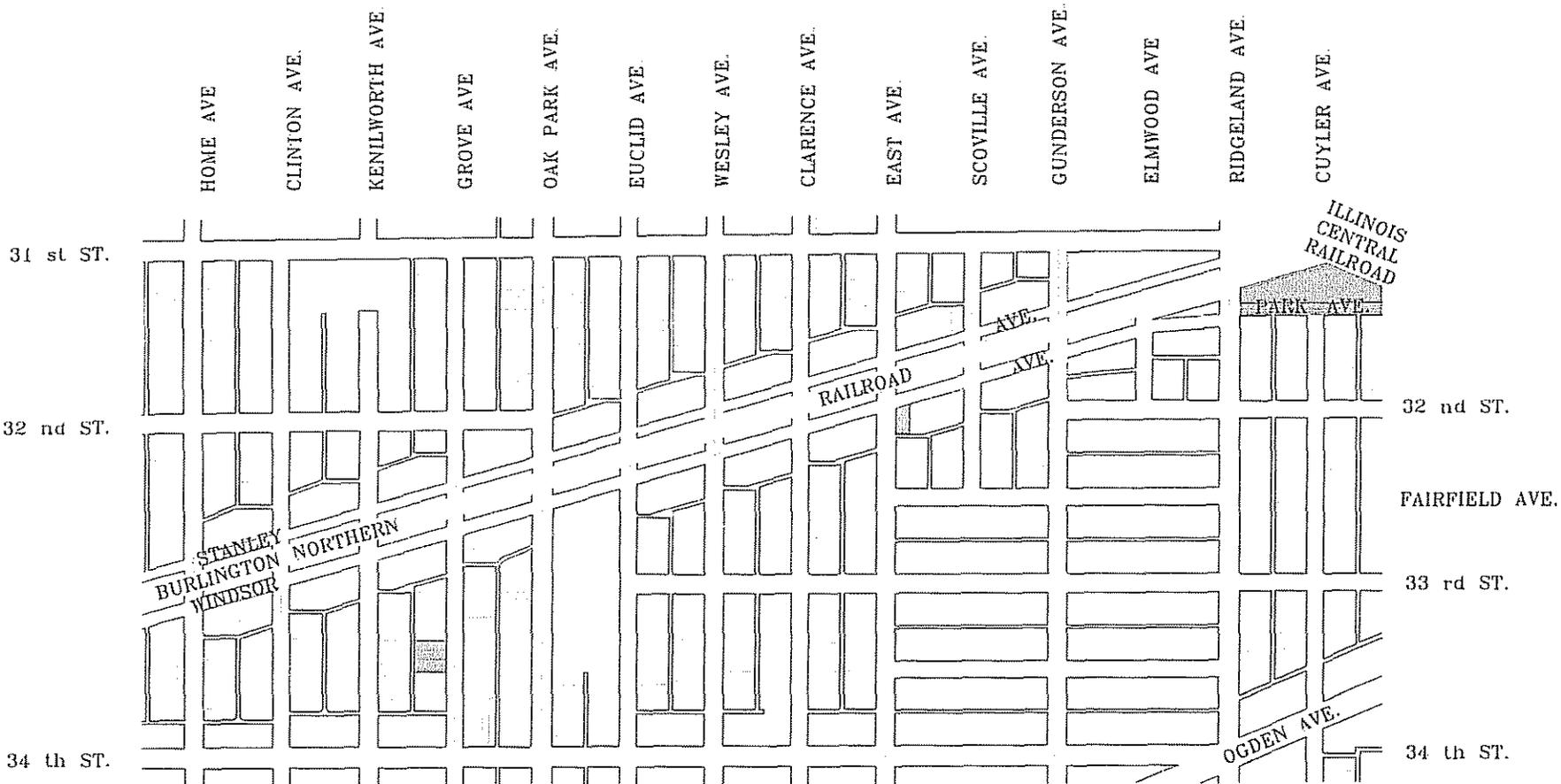
That part of the Northeast Quarter of Section 31, Township 39 North, Range 13 East of the Third Principal Meridian, described as follows: Beginning at the northeast corner of Lot 2 in Block 3 in Bolen's Resubdivision of Woods Subdivision of Blocks 2 and 15 in LaVergne, a Subdivision of Part of said Section 31, said northeast corner also being a point on the southerly right-of-way line of Windsor Avenue; thence south along the east line of said lot 2 and its southerly extension to the south line of the east-west alley lying south of Windsor Avenue and north of Fairfield Avenue; thence west along said south line and its westerly extension to the west line of East Avenue; thence north along said west line to said southerly right-of-way line of Windsor Avenue; thence Northeasterly along said southerly right-of-way line of Windsor Avenue to the Point of Beginning, all in Cook County, Illinois.

Also including;

That part of the West half of the Northwest Quarter Section 32, Township 39 North, Range 13 East of the Third Principal Meridian, described as follows: Beginning at the point of intersection of the southwesterly right-of-way line of the Illinois Central Railroad and the Southeasterly right-of-way line of the Chicago, Burlington and Quincy Railroad ; thence southeasterly along said southwesterly right-of-way line to the North right-of-way line of Park Avenue; thence southerly along a line that is perpendicular to said north right-of-way line to a point on the South right-of-way line of said Park Avenue; thence west along a said south line of Park Avenue to the east right-of-way line of Ridgeland Avenue; thence north along said east right-of-way line of Ridgeland Avenue to said Southeasterly right-of-way line of the Chicago, Burlington and Quincy Railroad ; thence northeasterly along said Southeasterly right-of-way line to the Point of Beginning, all in Cook County, Illinois.

# CITY OF BERWYN, ILLINOIS DEPOT DISTRICT TIF DISTRICT MAP

MAYOR - MICHAEL A. O'CONNOR  
CITY CLERK - THOMAS J. PAVLIK



Existing TIF District Parcels

Proposed TIF District Extension

DATE: April 23, 2008

REVIEWS					
NO.	BY	DATE	DESCRIPTION	INITIALS	SIGNATURE

FRANK ANTONY AND ASSOCIATES, INC.  
ENGINEERS AND ARCHITECTS

# Section F

## Reports and Communications From The Mayor

F-1

**CITY OF BERWYN**

**CITY COUNCIL MEETING** (Date) 05/27/08

**Deferred Communication**

Agenda Item F-1 is a Deferred Communication from C C Meeting dated 05/13/08 Agenda item #19

FROM MAYOR  
Re: IXTAPA RESTAURANT REQUEST FOR C-3.2 LIQUOR LICENSE;  
ADJUSTMENT IN NUMBER OF AVAILABLE C-1 LICENSES

The City of Berwyn



Michael A. O'Connor  
Mayor

ITEM NO. 19  
DATE MAY 13 2008  
DISPOSITION  
Fax: (708) 788-2567  
*[Signature]*

*FS*

A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-2500 Telephone: (708) 788-2660  
www.berwyn-il.gov

May 9, 2008

**To:** Members of the City Council  
**From:** Mayor Michael A. O'Connor

**Re:** Ixtapa Restaurant request for C-3.2 liquor license;  
adjustment in number of available C-1 licenses

Ladies and Gentlemen:

The Ixtapa Restaurant would like an entertainment license. In order to accommodate them, we must decrease the amount of C-1 liquor licenses by one and increase the C-3.2 by one. Your support will be appreciated.

Sincerely,

*Michael O'Connor*

Michael O'Connor  
Mayor

F-2

**CITY OF BERWYN**

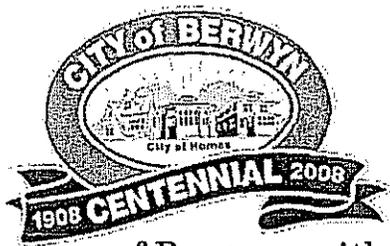
**CITY COUNCIL MEETING** (Date) 05/27/08

**Deferred Communication**

Agenda Item F-2 is a Deferred Communication from C C Meeting dated 05/13/08 Agenda item #23

FROM MAYOR  
Re: APPOINTMENT OF DIR OF HUMAN RESOURCES, ASSISTANT FIRE CHIEF,  
DIR OF COMMUNITY OUTREACH, DIR OF COMMUNITY DEVELOPMENT  
GRANT ADMINISTRATOR/COMMUNITY DEVELOPMENT,

The City of Berwyn



Michael A. O'Connor  
Mayor

F-37

A Century of Progress with Pride

ITEM NO. 23  
DATE MAY 13 2008

6700 West 26th Street Berwyn, Illinois 60402-2500 Telephone: (708) 788-2660  
www.berwyn-il.gov

Fax: (708) 788-2567  
*Refer*

May 9, 2008

To: Members of the City Council  
From: Mayor Michael A. O'Connor

Re: Appointment of Director of Human Resources

Ladies and Gentlemen:

I respectfully request your concurrence in my appointment of Pat Segel to the position of Director of Human Resources. Your approval would be appreciated.

Sincerely,

*Michael O'Connor*

Michael O'Connor  
Mayor

The City of Berwyn



Michael A. O'Connor  
Mayor

A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-2500 Telephone: (708) 788-2660  
www.berwyn-il.gov

DATE MAY 13 2008

TELEPHONE (708) 788-2567

*F-38*

May 9, 2008

To: Members of the City Council  
From: Mayor Michael A. O'Connor

Re: Appointment of Assistant Fire Chief

Ladies and Gentlemen:

I respectfully request your concurrence in my appointment of Frank Simek to the position of Assistant Fire Chief. Your approval would be appreciated.

Sincerely,

Michael O'Connor  
Mayor

The City of Berwyn



Michael A. O'Connor  
Mayor

A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-2500 Telephone: (708) 788-2660  
www.berwyn-il.gov

ITEM NO \_\_\_\_\_

DATE MAY 13 2008

DISPOSITION \_\_\_\_\_  
Fax: (708) 788-2567  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

May 9, 2008

To: Members of the City Council  
From: Mayor Michael A. O'Connor

Re: **Appointment of Director of Community Outreach**

Ladies and Gentlemen:

I respectfully request your concurrence in my appointment of Jeanmarie Hajer to the position of Director of Community Outreach. Your approval would be appreciated.

Sincerely,

Michael O'Connor  
Mayor

The City of Berwyn



Michael A. O'Connor  
Mayor

ITEM NO. \_\_\_\_\_

DATE MAY 13 2008

DISPOSITION \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-2500 Telephone: (708) 788-2660 Fax: (708) 788-2567  
www.berwyn-il.gov

F-40

May 9, 2008

**To:** Members of the City Council  
**From:** Mayor Michael A. O'Connor

**Re:** Appointment of Director of Community Development

Ladies and Gentlemen:

I respectfully request your concurrence in my appointment of Robert Dwan to the position of Director of Community Development. Your approval would be appreciated.

Sincerely,

Michael O'Connor  
Mayor

The City of Berwyn



Michael A. O'Connor  
Mayor

F-41

A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-2500 Telephone: (708) 788-2660  
www.berwyn-il.gov

FORM NO. \_\_\_\_\_  
 DATE MAY 13 2008  
 FILE NO. \_\_\_\_\_  
 FAX NO. (708) 788-2567  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

May 9, 2008

**To:** Members of the City Council  
**From:** Mayor Michael A. O'Connor

**Re:** Appointment of Grant Administrator/Community Development

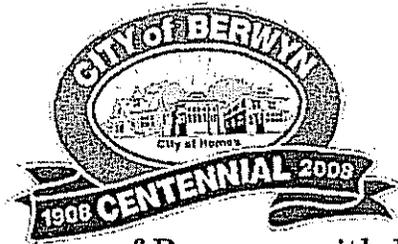
Ladies and Gentlemen:

I respectfully request your concurrence in my appointment of Dawn Rinehart to the position of Grant Administrator/Community Development. Your approval would be appreciated.

Sincerely,

Michael O'Connor  
Mayor

F-3  
The City of Berwyn



Michael A. O'Connor  
Mayor

A Century of Progress with Pride

6700 West 26th Street Berwyn, IL 60402-2500 Telephone: (708) 788-2660 Fax: (708) 788-2567  
www.berwyn-il.gov

## RESOLUTION

### HONORING CHRISTINA AMARO FOR RECEIVING THE GIRL SCOUT GOLD AWARD

- Whereas; Christina Amaro, a lifelong resident of Berwyn, has been recognized by the Girl Scouts - Illinois Crossroads Council with the Girl Scout Gold Award, the highest award in Girl Scouting; and
- Whereas; The Gold Award is received by only 5 percent of eligible Girl Scouts annually; and
- Whereas; Christina has been involved in Scouting for 13 years, beginning at St. Leonard's School in Berwyn and continuing while she attended Trinity High School; and
- Whereas; For her Gold Award project, Christina designed, organized and supervised a program to collect and distribute "care packages" to Army and Navy personnel defending our country in Iraq and Afghanistan, an undertaking that lasted for almost 12 months; and
- Whereas; Christina continues her work helping others while attending college at Loyola University through her involvement with Misericordia/Heart of Mercy; now
- Therefore; I, Mayor Michael A. O'Connor, and the Berwyn City Council congratulate Christiana Amaro for receiving the Girl Scout Gold Award and wish her continued success in her endeavors.

Dated this 27th day of May, 2008.

\_\_\_\_\_  
Michael A. O'Connor, Mayor

\_\_\_\_\_  
Thomas J. Pavlik, City Clerk

The City of Berwyn

F-4



Michael A. O'Connor  
Mayor

A Century of Progress with Pride

6700 West 26th Street Berwyn, IL 60402-2500 Telephone: (708) 788-2660 Fax: (708) 788-2567  
www.berwyn-il.gov

**RESOLUTION**  
**SUPPORTING THE CITY OF CHICAGO'S BID**  
**FOR THE 2016 OLYMPIC AND PARALYMPIC GAMES**

- Whereas; The City of Chicago (hereinafter "City") has been selected by the United States Olympic Committee as the U.S. Applicant City for the international competition to host the 2016 Olympic and Paralympic Games; and
- Whereas; The City and other municipalities in the metropolitan Chicago region are eager to serve the Olympic Movement by embracing and celebrating the Olympic Games; and
- Whereas; The Olympic and Paralympic Games represent the best of the human spirit, and Chicago 2016 and the United States Olympic Committee are committed to bringing the 2016 Olympic and Paralympic Games to the United States for the benefit of all and to inspire harmony locally, nationally and globally; and
- Whereas; Chicago, a world-class city with remarkable diversity, culture, history and people, already holds a place in the international community as a city and a metropolitan area of immigrants from around the world who are eager to be ambassadors to visiting Olympic athletes; and
- Whereas; Hosting the Games in the heartland of the country will provide a unique opportunity to embrace the development of Olympic sport in the Midwest and across the nation; and
- Whereas; The Olympic and Paralympic Games in Chicago would provide a spectacular experience for athletes, the Olympic Family, spectators, residents and the global viewing audience by celebrating the Games in the center of the City and throughout the metropolitan region and in the midst of millions of people who are passionate about sports and will create an energetic spirit inside and outside of the venues; and
- Whereas; Chicago is one of the transportation hubs of the world and can provide accessible transportation to international visitors through extensive rail, transit and motorways infrastructure, combined with world-class international airports; now
- Therefore; BE IT RESOLVED that the City of Berwyn supports the City of Chicago and Chicago 2016 as they compete for the privilege to host the 2016 Olympic and Paralympic Games.

Dated this 27th day of May, 2008.

\_\_\_\_\_  
Michael A. O'Connor, Mayor

\_\_\_\_\_  
Thomas J. Pavlik, City Clerk

The City of Berwyn

F-5



Michael A. O'Connor  
Mayor

A Century of Progress with Pride

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2567  
www.berwyn-il.gov

May 22, 2008

**To:** Members of the City Council  
**From:** Mayor Michael A. O'Connor

**Re:** Appointment of Finance Director John Wysocki

Ladies and Gentlemen:

I have decided to appoint John Wysocki to the position of Finance Director.  
Your approval will be appreciated.

Sincerely,

Michael A. O'Connor  
Mayor

Pat Segel  
Human Resources Director  
City of Berwyn  
6700 W. 26<sup>th</sup> Street  
Berwyn, IL

March 14, 2008

Dear Pat,

I wish to be considered for the Finance Director's position for the City of Berwyn, Illinois. For the past ten years, I have held management positions in public accounting with Crowe Chizek and Company LLC, one of the ten largest accounting firms in the country, working almost exclusively on governmental and not-for-profit audit and consulting projects. My clients have included numerous Illinois municipalities such as the Villages of Grayslake, Stickney, Brookfield, Glendale Heights, Elmwood Park, Bridgeview, and the City of Calumet City (just to name a few), along with school districts, townships, community colleges, a university, transit agencies and state agencies.

In addition to experience in public accounting, I have been a controller of a small bank and an operations department manager in a large pension fund. I also have internal audit experience. I am a CPA and have a MBA from DePaul University and BBA from Loyola University.

I have extensive leadership experience having successfully run a 10,000 hour multi-faceted audit of a major university in which I coordinated staff from several Crowe offices as well as a subcontractor firm. I have also published articles on coaching and mentoring in national newsletters.

If you find my qualification of interest and would like to arrange for a personal interview, please contact me at \_\_\_\_\_ or at my cell phone number of \_\_\_\_\_. Thank you for your consideration.

Sincerely,

John Wysocki

## John Wysocki

### Career Highlights

- Executive in charge of running a 10,000 hour audit of a major university, supervising and coordinating the work of 15 auditors, including subcontractors, over an eight month period
- Responsible for all aspects of governmental and not-for-profit audit engagements including scheduling, staff training and development, workpaper review, business development, report preparation and review, and building and maintaining client relationships
- Audit and consulting clients include municipalities, community colleges, universities, transit agencies, school districts, townships, state agencies, pension funds, and libraries
- Assisted two municipalities to be among the first in Illinois to early implement Governmental Accounting Standards Board (GASB) Statement #34
- Developed and conducted an internal training course for new supervisors
- Conducted three day training session for in-charge auditors on accounting and auditing standards
- Published articles on mentoring and coaching in the CPA Letter (a national publication of the American Institute of Certified Public Accountants)
- Prepared comprehensive annual financial reports which have been awarded the Government Finance Officers Association and the Association of School Business Officials' Certificates of Excellence in Financial Reporting
- Gave a presentation on internal controls at the Illinois Municipal Treasurer's Association annual conference and spoke on management and leadership skills at the Illinois Association of County Auditors meeting.
- Established internal controls, performance measurements and quality standards in the receipts processing department of a major pension fund
- Served as a key member of the team that lead a company-wide reorganization of a major pension fund and went on to direct a newly created 23 person operations department
- Experience as a bank controller and internal auditor

## Education and Certification

Masters Degree in Business Administration from **DePaul University of Chicago** - 1989

Bachelors Degree in Business Administration, Magna Cum Laude, from **Loyola University of Chicago** with a major in Public Accounting and minor in Political Science - 1984

Certified Public Accountant - 1984

## Work History

**Crowe Chizek and Company LLC (PTW & Co. prior to 1/05 merger)- 1998 – 3/2008**  
Executive in the Public Sector Service group of the eighth largest CPA firm in the country. Specialize in governmental auditing and consulting.

**Board of Pension and Health Benefits of the United Methodist Church - 1991-1997**  
Director of the Collections & Disbursements Department of this \$10 billion pension and health benefits fund. Also, held positions in the internal audit and treasury departments.

**Evanston Bank - 1989 - 1991**

Controller of this small bank responsible for all aspects of accounting and financial reporting.

**Skokie Federal Savings - 1987-1989**

Senior Internal Auditor for this \$1 billion savings and loan.

**Pandolfi, Topolski, Weiss & Co . - 1984-1987**

Auditor for this small public accounting firm specializing in governmental, not-for-profit, and credit union clients.

## Memberships and Continuing Education

Member of:

American Institute of Certified Public Accountants  
Illinois CPA Society

Attended numerous seminars on leadership including:

the Worldwide Lessons in Leadership Conference  
the Franklin Covey Symposium  
7 Habits of Highly Effective People seminar  
seminars conducted by noted business authors Stephen Covey and Ken Blanchard

The City of Berwyn



Michael A. O'Connor  
Mayor

A Century of Progress with Pride

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2567  
www.berwyn-il.gov

May 22, 2008

**To:** Members of the City Council  
**From:** Mayor Michael A. O'Connor

**Re:** Discussion of AT&T proposal

Ladies and Gentlemen:

We will be discussing the proposal presented by AT&T for the high-speed project at our Committee of the Whole meeting on May 27. Your recommendation will be appreciated.

Sincerely,

A handwritten signature in cursive script that reads 'Michael A. O'Connor'. The signature is fluid and extends to the right.

Michael A. O'Connor  
Mayor

The City of Berwyn



Michael A. O'Connor  
Mayor

A Century of Progress with Pride

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2567  
www.berwyn-il.gov

May 22, 2008

**To:** Members of the City Council  
**From:** Mayor Michael A. O'Connor

**Re: Proposed security upgrades for pumping stations**

Ladies and Gentlemen:

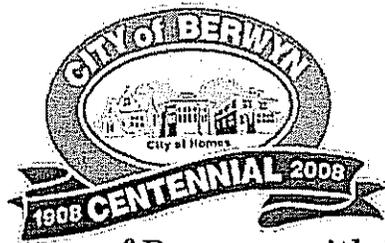
We will be discussing the proposed security upgrades for our pumping stations at our Committee of the Whole meeting on May 27. Your recommendation will be appreciated.

Sincerely,

A handwritten signature in cursive script that reads 'Michael A. O'Connor'.

Michael A. O'Connor  
Mayor

The City of Berwyn



Michael A. O'Connor  
Mayor

A Century of Progress with Pride

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2567  
www.berwyn-il.gov

May 22, 2008

**To:** Members of the City Council  
**From:** Mayor Michael A. O'Connor

**Re:** Discussion of proposal for additional parking at 32nd & Harlem

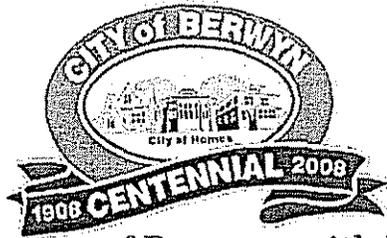
Ladies and Gentlemen:

I have received a proposal from the developers at 32nd and Harlem for the additional parking they have requested. I forwarded the draft to our traffic engineer, the Collector, the Law Department and the Public Works Director for input. I hope to have a final draft for your review and possible passage at our next City Council meeting.

Sincerely,

Michael A. O'Connor  
Mayor

The City of Berwyn



Michael A. O'Connor  
Mayor

A Century of Progress with Pride

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2567  
www.berwyn-il.gov

May 22, 2008

**To:** Members of the City Council  
**From:** Mayor Michael A. O'Connor

**Re:** Discussion of upgrade to new general ledger system

Ladies and Gentlemen:

We will be discussing the proposed upgrade to a new general ledger system at our Committee of the Whole meeting on May 27. Your recommendation will be appreciated.

Sincerely,

A handwritten signature in cursive script that reads 'Michael A. O'Connor'. The signature is written in black ink and is positioned above the printed name and title.

Michael A. O'Connor  
Mayor

The City of Berwyn

Michael A. O'Connor  
Mayor



A Century of Progress with Pride

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www.berwyn-il.gov

F-10

May 22, 2008

**To:** Members of the City Council  
**From:** Mayor Michael A. O'Connor

**Re: Recommendation of non-union personnel salary increase**

Ladies and Gentlemen:

We had hoped to complete negotiations with the American Federation of State, County and Municipal Employees union before passing on the increase for non-union employees. However, those negotiations have moved slower than we anticipated.

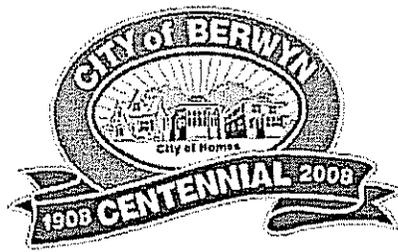
Therefore, it would be my recommendation to approve a 3.5 percent increase, to be effective January 1, 2008, to all non-union personnel. Your approval will be appreciated

Sincerely,

Michael A. O'Connor  
Mayor

The City of Berwyn

F-11



Michael A. O'Connor  
Mayor

**A Century of Progress with Pride**

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2567  
www.berwyn-il.gov

To: Members of City Council

Fr: Mayor Michael A. O'Connor

Re: **Closure of streets for Ice Cream Socials-June 9<sup>th</sup> & June 16<sup>th</sup>**

Date: May 23, 2008

Dear Ladies and Gentlemen:

There will be two ice-cream socials in June that I am requesting the streets to be closed for the ease and safety of residents and all involved. Below are the dates of the two (2) ice-cream socials and streets that we are requesting to be closed approximately 6pm-9:30pm:

**June 9<sup>th</sup> -Street Requested to be closed: Wesley Ave. between 16<sup>th</sup> Street and the alley just south of 16<sup>th</sup> Street. (The remainder of Wesley Ave. will be open)**  
North Berwyn Park District – 1629 Wesley Ave.

**June 16<sup>th</sup> - Street Requested to be closed: Grove Avenue between 34<sup>th</sup> & 35<sup>th</sup> Streets.**  
Christian Life Center- 3409 Grove Ave.

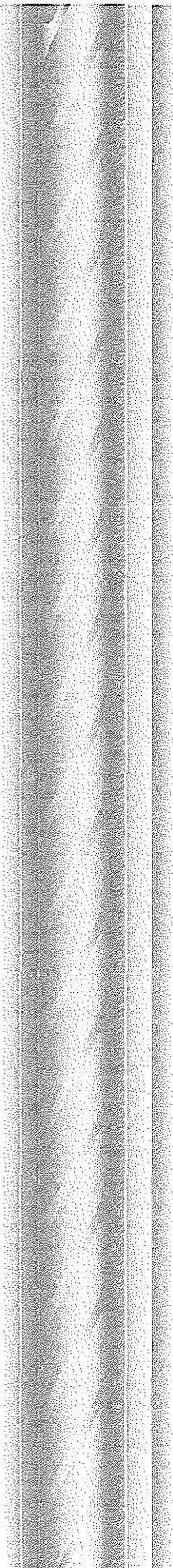
Thank you for your consideration.

Sincerely,

Mayor, Michael A. O'Connor

# Section G

## Reports and Communications From The City Clerk



# Section H

## Communications From The Zoning Board of Appeals

H-1

**CITY OF BERWYN**

**CITY COUNCIL MEETING** (Date) 05/27/08

**Deferred Communication**

Agenda Item H-1 is a Deferred Communication from C C Meeting dated 05/13/08 Agenda item #25

FROM ZONING BOARD OF APPEALS

Re: RESOL/ORD-KOPICKI-6901 ROOSEVELT ROAD

---



# THE CITY OF BERWYN, ILLINOIS

*Building A New Berwyn*

MICHAEL A. O'CONNOR, Mayor

6700 West 26th Street • Berwyn, Illinois 60402-0701

Telephone: (708) 788-2660 • Fax: (708) 788-2675 • [www.berwyn-il.gov](http://www.berwyn-il.gov)

April 29, 2008

MEM NO. 25

DATE MAY 13 2008

DISPOSITION

Refer

## ZONING BOARD OF APPEALS

CHAIRMAN: Joel Chrastka

EXECUTIVE SECRETARY: Milton F. Persin

### MEMBERS:

Dominick Castaldo

Robert W. Fejt

Mary Esther Hernandez

Nora Laureto

Don Miller

City Clerk-City of Berwyn  
6700 W. 26th Street  
Berwyn, Illinois 60402

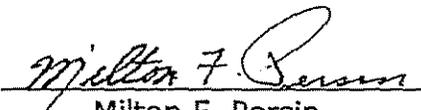
RE: Kopicki-6901 Roosevelt Road

Dear Mr. Pavlik:

Enclosed is a Resolution and Ordinance pertaining to the above captioned Hearing(s) in which the Berwyn Zoning Board of Appeals recommends approval by the City Council.

Please present to the City Council at your earliest convenience.

Sincerely

  
Milton F. Persin  
Executive Secretary

RESOLUTION

LEGAL DESCRIPTION

LOT 10 AND 11 IN BLOCK 11 IN GROSS OAK PARK SUBDIVISION OF BLOCKS 7, 10, 11 AND 25 IN THE SUBDIVISION OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE SOUTH 300 ACRES THEREOF.)

COMMON ADDRESS

6901 West Roosevelt Road

REQUEST BY APPLICANT

Addition to rear garage and second floor apartment addition.

APPLICANT-(Individually and Collectively)

Geroge & Dorothy Kopicki

DATE OF PUBLIC HEARING

April 15, 2008

DATE OF PUBLIC NOTICE PUBLICATION

MArch 27th, 2008, Berwyn Gazette Newspaper.

MEMBERS PRESENT

Messrs: Chrastka, Castaldo, Fejt, Persin and Mrs. Hernandez & Laureto.  
Mr. Miller was absent.

WHEREAS, IT IS HEREBY RESOLVED by the BERWYN ZONING BOARD OF APPEALS, (the "BOARD"), in a PUBLIC MEETING of the BOARD on the 15th day of April, in the year 2008, having considered all the facts presented at the Hearing of this matter;

WHEREAS, the APPLICANT has been duly informed that: (a) if the BOARD fully or partially approves the request of the APPLICANT and the CITY COUNCIL concurs in such decision; or (b) if the CITY COUNCIL fully or partially approves the request even though the BOARD has rejected the request of the APPLICANT or if the BOARD has made no recommendation to the CITY COUNCIL; the APPLICANT must obtain a building permit within SIX (6) MONTHS after the date that the ORDINANCE is enacted;

The BOARD has reached its decision after considering the testimony of the witnesses and the documents presented both prior to and during the Hearing, briefly set forth as follows:

1. Mr. Douglas R. Walega, an Architect retained by the applicant, testified as agent for the applicant's, with full authority. Mr. Kevin T. Kopicki, son of the owners, was also present and assisted the witness.

2. The witness stated that George and Dorothy Kopicki are the co-owners of the property, a one story brick building located on a lot measuring 57.50' X 125', which was purchased in the year 1984, and the family has operated a funeral business on the premises since the date of purchase. They also own the Heritage Funeral Home business at 3117 S. Oak Pak Avenue.

3. The main building and a garage type area at the rear southeast portion of the lot covers the entire lot, except for a cement area about 14' X 28' at the rear southwest portion of the lot. The garage area, which measures 24' X 20', is used as a crematorium and a basement is at the front half of the building. There presently is a reception area at the front Roosevelt side of the building, two washrooms at the west front, offices and two parlors and a lounge area, back office, work room and garage south of the reception area. The work room was previously used for embalming. The main entrance is at Roosevelt Road and there is another entrance at Kenilworth Avenue and at the rear office area onto Kenilworth Avenue. There two exits off the work room into the alley which are not open to the public.

4. The applicant's propose to construct a 24' X 14'3" frame garage at the southwest rear cement area of the lot with entrance from the alley and a service door at the west side, and a second floor addition starting at the front bearing wall of the building at Roosevelt Road, along the entire width of the building and extending back south about 47 feet with a rear open deck measuring 26' X 8'. Plans also include: (i) reducing the areas of office space on the first floor west front portion of the building; (ii) refurbishing the parlor viewing areas, increasing the size of the washrooms north of that office space; covering the front of the building with a new stone facade.; and other minor changes as needed.

5. The second floor addition will have three (3) bedrooms, living room, dining room, kitchen with breakfast area, two (2) bathrooms, walk-in closets and a utility room for the furnace, air conditioning and water heater. The present height of the building is 20 feet and will be increased to a pitched new roof to 28'-8" with a total of 30 windows.

Entrance and exit will be to a common stairway down to the first floor leading to two exits. (Mr. Walega stated that this is allowed under our Building Code). There is an existing side entrance to the adjacent building to the west which is also owned by the applicants, and a stairway leading to the basement area.

6. Mr. Kopicky stated that this is a 24 hour around the clock business and he needs a dependable person to handle the after work business calls. That is why he wants to hire a family man who he feels will be more reliable, and that is why he must make the apartment larger and more desirable to a family. The occupancy of the apartment will be part of the salary paid to this employee and Mr. Kopicky indicated that he has no intentions of renting this apartment to anyone other than such a custodian-caretaker employee. There will be no access from the second floor apartment to the first floor.

7. There is no parking on site but sufficient parking available on the streets and the present footings are more than adequate to support the second floor addition to the building. Upon questioning Mr. Kopicky stated that the apartment in the adjacent building to the west is too small to accommodate a caretaker with a family.

8. Ms Pat Fortunato, 1343 S. Wenonah Avenue, testified that she operates a Health Club business at 7117 Roosevelt Road and indicated that there were many complaints made about use of the Crematory on the premises when she was an Alderman. She has no objection to the changes to be made on the first floor of the building but the proposed second floor plans are: (i) similar to a condo; (ii) too large for a caretaker; (iii) not right for Roosevelt Road; and (iv) and lack of parking is also a problem. She objects to the second floor addition for the reasons mentioned.

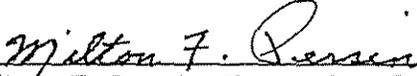
9. Mrs. Nora Laureo, the area investigator, presented a written report which is incorporated by reference in this resolution. She met at the premises with Mr. Kevin Kopicki and Douglas Walega on April 11, 2008. The applicant wishes to construct a rear garage addition and a new second floor addition of one residential apartment, about 2,015 square feet. The apartment and garage are being built for an on site caretaker-employee. The area within 300 feet of this site is commercial in nature running east and west along Roosevelt Road, with one, two and three story retail and mixed use buildings, and residential single family homes running north and south along Kenilworth Avenue.

The applicants will also redo the entire first floor of the Funeral Parlor up to the Crematory area by refurbishing the viewing parlors, office space, reception and bathroom areas. The outside facade of the building will be done in a prairie type style exterior, with a new garage addition at the rear. Mr. Kopicki feels that by creating this second floor apartment for a caretaker he will increase his business, as most funeral homes now need to be accessible 24 hours each day, 7 days a week. Mrs. Laureto voted in favor of the variations requested.

10. Messrs: Castaldo, Fejt, Persin, and Mrs. Hernandez voted in favor of granting the variations requested and Mr. Chrastka voted against granting the variations, stating that he is concerned about having only one exit to the common hallway from the apartment and no access to the Funeral Parlor below. Comments of those in favor were that Mr. Kopicki did state that he is building the apartment for use of a custodian with a family, one exit to a common hallway with more than one exit is within the code, a garage is being built for storage of the caretakers car(s); and having no direct access to the funeral home below should not be any problem as the caretaker can exit to the outside and then enter the Funeral Parlor. The final vote was 5 to 1 in favor of granting the variations requested to construct a garage at the southwest rear of the lot, a second floor apartment addition for a custodian-caretaker, and certain changes on the first floor of the Funeral Parlor, all in accordance with the testimony at the hearing and the documents presented.

This resolution was adopted on the 15th day of April, 2008.

BERWYN ZONING BOARD OF APPEALS

  
Milton F. Persin-Executive Secretary

VARIATION ORDINANCE # \_\_\_\_\_

Be it ordained by the City of Berwyn that:

Whereas, the question of granting the Variation(s) included in this ordinance was referred to the Board of Zoning Appeals to hold a Public Hearing thereon;  
Whereas, such Public Hearing was held after Public Notice was given in the manner provided by law;  
Whereas, the said Board has made a report containing findings of fact, and has recommended the granting of said Variation(s);  
Whereas, the Applicant GEORGE and DOROTHY KOPICKI  
Has agreed to adhere to the Building Code of the City of Berwyn, Illinois;  
Whereas, the Applicant has agreed that the representations made to the Zoning Board of Appeals and all other matters considered and as decided by the Zoning Board of Appeals shall be binding upon the Applicant and all of their privies, successors and assigns;

AND WHEREAS, THE FINDINGS AND RECOMMENDATIONS OF THE ZONING BOARD OF APPEALS ARE HEREBY ADOPTED AND MADE A PART HEREOF;

NOW THEREFORE, be it ordained by the City Council of the City of Berwyn, Illinois:  
The common address is 6901 W. Roosevelt Road and legally described as follows:

LOT 10 AND 11 IN BLOCK 11 IN GROSS OAK PARK SUBDIVISION OF BLOCKS 7, 10, 11 AND 25 IN THE SUBDIVISION OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE SOUTH 300 ACRES THEREOF.)

Variations as requested are granted to allow the construction of a garage and a second floor addition in accordance with the testimony at the hearing, documents presented, and the resolution.

This Ordinance shall become and be effective immediately upon its passage, approval and publication in the manner prescribed by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Number Voting Yes: \_\_\_\_\_ Number Voting No: \_\_\_\_\_

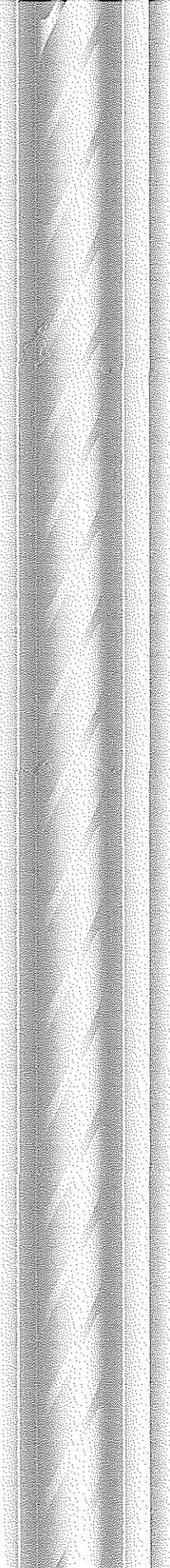
Absent: \_\_\_\_\_ Abstain \_\_\_\_\_

Approved this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

ATTEST:.

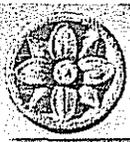
\_\_\_\_\_  
Tom Pavlik- City Clerk

\_\_\_\_\_  
Michael O'Connor-Mayor



# Section I

## Reports and Communications From Aldermen, Committees, Boards and Commissions



Michele D. Skryd  
ALDERMAN FOURTH WARD  
BERWYN, ILLINOIS

May 23, 2008

Hon. Michael A. O'Connor, Mayor  
Alderman of the Berwyn City Council  
6700 W. 26<sup>th</sup> Street  
Berwyn, IL 60402

RE: City Council Meeting Parliamentarian

Ladies and Gentlemen:

The decorum of our city council meetings are rapidly deteriorating. The city council meetings are by ordinance to follow Robert's Rules of Order. With respect to our citizens we are obligated to conform to what is socially acceptable in conduct or speech.

It would be my recommendation to allow by ordinance for a PRP, Professional Registered Parliamentarian to be hired as a consultant on parliamentary procedure at our city council meetings.

Respectfully,

*Michele D. Skryd*

Michele D. Skryd  
4<sup>th</sup> Ward Alderman

# National Association of Parliamentarians®

Guest

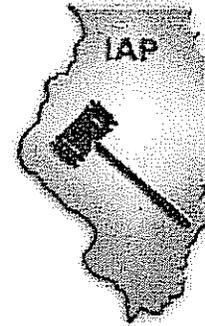
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NAP Home

**Illinois Association  
of Parliamentarians**  
A constituent of the  
National Association of Parliamentarians



## About the IAP

Welcome to the Illinois Association of Parliamentarians web site. IAP is a nonprofit organization with its primary purpose to educate its members and the public about how to conduct meetings fairly and efficiently. IAP is a division of the National Association of Parliamentarians, the largest parliamentary organization worldwide.

With over 100 members throughout Illinois, IAP and its units provide opportunities for you to:

- Learn how to run a meeting effectively
- Understand why and how to keep accurate, complete, and concise minutes
- Learn what belongs in the bylaws and why it is important to follow them
- Become credentialed by the NAP

If you or your organization needs help but you don't have time to join us to learn these techniques, the National Association of Parliamentarians can provide a list of Professional Registered Parliamentarians practicing in your area. Simply fill out NAP's professional referral form.

Explore the IAP web site for more information about IAP news and events; membership; and how to contact us. Scroll down to learn more about *Robert's Rules of Order Newly Revised* and IAP's goals.

---

## *Robert's Rules of Order*

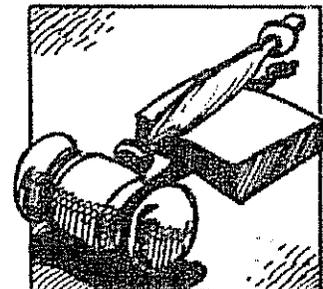
- *Robert's Rules of Order Newly Revised, current edition*, is the parliamentary authority

## What is Parliamentary Procedure?

Parliamentary procedure is a set of rules which helps people work more effectively and efficiently to achieve common short-term, long term, and ongoing goals.

Parliamentary procedure balances the rights of the majority, the minority, individuals, absentees, and the organization as a whole.

Parliamentary procedure is based on sound democratic principles and respect for the dignity of the individual.



## What is a PRP?

A PRP has achieved the

followed and taught by NAP, IAP and Illinois units.

- *Robert's Rules of Order Newly Revised, current edition*, applies in situations not specifically covered by the organization's rules, bylaws, and articles of incorporation as well as by local, state and federal laws.
- *Robert's Rules of Order Newly Revised, current edition*, includes guidelines for defining membership and leadership; for specifying when and where meetings will be held, for determining how decisions will be discussed, decided, and recorded; and for creating, combining, and dissolving organized societies.

---

## Goals of the IAP

IAP's goals, as outlined in our bylaws, include

- Promoting interest in the study of parliamentary procedure
- Stimulating the democratic practice of parliamentary procedure by organizations
- Fostering the the study of parliamentary law in Illinois public and private schools
- Encouraging collaboration between unit members, members-at-large, and students of parliamentary procedure
- Increasing the number of chartered units in Illinois.
- Providing technical support
- Promoting the educational program of the National Association of Parliamentarians

designation of Professional Registered Parliamentarian from the National Association of Parliamentarians, and undergoes continuing education to maintain proficiency.

A PRP may serve as a convention parliamentarian to assist officers, boards, committees and individual members.

A PRP may serve an organization as a consultant on bylaws, rules, and other parliamentary concerns.

A PRP may instruct individuals, and teach classes, workshops, seminars or institutes on parliamentary procedure.

A PRP may professionally preside over conventions or other meetings.

PRP's may be listed with NAP for client referral.

## What is an RP?

An RP has achieved the designation of Registered Parliamentarian with NAP and is on route to becoming a Professional Registered Parliamentarian.

An RP may serve an organization in many of the same capacities as can a Professional Registered Parliamentarian.

# National Association of Parliamentarians®

Guest

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## Obtaining Professional Services

Obtaining the services of a professional parliamentarian is simple with the National Association of Parliamentarians' professional referral service.

Simply fill out the request form online, or call the association at (888) 627-2929, and provide your contact information as well as the geographic area in which you are located. We will provide you with a list of professional registered parliamentarians in your area who are accepting new clients.

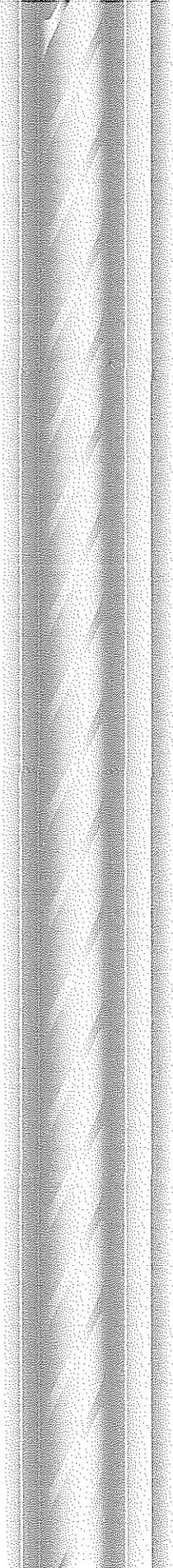
You may then contact these professionals to discuss your needs, and select the parliamentarian who best fits your needs. Individual parliamentarians set their own schedules and fees; it is best to contact parliamentarians well ahead of time to ensure that they will be available for your meeting or convention.

If you have any questions about the referral service, contact the National Association of Parliamentarians at [hq@nap2.org](mailto:hq@nap2.org) or (888) 627-2929.

To request a list of professional parliamentarians in your area, use the [online request form](#).

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# Section J

## Staff Reports

J-1

**CITY OF BERWYN**

**CITY COUNCIL MEETING** (Date) 05/27/08

**Deferred Communication**

Agenda Item J-1 is a Deferred Communication from C C Meeting dated 05/13/08 Agenda item #40

FROM LAW DEPARTMENT

Re: SIGN ORDINANCE

\_\_\_\_\_



3318 WEST 95TH STREET  
EVERGREEN PARK, IL 60805  
(708) 424-5678  
FAX (708) 425-1898  
www.odelsonsterk.com

May 9, 2008

ITEM NO. 410  
DATE MAY 13 2008  
DISPOSITION Adopted

Thomas J. Pavlik  
City Clerk  
City of Berwyn  
6400 W. 26<sup>th</sup> St.  
Berwyn, IL 60402

Re: Sign Ordinance

Dear Mr. Pavlik:

Please put the attached ordinance on the May 13, 2008 agenda for consideration by Council.  
Thank you.

Very truly yours,

Richard F. Bruen, Jr.

RFB/jt

---

**THE CITY OF BERWYN**  
COOK COUNTY, ILLINOIS

---

ORDINANCE  
NUMBER \_\_\_\_\_

---

**AN ORDINANCE AMENDING CHAPTER 1476 OF THE CODIFIED  
ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS**

---

**MICHAEL A. O'CONNOR, Mayor**  
**THOMAS J. PAVLIK, City Clerk**

**NONA N. CHAPMAN**  
**SANTIAGO "JIM" RAMOS**  
**MARK WEINER**  
**MICHELE D. SKRYD**  
**THOMAS J. DAY**  
**MICHAEL J. PHELAN**  
**ROBERT J. LOVERO**  
**JOEL ERICKSON**  
Aldermen

---

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 1476 OF THE CODIFIED ORDINANCES OF  
THE CITY OF BERWYN, COOK COUNTY, ILLINOIS

---

**WHEREAS**, the City of Berwyn, Cook County, Illinois (the "*City*") is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the "*Home Rule Powers*"); and

**WHEREAS**, the Mayor and City Council of the City of Berwyn (the "*Corporate Authorities*") established specific limits on signage within the City for aesthetic and safety reasons after determining that signs can detract from the aesthetic beauty of the City and that unregulated sign proliferation may contribute to the lowering of property values; and

**WHEREAS**, the Corporate Authorities find that limiting the number, type, and dimension of signs in accordance with prescribed regulations that balance the right to communicate via signs and the protection of community interests is in the best interest of the City; and

**WHEREAS**, the Corporate Authorities declare that it is the intent of the City when establishing regulations pertaining to the number, type and dimensions of signs to approved or disapproved the placement of a sign without material regard to the content to be posted on a sign; and

**WHEREAS**, the Corporate Authorities have adopted Sign regulations in Chapter 1476, which have been amended from time to time;

**WHEREAS**, the City Council has further decided to amend the Codified Ordinances to provide for more comprehensive regulation of signs.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and the City Council of the City of Berwyn, Cook County, Illinois, in the exercise of its Home Rule Powers, as follows:

**Section 1.** Chapter 1476 entitled "*Signs*" of the Codified Ordinances of the City of Berwyn is hereby repealed and replaced in its entirety by the following:

**CHAPTER 1476    SIGNS**

**1476.01    Title.**

This Chapter shall be known, cited and referred to as the Berwyn Sign Act.

**1476.02    Purpose and Intent.**

This Chapter is enacted for the following purposes:

1. To protect and enhance the character, property values and stability of new and existing residential neighborhoods and commercial and industrial districts in the City.
2. To establish a regulatory framework for the use of signs as an adjunct to economic and social activities of the residents, institutions and businesses of the community.
3. To conserve the taxable value of land and buildings.
4. To reduce sign clutter and to eliminate the potential for the distraction of motorists and the degradation of the appearance of the community that results from an excessive number of signs.
5. To protect aesthetic values and to establish and maintain standards of community appearance with respect to signs, canopies and awnings.
6. To provide standards and procedures for the removal, elimination or relocation of signs, which fail to conform to those standards as established herein.

7. To establish an administrative framework for the enforcement of the standards and regulations established herein.
8. To provide for the licensing of sign contractors.
9. To further accomplish the general purpose and intent of the Codified Ordinances of the City.
10. To implement, in part, the Comprehensive Plan of the City.
11. To promote and protect the health, safety, morals, comfort, convenience and general welfare of the people of the City.

**1476.03 Definitions.**

Unless otherwise stated, the following terms shall, for the purpose of this Chapter, have the meaning indicated in this Article words used in the present tense include the future. Words used in the masculine gender include the feminine and neuter. The singular number includes the plural and the plural the singular. Where terms are not defined herein, they shall have their ordinary accepted meanings or such as the context shall imply:

1. **Abandoned Sign:** A sign no longer correctly advertising a bona fide business, institution, lessor, owner, product or activity available or located on the premises where the sign is displayed. See also Section 1476.04(I)
2. **Accessory Sign:** All other permanent signs, other than those referred to in Section 1476.04(A) herein, shall be considered accessory signs, including on-site directional signs for vehicles and pedestrians, parking restrictions, warnings and other similar signs. See also Section 1476.04(A) and Section 1476.08(B).
3. **A-frame:** A temporary sign, otherwise known as a sandwich board, which is not generally mounted to the ground. It is a double sided sign connected at the top and separated at the bottom.
4. **Architectural Materials:** Shall mean building materials used in or customarily used in the construction of the exterior of a building or the particular materials used in the construction of the exterior of any building which displays a cornerstone as defined herein.

5. Awning: An structure, as of canvas, extended before a window, door, etc. as a protection from sun or rain. Any sign which is attached to or made a part of an awning shall be a measured sign for purposes of this Chapter.
6. Backlighted Letter: An illuminated reverse channel letter (open or translucent back) configured so light from the letter is directed against the surface behind the letter producing a halo lighting effect around the letter.
7. Banner Sign: A sign made of fabric or any non-rigid material with no enclosing framework. A banner sign shall be a temporary sign as regulated by this Chapter. See also Section 1476.05(H)(6).
8. Bench Any bench, chair, seat or structure upon which a person may sit and which directs attention to a business, commodity service or entertainment conducted, sold or offered for sale. Bench signs are prohibited in the City.
9. Billboard: See Section 1476.03(37).
10. Building Director: Shall mean building director or designee thereof.
11. Cabinet Sign: A lettered glass or plastic panel lit by fluorescent lighting behind. This signage is prohibited in the business districts (C-1 C-2, and C-3).
12. Changeable Copy Sign: Any sign on which the message, letters, characters, illustrations or other symbols can be changed, replaced or rearranged on the surface of the sign. This signage is prohibited in the business districts. (C-1, C-2, C-3). See also Section 1476.05(I).
13. Channel Letter: A fabricated or formed three-dimensional letter that may accommodate a light source.
14. City: Shall mean the City of Berwyn, Illinois.
15. Construction Sign: A sign identifying the designers, contractor and financiers and other information regarding a project on the site where the sign is located. See also Section 1476.109(B)(1).

16. Cornerstone: Shall mean a permanent sign showing the name of the building, address, date of construction, name of the architect, name of the owner or similar information concerning a building, provided that where such sign is not integral with the design and structure of the building it shall consist of a cast metal plaque or similar object permanently affixed to the building. Included in the definition of cornerstone are the name of the building when presented as a part of the facade of the building, and decorative trim or other decoration device when designed and constructed as an integral part of the building, provided the same is purely ornamental and does not represent any trademark, logotype or other reference to the owner of the building or the products or services offered therein. No cornerstone may be a roof sign, or projecting sign or a painted sign and must be 'part of' as distinguished from 'attached to' a principal or accessory building.
17. Deteriorated: When applied to a sign or sign face shall mean a change in the condition of the sign such that structural members are weakened; fastenings are weakened or loosened; anchors are weakened or loosened; components of the sign such as letters, glass tubing, trim, access plane or other parts have become weakened, loosened, displaced or damaged, paint or other protective covering is worn away, flaked, peeling or loosened in whole or in part, and/or the sign face is flaked, peeling, worn away or damaged. A deteriorated sign or sign component need not be an unsafe sign or component and need not pose an immediate safety hazard.
18. Development Sign: A monument sign placed at the entrance to a residential, commercial or industrial subdivision, indicating the name of said subdivision.
19. Directional Sign: A sign designating the location or direction of any place or area.
20. Directory: Any permanent, enclosed changeable copy sign used to identify the occupants of a building or group of buildings and their location within the same. See also Section 1476.05(F).

21. Electrical Sign: Shall mean any sign containing electrical wiring or any sign which is attached to or intended to be attached to an electrical power source including batteries or solar cells or any sign which is lighted by an electrical light source attached to the sign for purpose of providing light upon the sign surface.
22. Erect: As applied to signs and as used in this Chapter, shall mean the act of construction, placing, displaying, erecting, relocating or painting in place a sign, and shall not include the printing fabrication or painting of signs in a sign shop or in a location other than where the sign is to be displayed or any permitted aspect of sign maintenance when applied to an existing sign. Repainting an existing sign constitutes a new sign which requires a permit.
23. Eye Catcher: Shall mean a temporary sign or device which flutters or moves in the wind, which revolves, moves or changes shape, or which reflects light in a startling or unusual way or which emits light, changes color, or turns on and off in such a way as to attract or capture the attention of a passerby. For the purposes of this definition, it shall not be a requirement that eye catchers contain or put forth any particular message or other information. However, the presence of a message or other information attached to or incorporated into the design of the eye catcher as defined herein shall not serve to classify it as any type of sign other than an eye catcher. Included here are strings of flags, pennants, whirly gigs, balloons or other inflatable items, or other wind-driven devices, flashing lights, search lights, novelty items or similar devices but without limitation to their being specifically included herein. Said type of sign is prohibited.
24. Facade: Shall be all window and wall area in the front plane or elevation of a building or storefront. In the case of a two-story building, only the first level shall be used in calculating the facade area. For purposes of calculating wall signage, if the facade is not a straight line, the facade shall be the lineal distance measured from corner to corner at grade level.

25. Firm: Shall mean any partnership, corporation, group or association whether constituted on a for-profit or not-for-profit basis.
26. Flag: Shall be a lightweight fabric, or other material with patterns and colors, which is meant to move in the wind. Flags of any political subdivision, corporation, church, nation or organization, or those flags which celebrate a holiday or season are allowed All other flags are prohibited.
27. Frontage: Shall mean, for the purposes of this Chapter only, a lot line or the length of a lot line, which is also the line of any public street right-of-way other than an alley. The frontage of the lot or parcel that is legally created or described as extending to the center line of a street shall be measured along the line which denotes the edge or boundary of the easement established for the street. The street shall exist or have been created for street purposes and may be a limited access or controlled access roadway but shall not be a utility right-of-way, drainage way, park or railroad and shall not be an alley.
28. Ground Sign: A free standing sign permanently attached to or supported by a foundation. Not attached to any building. Some examples of ground signs include, but are not limited to, pole signs and monument signs.
29. H-Channel Letter: A dimensional letter with baffles at the center of the cross-sectional shape for support of neon tubing and mounting of transformers.
30. Illegible: When applied to a sign shall mean any sign on which there are missing letters or words, a deteriorated sign face or an obscured sign face such that the recognition of the symbols or words or the cognition of the sign message is not immediate, requires a longer time than would be required if the missing, damaged or obscured parts were repaired or replaced. Any sign on which ten percent of the letters, words or symbols are missing, damaged or obscured shall be considered illegible for purposes of this Chapter.

31. Linear Feet: Shall mean the measurement of distance per foot in a straight line.
32. Maintain: Shall mean the act of restoring, preserving, refurbishing, cleaning, renewing, painting, repainting, or keeping within the public view the sign or signs.
33. Marquee: Shall mean and include any fixed hood or canopy, constructed of metal or other incombustible material and extending over the public right-of-way and providing a roof over the entrance of a theater, hotel, motel, restaurant, auditorium or similar use. See also Section 1476.05(K).
34. Measured Sign: All permanent signs for which this Chapter establishes restrictions upon the area of the sign or upon the total area of the signage to be displayed upon a lot.
35. Measured Sign Area: Shall mean the area of the sign face determined in one of the following ways and upon which the regulations of the amount of signage permitted by this Chapter is based:
- a. The measured sign area shall be taken as the area inside a perimeter determined by connecting with straight line segments the extreme outside corners or edges of the sign face. When individual letters are used, the sign area shall be determined by the above procedure and shall include all of the blank space, as well as the individual letters, in the square foot area thus determined.
  - b. Where the sign contains more than one face facing in the same direction, the perimeter shall enclose all such faces.
  - c. Where the sign contains identical faces facing in opposite directions, the measured sign area shall only be counted once.
  - d. All measurements shall be made from the actual sign or from scaled drawings and shall be accurate within one square foot All measured sign areas are expressed in square feet.

36. Name Plate: Shall mean a sign containing the name or street address and occupation or profession of the occupant of a building.
37. Off-premise Sign: Shall mean a sign, other than an outdoor advertising sign, which refers to a place of business or event at a location other than the lot upon which the sign is erected. Off-premise signs are prohibited in the City.
38. Outdoor Advertising Sign (Also "Billboard"): Shall mean a sign, sign board, wall or other framework, device or other structure erected and maintained for the purpose of displaying commercial and other message for hire. See Sections 1476.04(K) and 1476.04(L). Outdoor advertising signs shall be removed by pursuant to Section 1476.04(I)(3).
39. Painted Wall Sign: Shall mean any wall sign that is applied directly to the wall or other surface of any existing building or other structure without any support or surface preparation other than paint, primer, or similar products or materials. A painted wall sign is a prohibited sign. Existing painted wall signs shall be removed pursuant to Section 1476.04(I)(3). See Section 1476.04(L).
40. Pennant: Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind. This is considered an eye-catcher and hence is prohibited.
41. Person: Shall mean a person, partnership, corporation, firm, association or other body or individual.
42. Pole Sign: A type of ground sign.
43. Portable Sign: Shall mean any temporary ground sign or any other ground sign that does not conform to the regulations for sign construction and erection. Portable signs are prohibited in the City. See also Section 1476.04(L).
44. Projecting Sign: Shall mean any sign which is attached to a building or other structure and projects into or overhangs the public right-of-way or other public land except that a wall sign the face of which is parallel to the wall upon

which it is located and which projects is not more than one foot into the public right-of-way or other public land shall not be considered a projecting sign for the purposes of this Chapter. Projecting signs are prohibited in the City. Existing projecting signs shall be removed pursuant to Section 1476.04(I)(3).

45. Real Estate Sign: Any sign indicating that the premises upon which it is located is available for sale or lease. A real estate sign may be either a ground sign or a wall sign. Real estate signs must conform to the requirements of Section 1476.05(J).
46. Relocatable Sign: (Mobile sign) shall mean a permanent sign which is designed to be moved from one location to another for the purpose of advertising events or locations including trailer signs, and including signs that have either a fixed message or changeable copy message board. Such relocatable signs are prohibited in the City. See also Section 1476.04(L).
47. Reverse Channel Letter: A fabricated dimensional letter with opaque face and side walls.
48. Roof Sign: Shall mean any sign erected or constructed on or over the roof of any building or other structure or which extends above the cornice line of the building upon which it is located and supported in whole or in part by such building or structure. Roof signs are prohibited in the City. Existing roof signs shall be removed pursuant to Section 1476.04(I)(3). See also Section 1476.04(L).
49. Rotating or Moving Sign: Any sign which revolves, rotates, swings, undulates, or otherwise attracts attention by moving parts, whether operated by mechanical equipment or by natural sources, but not including flags or banners. Rotating or Moving signs are prohibited in the City.
50. Sign: Shall mean any placard, announcement, illustration, depiction, insignia, banner, fixture, or other object used to advertise or promote the interests of any person, product, event or other activity when placed out of doors or in a window, or other building opening in view of the general public or private property. The term shall include any supporting structure or trim and

shall also include any light or sound emitted from such sign or object the purpose of which is to attract attention to the sign and any light or light fixture to sole purpose of which is to illuminate such sign.

51. Signage: Shall mean the collection, aggregation or sum total of signs located on a lot, pertaining to a particular use or class of uses, subject to a particular regulation or standard, or however else aggregated.
52. Sign Components: For the purpose of this regulation, there are three components to a sign: the sign face, the supporting structure and the structural trim.
53. Sign Band: Shall mean the horizontal wall area immediately over the storefront and below the second floor line.
54. Sign Face: Shall mean the surface of the sign upon which the message, logotype, symbol, or other device is located including surrounding moldings, trim, decorative trim or any portion of the sign which is painted with a distinctive color scheme or in colors which contrast in hue or value with the painted or natural colors of the supporting structure or structural trim, if any.
55. Skeleton Sign: Shall mean a measured sign where individual letters are bracketed to a free-standing support. See also Section 1476.05(A)(5)(a).
56. Snipe Sign: A temporary sign or poster affixed to a tree, fence, etc.
57. Solid Sign: For purposes of construction specifications, a non-skeleton sign. See also Sections 1476.05(A)(5)(a) and 1476.05(A)(5)(b).
58. Structural Trim: Shall mean any battens, capping, nailing strips, laticing, platforms, railings and light fixtures attached to or used in conjunction with a sign.
59. Supporting Structure: Shall mean all load bearing members including uprights, cross bars, diagonal braces, guys, light fixture supports and similar components. The exposed back of any sign face shall be considered part of the structure.

- 60. Swinging Sign: A sign that is installed on an arm or mast or spar that is not, in addition permanently attached to an adjacent wall or upright. Swinging signs are prohibited. See also Section 1476.04(L).
- 61. Temporary Sign: Any sign irrespective of the type of sign or the materials used for its construction which is restricted by the terms of this Chapter as to the length of time that it may be erected, maintained, used or displayed. See also Section 1476.04(B), and Section 1476.09.
- 62. Wall Sign: Any sign which is attached to and supported by the wall of a building or other structure provided the sign face is parallel to the wall to which the sign is attached. See also Section 1476.05(D).
- 63. Window Sign: Any permanent sign displayed inside the window or a doorway of a building or upon the interior wall of a building opposite a window in such a way as to be clearly visible from the outside. See also Section 1476.05(G).

**1476.04 General Regulations.**

The standards, regulations and procedures established by this Chapter shall apply to all signs erected, displayed or maintained in the City, including all exterior signs and all interior signs located in windows, doorways or other building openings which are clearly visible from the building exterior, except for exempt signs as provided in Section 1476.04(J).

**(A) Sign Area.**

- 1. Wall sign area shall not exceed one and one-half (1.5) square feet per lineal foot of lot frontage. See sections 1476.05(D), 1476.07(A) and 1476.07(B).
- 2. Ground sign area shall not exceed one-half (.5) square feet per lineal foot of lot frontage. See sections 1476.05(E), 1476.07(A) and 1476.07(B).

**(B) Classification of Signs.**

For purposes of this Chapter, signs are classified into three groups as follows:

1. Measured Signs: All permanent signs for which this Chapter establishes restrictions upon the area of the sign or upon the total area of the signage to be displayed upon a lot including all business identification and on-premise advertising signs
2. Accessory Signs: All other permanent signs shall be considered accessory signs including on-site directional signs for vehicles and pedestrians, parking restrictions, warning and similar signs. Any accessory sign that exceeds the size limitations established by this Chapter for such signs or any accessory sign which bears a logotype, corporation symbol, or similar device in excess of the standards established for such names shall become a measured sign and part of the regulated area of the signage.
3. Temporary Signs: A temporary sign is any sign irrespective of the type of sign or the materials used for its construction which is restricted by the terms of this Chapter as to the length of time that it may be erected, maintained, used or displayed. In addition, the term "temporary sign" shall include any sign constructed of temporary, unsubstantial or inherently fragile materials such as paper, cardboard, water soluble paints and other such materials. See also Section 1476.09.

**(C) Permits.**

Except as provided in Section 1476.04(K) and Section 1476.09, it shall be unlawful for any person to erect, modify, or maintain any measured sign or any temporary sign for which a permit is expressly required without first obtaining a Sign Permit from the Building Department and making payment of the fee required.

In addition, all electrical signs including otherwise exempt signs, electrical access signs and electrical temporary signs subject to the regulations of the Electrical Code of the City shall be subject to the permit and fee requirements established therein.

1. Application for Sign Permit. An application for a sign permit shall be made upon forms provided by the Building Director and shall contain or have attached thereto the following information:

- A. Name address and telephone number of the person responsible for the erection of the sign.
- B. Name, address and telephone number of the owner of the sign if different from the above.

- C. Name, address and telephone number of the owner of the property or building upon which the sign is to be erected, if different from the above.
- D. The location of the property or building upon which the sign is to be erected.
- E. A drawing or other representation of the sign, showing the height and position of the sign and its relationship to lot lines, building set back lines, buildings or other structures on the property, if any; and buildings or other structures on the adjoining properties, if any. In the case of a wall sign, the location on the facade must be indicated.
- F. Two sets of plans and specifications for the sign and its methods of attachment to either the ground or to a building, and one copy of a stress sheet and calculations bearing the seal of an architect, engineer, or manufacturer showing that the sign is designed for dead load and wind pressure as required by the Building Code of the City or other applicable ordinances of the City. This requirement may be waived for all wall signs and ground signs where the Building Director finds that he is provided with sufficient information in Section 1476.04 above to determine compliance with all of the requirements of this Chapter. His determination shall be based on consideration of location, size, weight, materials and method of attachment, none of which shall represent a threat to public safety.
- G. Two sets of plans or other diagrams and specifications for all electrical components of the sign and the electrical service to the sign or the Underwriters Laboratories certificate number for the sign in question.
- H. A written statement of the consent of the owner of the building or other structure or the land upon which the sign is to be erected.
- I. A signed copy of the insurance policy or bond as required by Section 1476.04(E).
- J. Such other information as the Building Director shall require showing full compliance with this Chapter and all other applicable laws and ordinances of the City.
- K. A receipt for the full amount of the fees required by this Chapter and for the erection of a sign and all other applicable ordinances of the City.

- L. Signs installed without first obtaining a permit are illegal and shall be removed until such time as a permit is obtained. The permit fee for reinstalling such a sign shall be doubled and subject to fines per section 1444, and the sign shall not be reinstalled until such time as all requirements herein are complied with.

2. Issuance of Permits. Upon receipt of the completed application, the Building Director of the City shall review the application, plans, specifications and other information required and shall, where they deem necessary, inspect the site and location of the proposed sign, and upon reaching a determination that the proposed sign meets the requirements of this Chapter and all other applicable ordinances, shall issue a sign permit. If the proposed sign does not meet the requirements of the Chapter, the applicant shall be informed in writing that his application has been denied. The Building Director shall take formal action on the application within thirty days of the date the application was filed. Failure to take action within 30 days shall be deemed a denial.

3. Revocation of Sign Permits. All rights and privileges acquired under the provisions of this Chapter are mere licenses and are revocable for cause by the Building Director. Further, if the work authorized by the sign permit is not completed within six months of the date of issuance of the permit or by the agreed date for the completion of the sign as shown on the permit, such permit shall become null and void. The Building Director may, upon written request, grant an extension of the completion date of up to three months.

4. Appeal. Any person aggrieved by a denial or revocation by the Building Director concerning any provision of this Section, may appeal to the Zoning Board of Appeals within five (5) days of such decision. The Building Director shall take no further action on the matter pending the Zoning Board of Appeals decision, except unsafe signs which present an immediate and serious danger to the public may be removed. The appeal shall be heard by the Zoning Board of Appeals in accordance with the rules, regulations and bylaws adopted for this purpose set forth in Chapter 1244.

**(D) Sign Contractor Registration.**

- 1. Registration Required. No person or firm shall perform any work or service for any other person, with or without compensation in connection with the erection, relocation, construction, reconstruction or maintenance of a sign as regulated by this Chapter unless the person or firm performing the work is a registered sign contractor with the City.
- 2. Exception. Notwithstanding the above requirement, a general contractor, or appropriate subcontractor may, in the normal course of the construction of a building, erect, construct or install a cornerstone or similar devices as provided in Section 1476.04(K).

3. Application. Application for a sign contractor registration shall be made in writing to the City Collector and shall be accompanied by a statement of the applicant's qualifications, competency, the required license fee and bond or insurance policy as provided below.

**(E) Indemnification.**

1. Sign Contractor's Indemnification. All persons engaged in the business of erecting or maintaining signs in the City which involves, in whole or in part, the erection, installation, relocation, maintenance of a sign or other sign work immediately adjacent to a public right-of-way or in, over, or immediately adjacent to other public property so that a portion of the public right-of-way or public property is used or encroached upon by the sign contractor, shall agree to hold harmless and indemnify the City, its officers, agents and employees from any and all claims of negligence or damage suffered resulting from the erection, alteration, relocation, maintenance or other sign work insofar as this Chapter has not specifically directed the placement of a sign.
2. Bond Requirements. Every applicant for a permit required by this Chapter shall, before the permit is issued, file with the City Collector, a license bond in the sum of \$25,000 executed by the applicant and an approved surety company, and conditioned on the faithful observance of this Chapter and all amendments thereto and to the terms and conditions of any variations granted hereto and to any other law and ordinance of the City relating to signs, other advertising structures, marquees or awnings, of said applicant, or by reason of any damages or injury wrongfully caused by or resulting there from In addition, a certificate of liability insurance issued by an insurance company authorized to do business in the State of Illinois, with bodily injury limits of at least \$1,000,000 per occurrence, and \$1,000,000 aggregate and property damage insurance of at least \$500,000 per occurrence and \$500,000 aggregate. Registered sign contractors shall not be required to file such bond or liability insurance policy for each sign permit provided that the bond and policy is filed with the application for the contractor's registration and faithfully and continuously renewed. Such insurance shall not be cancelled or reduced without the insured giving thirty days written notice to the City of such cancellation or reduction.

**(F) Fees for Sign Permits.**

Fees for all required permits, plan reviews, inspections, electrical permits for signs, and annual fees on variances shall be paid in accordance with Chapter 1444 of this Code.

**(G) Inspections.**

All signs shall be subject to an initial inspection as provided herein and no person shall put into use or maintain in use any sign until a certificate of inspection has been affixed to the sign permit by the Building Department of the City.

Owner's Obligation. Whether or not an annual license or permit is required or issued, it shall be the obligation of the owner of any sign to maintain such a sign in conformance with the provisions of this Chapter at all times.

The Building Director shall inspect, at any time deemed necessary, each sign regulated by this Chapter to ensure that any sign conforms to this Chapter and all other ordinances of the City.

**(H) Maintenance of Signs.**

All signs shall be maintained in a safe, legible and good condition.

1. Safety: All signs shall be maintained to the same structural standards by which they were approved or, in the case of nonconforming signs, the standard by which they would have otherwise been approved. All metal parts which are subject to rust or corrosion shall be painted at all times, all anchors and other fastenings shall be maintained in a secure and functioning condition capable of sustaining the loads for which they were designed. All sign faces shall be smooth and free from nails, tacks, wires, splinters and other hazards.
2. Legibility: All signs shall be maintained in a legible condition. Painted signs shall be repainted at such times as the deterioration of the paint results in illegibility or disfiguration. Repainting an existing sign constitutes a new sign which requires a permit.
3. Condition: All glass panes or panes of other materials that comprise the sign face shall be immediately replaced if broken. All electrical components, switches, lamps, relays, fuses and similar devices shall be maintained in good working order.

**(I) Nonconforming Signs.**

1. Any sign which was erected prior to the adoption of this Chapter and in conformance with the requirements of the sign ordinance in effect at the time of its erection but which fails to meet the size, location or other applicable requirements of this Chapter, shall be considered a legal nonconforming sign and shall be permitted to continue in such status until the earlier of such time as it is either abandoned, removed by its owner or the amortization period, as defined in Section 1476.04(I)(3) has expired. A legal nonconforming sign may be maintained only in conformance with the following regulations:

- a. Inspections: All nonconforming signs of a type for which an annual license is required shall be inspected and any deficiencies in the condition of the sign shall be corrected as provided in Section 1476.04(H).
- b. Fees: All nonconforming signs of the types for which annual license fees are established as provided in Chapter 1444, shall be charged such fees. Failure to pay such annual fees in the manner prescribed shall be cause for the immediate removal of a nonconforming sign.

2. Removal of Nonconforming Signs. Notwithstanding the requirement for the payment of annual license fees, a legal nonconforming sign may continue in such status unless any of the following regulations applies:

- a. Alteration in any way except for normal maintenance and repair.
- c. All nonconforming signs or all components of nonconforming signs which are prohibited signs as provided in Section 1476.04(L) other than signs described herein shall be removed as provided in Section 1476.04(I)(3) below and shall not be re-established.
- d. All nonconforming signs, which are abandoned signs as provided in Section 1476.04(J), shall be removed immediately upon passage of this Chapter.
- e. Any existing sign that the Police Department finds to be nonconforming with respect to Section 1476.05(B)(7) shall be removed immediately following notification by the Police Department. Such signs may be relocated or re-erected in a conforming manner.
- f. The nonconforming signs of any business or other legal entity which ceases the activities to which the signs apply or which is replaced by

a different business or other entity shall be removed, relocated or rebuilt in a conforming manner. Relocating or rebuilding a sign constitutes a new sign which requires a permit.

- g. The nonconforming signs of any business or other activity which changes ownership but which continues the operation of the business or activity may be continued as legal nonconforming signs for a period of ninety (90) days.
- h. All temporary nonconforming signs shall be removed and shall not be reestablished except in compliance with this Chapter immediately following the date of the event to which the signs pertain or, in cases where no such date is specified, either by ordinance or by permit, within thirty (30) days.
- i. Any nonconforming sign, which the Building Director finds to be unsafe, shall be removed immediately.
- k. No sign shall be moved in whole or part to any other location on the same or any other lot unless every portion of such sign is made to conform to all regulations of this Chapter and other applicable regulations of the City.
- l. A nonconforming sign which is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration to the condition in which it was before the occurrence shall exceed fifty percent (50%) of the cost of the replacement of the entire sign, shall not be restored unless said sign shall conform to all of the regulations of this chapter and other applicable regulation of the City.

3. Amortization of Nonconforming Signs. Not later than seven (7) years from the date of passage of this Chapter, all nonconforming signs must be removed or brought into full compliance with the requirements herein.

**(J) Abandoned Signs.**

The following regulations shall govern abandoned signs.

- 1. For the purpose of this Chapter, the following signs shall be deemed abandoned:

- a. Any sign, which is located on property which becomes vacant and which remains vacant for a period of 30 days except that real estate signs in accordance with Section 1476.05(J) may be displayed thereon.
  - b. Any sign, wherever located, which refers to a business or other activity, which has become vacant and remains vacant for a period of 30 days.
  - c. Any sign for which an annual permit or license fee is charged and where the owner of such sign fails to obtain such permit or license within 60 days of inspection and proper notification.
  - d. Any sign announcing an event or the date or dates of an event which has passed, except permanent signs announcing the opening of a new business or activity provided that the references to the dates of the opening are removed upon opening. See also Section 1476.09(B)(2)(d).
  - e. Any dilapidated, deteriorated, unreadable, illegible, structurally unsound, or unsafe sign.
2. Removal of Abandoned Signs. It shall be the responsibility of the owner of any property upon which an abandoned sign is located to remove such sign either immediately or within the time period otherwise established in Section 1476.04(J)(1) above. Removal of an abandoned sign shall include the removal of the entire sign including the sign face, supporting structure and structural trim. Where the owner of the property on which an abandoned sign is located fails to remove such sign in a timely manner, the Building Director may remove such sign. Any expense directly incurred in the removal of such sign shall be charged to the owner of the property. Where the owner fails to pay, the City may file a lien upon the property for the purpose of recovering all reasonable costs associated with the removal of the sign.

**(K) Exemptions.**

The provisions and regulations of this Chapter shall not apply to the following signs; provided, however, that such signs shall be subject to the Electrical Code of the City, the regulations governing the removal of unsafe and unlawful signs, and the regulations herein.

1. Traffic control signs, warning signs and temporary construction and routing signs erected, maintained or operated by a governmental agency in conformance with the Manual for Uniform Traffic Control Devices.

2. Signs authorized and erected by the City, including public notices posted by public officials or employees in the performance of their duties.
3. The signs of any other governmental agency erected and maintained in the furtherance of agency's official mission, duties and responsibilities.
4. Warning signs placed by utility companies or others in areas of danger that are accessible to the public.
5. Identification tags, labels, plaques and signs used by utility companies and other organizations to identify fixed operating equipment and for similar purposes.
6. Signs on poles which indicate towing regulations or restrictions.
7. Homeowner's signs indicating items of personal property "for sale", "beware of dog", "no trespassing" and similar signs may be displayed upon residential property provided such signs pertain to an actual offering for sale or announce an actual warning and provided further that such signs do not exceed two square feet in area and are not located in any required yard.
8. Outdoor advertising sign (including legal nonconforming outdoor advertising signs) erected and maintained in conformance with the Outdoor Advertising Ordinance of the City.
9. Political signs may be displayed without permit provided that such signs are not located in the public right-of-way, attached to utility poles or trees and provided further that such signs are removed after the election or referendum.
10. Religious signs may be displayed without permit provided that such signs are not located in the public right-of-way or attached to utility poles or trees. Not included in this exempt section are signs identifying places of religious worship, which are considered measured signs and included in the terms of this Chapter.
11. Real estate signs in conformance with the requirements of Section 1476.05(J) herein.
12. Seasonal decorations, including items of a primarily decorative nature associated with national, local or religious holidays. Such seasonal decorations visible from the public right-of-way shall be removed within thirty (30) days after the event.

13. Snipe signs and temporary signs advertising garage sales, estate sales, bazaars, and rummage sales and similar events may be displayed during the time of the event. Such signs shall not be attached to any utility poles, light standard, tree, or placed in any right-of-way.
14. Temporary window signs of non-permanent materials such as paper, poster board or similar materials may be displayed in any window provided such signs do not occupy more than 20% of the area of the window. However, such signage may not obscure entry areas or prevent the general public or public safety personnel from viewing interior or exterior activity.
15. Signs on vehicles provided such signs are not relocatable signs as regulated by this Chapter and provided further that such vehicles are fully operable and licensed by the State of Illinois and are being operated in normal and customary fashion. Such signs are limited by the provisions of Section 1476.04(L)(7) herein.
16. Official flags, pennants or insignia of any governmental or nonprofit organization and flags of any country.
17. Construction signs. See Section 1476.09(B) for requirements.
18. Any sign designated by the Historic Preservation Commission as having a historic quality.

**(L) Prohibited Signs.**

The following signs, parts of signs, characteristics of signs, and sign-like objects are prohibited and may not be erected, maintained, continued or used in the City:

1. Any sign or similar object, color, light, shape or combination thereof which resembles an official traffic control device or sign, or is a representation of such a traffic control device or sign.
2. Any obscene language or graphic material or other representation of an obscenity or obscene act.
3. Any sign, signal or similar device which emits music, speech, simulated speech or any other sound on a regular or intermittent basis.
4. Any sign affixed to a tree.
5. Any sign affixed to a utility pole, public light or street light, traffic control device or similar standard used for lighting, such as parking lot lights.

6. Any sign or similar device, which contains a strobe light or any other high intensity light, which is emitted on a periodic or intermittent basis, or any such light used as an eye catcher.
7. Any sign attached or painted onto an inoperable or unlicensed motor vehicle or any sign attached to a licensed vehicle within 50' of the public right-of-way or on the property to which the sign thereon refers.
8. Any outdoor advertising sign which is not a permitted sign (including legal nonconforming outdoor advertising signs) under the Berwyn Outdoor Advertising Sign Ordinance. Outdoor advertising signs shall be removed pursuant to Section 1476.04(l)(3).
9. Bench signs as defined herein.
10. Cross-Street Banners. Banners strung across the public right-of-way are prohibited.
11. Rotating or moving signs as defined herein.
12. Eye catchers as defined herein.
13. Any off-premise sign as defined herein.
14. Portable signs as defined herein.
15. Painted wall signs as defined herein. Existing painted wall signs shall be removed pursuant to Section 1476.04(l)(3).
16. Projecting signs as defined herein. Existing projecting signs shall be removed pursuant to Section 1476.04(l)(3).
17. Relocatable (mobile) signs as defined herein.
18. Roof signs as defined herein. Existing roof signs shall be removed pursuant to Section 1476.04(l)(3).
19. Swinging signs as defined herein.
20. Larger than life size inflatable and/or plastic figures representing tradespersons, animals, products or other figures commonly associated with a particular business or occupation.
21. Any sign painted on the roof of a building, pavement or other surface or structure.

22. Any otherwise exempt sign, which exceeds the regulations or restrictions for size, location or time of display, placed on such exempt signs by Section 1476.04(K).

**(M) Removal of Signs.**

Signs required to be removed by this Chapter shall be removed in accordance with the following regulations:

1. It shall be the responsibility of the owner of the property upon which a sign is located to remove such sign as required by this Chapter, except that where a sign is a leased sign being maintained under the terms of a current lease, it shall be the responsibility of the owner of the same sign to remove same. In any case in which a sign has been removed by the Building Director or by a private contractor at the direction of the Building Director in accordance with the provisions of this Chapter, any cost directly incurred in the removal of such sign shall be charged to the owner of the property. If the owner fails to pay such costs to the City within thirty days, then the City may file a lien upon the property for the purpose of recovering all reasonable costs associated with the removal of the sign.
2. Nonconforming signs shall be removed in accordance with the provisions of Section 1476.04(I) and this Section.
3. Abandoned signs shall be removed in accordance with the provisions of Section 1476.04(J) and this Section.
4. Prohibited signs and other signs erected subsequent to the passage of this Chapter and found to be in violation of this Chapter shall be removed by the owner of such sign within thirty days of receiving notice of such violations. If after thirty days such sign has not been removed, the Building Director may remove it as provided in Section 1476.04(J)(2), above.
5. Any permitted or prohibited sign that becomes a danger to the public, because of damage to or deterioration of the structure must be removed immediately. Where the owner cannot be immediately contacted, the Building Director may order such sign removed as provided in Section 1476.04(J)(2), above.

**1476.05 Regulations for Particular Signs**

The following regulations shall govern the design, erection and maintenance of the various types of signs wherever permitted.

**(A) Sign Construction.**

All signs other than temporary signs shall be constructed in conformance with the following regulations:

1. All wall sign, ground sign, monument sign, directory, or any other measured sign shall be designed by an architect, structural engineer or manufacturer and must be in compliance with the Building Code of the City.
2. All electrical signs shall bear the seal of Underwriters Laboratories or an equivalent agency engaged in practice of making safety inspection and certifications of electrical equipment.

Construction specifications:

3. All ground sign structures shall be self-supporting structures and permanently attached to sufficient foundation which shall include architectural treatments such as brick or stone.
4. Electrical service to ground signs shall be buried or otherwise concealed.
5. All signs, except those attached flat against the wall of a building shall be constructed to withstand wind loads as follows, with correct engineering adjustments for the height of the sign above grade:
  - a. For solid signs, 30 pounds per square foot on the largest face of the sign and structure.
  - b. For skeleton signs, 30 pounds per square foot of the total face cover of the letters and other sign surfaces, or 10 pounds per square foot of the gross area of the sign as determined by the overall dimensions of the sign, whichever is greater.
6. No sign shall be suspended by chains, or other devices that will allow the sign to swing due to wind action. Signs shall be anchored to prevent any lateral movement that could cause wear on supporting members or connections.
7. Support and braces shall be an integral part of the sign design. Angle irons, chains, or wires used for supports or braces shall be hidden from public view.
8. All signs shall be marked with the manufacturer's name in a size easily visible from the ground. All electric signs shall also include: for

incandescent lamps, the number of lamp holders; for electric discharge lamp signs, the input amperes at full load and the input voltage.

**(B) Sign Erection.**

All signs shall be erected in accordance with the following regulations:

1. Wall signs. All wall signs shall be safely and securely attached to the building by means of metal anchors, bolts or expansion screws or other fastening approved by the Building Director and imbedded in the wall. However, such signs may rest or be bolted to heavy metal brackets or saddles each of which shall be attached to the wall as provided above. In no case shall any sign be secured to a building with wire, strips of wood or nails. The Building Director shall approve the methods and materials used in the erection of all wall signs.
2. Pole signs. All pole signs, directories and similar approved free standing signs shall be erected on posts or standards extending at least 72" below the natural surface of the ground. All posts or standards shall be protected from moisture and corrosion below grade.
3. Ground Signs. All ground signs and similar approved free standing monument signs shall be secured to a brick/stone base which in turn will be secured to a concrete foundation extending at least 42" below the natural surface of the ground
4. Window Signs. All window signs other than painted signs shall be safely and securely attached to the window frame or other structural member and shall not be fastened to the glass. No window sign shall be located in such a way as to block or prevent ingress or egress through any window, doorway or any required fire opening.
5. Safety. All signs shall be installed and maintained in a workmanlike manner using equipment, which is adequate and safe for the task. The Chapter recognizes that one of the greatest perils to public safety is improper performance of sign contractors in the use of inadequate equipment. As such, the Building Director may deny a sign permit if the sign contractor does not have or does not arrange for the use of adequate equipment. The Building Director may also cite the sign contractor for a violation of this Chapter if he fails to use proper equipment in the maintenance of a sign.
6. Electric Signs. This Chapter recognizes that electric signs are controlled under the special equipment provisions of the Electrical Code of the City. It also recognizes that the electric sign contractors have developed a

specialized trade of high voltage discharge electric sign installation and maintenance to properly install and service high voltage electric signs. Electric sign contractors and their employees are hereon authorized to perform the following specific tasks:

- a. Install exterior electric signs, ballasts, or high voltage transformers to sockets or outline lighting tubes, and may connect said signs to primary branch circuits, if said circuits already exist outside of the building.
  - b. Install interior electric signs, but may not connect said signs to the primary branch circuit.
  - c. Maintain and replace any electric component within the sign, on its surface, or between the sign and building for exterior signs only. This Chapter prohibits the electric sign contractor or its employees from performing work on electric signs in contradiction to the Electrical Code of the City.
7. Location. All signs shall be located in conformance with the requirements of Section 1476.05 and 1476.06, In addition, signs shall be located so as to provide for the clear view of any traffic control sign or device and no sign shall be erected so as to obscure such a device or so as to create a situation in which it is difficult to distinguish the traffic control device from the sign. The location of any sign at an intersection at which there are traffic signals shall first be approved by the Police Department.

**(C) Lighting.**

The lighting of all signs shall conform to the following regulations:

1. Signs may be lighted internally or externally with a lighting fixture the sole purpose of which is to light a sign. The lighting fixture shall be construed, for purposes of this Chapter, to be a part of the sign.
2. All external lighting fixtures and reflectors shall be provided with the proper glass lenses or hoods concentrating the illumination on the area of the sign and preventing glare upon the street or other adjacent property. No floodlight or spotlight of the simplified industrial type shall be permitted.
3. The lettering or advertising designs to be illuminated internally may be composed of glass or other transparent or translucent material provided that any glass forming the sign face shall be laminated safety glass, tempered glass or wired glass at least one-quarter inch thick.

4. All lighting fixtures and all electrical service may be approved by the Electrical Inspector if they conform to the Electrical Code of the City.
5. Under no circumstances shall signs or sign components be used as site lighting or exterior lighting.

**(D) Wall Signs.**

1. Wall sign shall mean any sign, which is attached to and supported by the wall of a building or other structure provided the sign face is parallel to the wall to which the sign is attached. Further, where the wall treatment of a building establishes a sloping wall or a "mansard roof" wall treatment, a wall sign may be located on such a sloping surface or "roof". The face of a sign located on a sloping roof may be vertical and need not parallel the sloping surface of the wall.
2. Size. See Section 1476.04(A).
3. Location:
  - a. A wall sign shall not project more than one foot from the wall to which it is attached.
  - b. A wall sign shall not cover partially or wholly any wall opening.
  - c. A wall sign shall not project beyond the ends of a wall to which it is attached nor shall it project above the lowest point of the eaves or the cornice line or cap of the wall to which it is attached.
4. No wall sign can project into or overhang the public right-of-way or other public property.
5. No wall sign shall be located so as to prevent fire access from any door, window or fire escape.

**(E) Ground Signs.**

1. Ground sign (or pole sign) as permitted by this Chapter shall mean a sign permanently attached to or supported by a foundation in the ground.
2. Design. The primary supporting structure (uprights) of a ground sign shall be constructed from circular, square or rectangular sections of steel, wood, brick, stone or other material approved by the Building Director. All

secondary supporting members, braces, guys, structural iron, flanges, and electrical components shall be concealed. All exposed structural materials or covering materials shall have a permanent finish and shall be maintained in a safe condition as provided in Section 1476.04(H). The base of any vertical ground sign shall be landscaped with a planting of low evergreen shrubs or other decorative screening for the foundation but not to exceed four feet in height. The landscaped area shall equal one square foot for every square foot of sign face.

3. Height of Ground Signs. A ground sign shall have no part of the sign higher than the height of the principal building on the lot.
4. Location. Ground signs shall be located within the property lines and no part of the sign shall overhang the public right-of-way or any adjoining property. The following additional regulations shall apply to the location of ground signs:
  - a. In all residential districts, ground signs shall be set back five feet from the public right-of-way.
  - b. A ground sign shall not be located within 100 feet of any other ground sign on the same lot or zoning lot.
  - c. In any yard adjoining the intersection of street, alleys or driveways, a ground sign shall be designed or located in such a way that it does not interfere with the clear view of motorists and pedestrians. Such sign shall be three feet in height or less or shall be set back from the intersection in such a way as to maintain the clear view of the intersection by both motorists and pedestrians. At minimum in intersection situations, the sign shall not be placed within a sight triangle having one side along the property line or sidewalk a distance of 15 feet from the intersection; the second side along the other property line, sidewalk, alley or driveway a distance of 15 feet from the intersection, and the third side along a line between the two points on the other two sides which are 15 feet from the intersection. The following exceptions may be permitted by the Building Director where he finds that the resultant sign will not obscure vision at the intersection: an accessory sign of four square feet or less or a ground sign supported by a structure having a width of eighteen inches, when measured at the widest point, or less and the lowest point of the sign at least ten feet above grade.

**(F) Directories.**

1. Directory shall mean any permanent, enclosed changeable copy sign used to identify the occupants of a building or group of buildings and their location within the same or similar events where such sign is located on the same premises as the building or buildings and where such sign contains no more than eighteen square feet of measured sign area.
  
2. Location:
  - a. In districts for which there is no required front yard, directories may be located at the property line. In all other areas, directories shall be set back at least five feet.
  
  - b. There shall be no more than one directory for each street that the lot or building fronts upon, except that where a building adjoins one or more additional streets, one additional directory shall be permitted for each such street face that contains a point of public access to the building.
  
  - c. Additional directories may be erected when located within the building lines established for the lot upon which they are located, provided that such additional directories shall be counted as measured signs.

**(G) Window Signs.**

1. Window signs shall mean any permanent sign or similar device displayed inside the window or a doorway of a building or upon the interior wall of a building opposite a window in such a way as to be clearly visible from the outside.
  
2. Any permanent window sign, any window sign constructed of permanent materials or any lighted window sign is a measured sign. No window sign shall have a total measured sign area in excess of twenty percent (20%) of the opening in which it is located except that neon borders or other decorative borders on a transparent window shall be measured using the actual area of such borders rather than measured sign area as defined in this Chapter. Such signage may not obscure entry areas or prevent the general public or public safety personnel from viewing interior or exterior activity at the location. Any neon borders shall be protected by a clear Plexiglas cover that will prevent contact with the neon tube and/or the splices made to the neon tube. The Plexiglas shield shall be placed away from the neon tube and/or splices to provide for ventilation and to prevent

the buildup of heat. All neon transformers and wiring shall be adequately supported and installed in a good and workmanlike manner and be secure from the public.

**(H) Awning Signs.**

Any sign which is attached to or made a part of an awning shall be a measured sign for purposes of this Chapter. A sign located on an awning shall be affixed flat to the surface thereof, be non-illuminated, and shall indicate only the business name, address, phone number, website and one logo. Awning scale and proportions are to be appropriate for the building on which they are mounted. Awnings must be uniform in size, shape (except for arched openings, see "Forms" below) and color in order to unify multiple storefronts within a single building. The length of the awning is to be restricted to the length of the storefront opening. Awnings must not continue over masonry piers. The vertical and horizontal dimension should be proportional to the overall projection of the awning.

1. Projection. Awnings may project a maximum of 54 inches. Projection depth should match the existing adjacent awnings provided they comply with the acceptable minimum projection. Awnings should be placed at a minimum height of 8 feet above the sidewalk. No backlit awnings are allowed.
2. Forms. Awning forms are to conform to the general shape of the opening. Arched openings are to receive V2-round domed awnings, whereas rectangular openings are to receive rectangular, gently sloping; planar forms with closed ends. Valances may be fixed or loose. Bubble awnings are prohibited.
3. Mounting. Awnings may be fixed or retractable. Retractable awnings must be kept either in the fully projected position or the fully closed position. Fixed awnings are to have concealed rigid metal frames. Retractable awnings should have a canopy cover and automatic retractable rollers mounted to the building. Under panels are not desired. Frames should be painted to match or complement the color of the awning cover material or its underside.
4. Materials. The awning material should be taut, not relaxed. Awning materials may include matte finish painted army duck, vinyl-coated cotton, acrylic-coated polyester, and vinyl-coated polyester or cotton and solution-dyed acrylic. All awnings shall be restricted to cutout lettering, heat color-transfer, pressure sensitive vinyl films or sewn applique signs. All awnings located on the same building must be the same material and lettering.

5. Colors. Awning and banner colors must take into account the color selection of the surrounding materials, buildings, signs, awning, of the retailer/user and district. All awnings located on the same building must be the same color. Colors should enhance and complement the building.
6. Banners. Banners may be location, event, holiday or sponsor specific and are temporary signs as defined by this Chapter. Banners are to be secured to building walls or mounted on existing poles by fixed brackets and hardware.
7. Compliance. All new or replacement awnings and banners must comply with all applicable City Codes.

**(I) Changeable Copy Signs.**

Any permanent changeable copy signs are measured signs and are permitted subject to the restrictions for measured signs as provided in this Section, Section 1476.09 and this Chapter generally and subject to the following regulations:

1. Changeable copy sign. Shall mean any sign on which the message, letters, characters, illustrations or other symbols can be changed, replaced or rearranged on the surface of the sign. Included in this definition are time and temperature clocks with digital displays, electronic message boards, changeable displays of product prices and permanent changeable copy boards.
2. Electronically controlled message signs. No message, word or symbol may be displayed for a period of less than four (4) seconds duration. "Rolling" messages, words or symbols that appear to be animated, move, scroll, blink or flash are not permitted. All message, words or symbols displayed must relate only to goods or services offered on the same lot or to community service announcements.
3. Location. Changeable copy signs are permitted as or as part of any permitted wall sign or ground sign subject to the regulations established for such signs.
4. Maintenance. In addition to the general requirements for sign maintenance, all changeable copy signs shall bear a legible message, other suitable display or left blank. Electronic devices when not in use may be left blank and unlighted. Any lighted or electronic changeable copy sign in which the electrical or lighting components are operating in an erratic, broken or damaged fashion shall be turned off or removed.

**(J) Real Estate Signs.**

Real Estate Signs shall conform to the following provisions:

1. Real estate signs shall be erected only on private property and are restricted to the actual location of the property being sold, rented or leased.
2. No more than one real estate sign shall be erected on any property, except that twenty-four (24) hours prior to a formal public showing of the property, an "Open House" sign may be erected. Said "Open House" sign must be removed by 6:00 p.m. the day of the showing. Banners, flags, bunting or other adornments may only be used in conjunction with an "Open House" sign and only during specific hours of the formal public showing of the property.
3. No real estate sign shall project beyond the property line into the public right of way.
4. In areas zoned residential, no real estate sign shall exceed four square feet in area, except that a "rider" not exceeding six inches in vertical height, by the horizontal length of the sign, may be added.
5. In areas zoned residential, no real estate sign shall exceed a maximum height of four feet above the existing grade at the point of erection. The sign structure is not included in calculating the maximum height.
6. In areas zoned commercial and industrial, no real estate sign shall exceed thirty tow square feet in area.
7. In areas zoned commercial, no real estate sign shall exceed a maximum height of six feet above the existing grade at the point of erection. The sign structure is not included in calculating the maximum height.
8. Real estate signs located on developed property in areas zoned residential shall be erected parallel to the front side of the main residential building located on the property. The sign shall be placed no more than three feet from the front foundation wall of said building. However, if landscaping or other natural obstructions preclude visibility of the sign, then the sign may be placed immediately in front of the obstruction.
9. Real estate signs located on vacant property in areas zoned residential shall be erected parallel to the public right of way, and shall be placed no less than twelve feet from the front property line. However, if landscaping or other natural obstructions preclude visibility of the sign, then the sign may be placed immediately in front of the obstruction.

10. Real estate signs located on any property in areas zoned commercial or industrial shall be erected parallel to the public right of way and shall be placed no less than five feet from the property line.
11. Real estate signs located on any property in areas zoned residential, commercial or industrial, where the building is situated on the property in such a way that it abuts the front property line, or is set back less than the required minimum from the front property line, may be attached to either the front or side of said building. Such a sign shall be securely mounted to the building or poles or to a framework which is sufficiently strong to support the sign.
12. Real estate signs shall not be illuminated signs.
13. Real estate signs shall be removed by the person having responsibility for the placement of such sign, including, but not limited to the broker, sales agent or owner of said property, within forty-eight hours after the issuance of real estate transfer stamps for the subject property.

**(K) Marquees.**

1. Marquee shall mean and include any fixed hood or canopy, constructed of metal or other incombustible material and extending over the public right-of-way and providing a roof over the entrance of a theater, hotel, motel, restaurant, auditorium or similar use.
2. The roofs of marquees shall be used for no other purpose than to form and constitute a roof; and may be opaque, translucent or transparent. The roof of a marquee shall not bear or carry any sign or other advertising device.
3. Location. A marquee may be constructed over that portion of the public right-of-way, which is a sidewalk. No marquee shall extend beyond the curb line of the street. A marquee shall be at least ten feet above the sidewalk. No marquee shall extend above the sill line of windows on the second story of a building to which it is attached or above the cornice line of a one-story building.
4. Erection. No marquee shall be attached to the ground, but shall be supported entirely by the building to which it is attached.
5. Signs on Marquees. Signs on marquees shall be measured signs and shall be subject to the regulations for sign area established in Article 7. No sign shall be located on the roof of a marquee nor be suspended from a marquee so as to have a clearance of less than ten feet.

**(L) A-Frame Signs.**

First floor businesses may have one A-Frame sign which shall be no larger than six (6) square feet which is not calculated against the total square feet allowed and which may be placed on the public way provided the following requirements are met:

1. A license agreement is entered into a form and amount approved by the City indemnifying and holding the City harmless from liability and naming the City, its officers and employees as an additional insured on a general liability insurance policy. Such license agreements shall be approved and signed by the Building Director.
2. Sign may be displayed during business hours only and must be removed each day.
3. Signs may not be placed in any location where the paved area for pedestrian passage is reduced to less than six (6) feet or within fifteen (15) feet of any intersection, driveway or crosswalk.
4. A-Frame signs shall be constructed of wood, metal or durable plastics.
5. The minimum fine for a violation of this Section shall be seven hundred fifty dollars (\$750.00). Each day that such a violation shall continue shall constitute a separate offense.

**1476.06 Signs Permitted on Cermak Road, Roosevelt Road Corridor, South Berwyn Corridor and Ogden Avenue.**

Signs, which are erected on Cermak Road, Roosevelt Road Corridor, South Berwyn Corridor and Ogden Avenue, shall be subject to separate regulations than those that are listed generally within this Chapter. Measured signs, as defined in Section 1476.04(A)(1) may not be erected or maintained on any lot in excess of the limitations established in this Chapter regarding size, type, location, number and total area of signs for Cermak Road, Roosevelt Road Corridor, South Berwyn Corridor and Ogden Avenue. Accessory signs are permitted in addition to the limitations placed on measured signs in accordance with the provisions of Section 1476.08. Temporary signs are permitted in addition to the limitations placed on measured signs and for a specific period of time in accordance with the provision of Section 1476.09. Signs erected in the downtown will also be subject to review and approval by the Berwyn Main Street Foundation.

Commercial signs on Cermak Road, Roosevelt Road Corridor, South Berwyn Corridor and Ogden Avenue should reflect the character of the building style, while expressing each store's individuality. There are several prominent sign styles that are appropriate: surface mounted, pin-mounted signs, interior, and decal signs. Sign materials are limited to painted wood, canvas, architectural glass and metal. Sign color is to be selected to harmonize with the building upon which it is mounted and the immediately adjacent structures. Lettering color can be unique to the image of the retailer/user. Natural metal sign and plaque material such as brushed bronze, antique bronze, aluminum, stainless steel and painted cast iron or similarly appearing materials are preferred. Highly reflective metallic signs are not allowed. Signs should be back-lit or lit by marquee or spot lighting. Internally-lit cabinet signs (with a lettered glass panel) are strictly prohibited. Spot lighting should be minimal and unobtrusive and shall not be visible from any street, sidewalk or dwelling. Simplified industrial light fixtures are strictly prohibited. Contextual solutions are recommended. The majority of the signs will be mounted within the building's sign band, defined as the wall area immediately over the storefront and below the second floor line.

**(A) Individual Sign Area and Height Restrictions.**

The measured sign area of any individual wall sign located on Cermak Road, Roosevelt Road Corridor, South Berwyn Corridor and Ogden Avenue shall not exceed the requirements set forth below for each type of sign:

1. Surface-Mounted Commercial Signs. These signs are either fabricated from painted wood or cast metal plaques and are to be mounted within the sign band or within the storefront transom. The height of the sign is restricted to 80% of the area of the sign band or 18 inches whichever is less. The length of the lettering is to be contained within 80% of the length of the sign band. The sign band of a building consists of the area located above the ground floor storefront opening and below the second floor line, and is located a minimum of 8'-0" and a maximum of 15'-0" above grade. Surface-mounted signs are not permitted on "secondary" elevations without a defined sign band and only if it is facing a designated public right-of-way.
2. Pin-Mounted Commercial Signs. These signs consist of channel, H-channel, reverse channel, cast metal and flat cut metal letters mounted above the storefront in the masonry sign band or suspended in front of the storefront at the transom or recessed entry. The size of the lettering is restricted so that the height of the letters does not exceed 80% of the height of the sign band or 18 inches whichever is less. The length of the lettering is to be contained within 80% of the length of the sign band. Pin-mounted signs are not permitted on "secondary" elevations without a defined sign band and only if it is facing a designated public right-of-way.

3. Interior Signs. Interior signs, floating independently, are set behind the glass either at the transom or at the sill of the storefront and are lit from a separate source. This sign must adhere to the size limitations of decal signs as referenced below.
4. Decal Signs. Decal signs are defined as painted or vinyl transfer letters and numbers. Decal signs can be mounted within the transom and at the lower section of the storefront window area so as not to interfere with interior or exterior activity at the location (see Sec. 1476.05(G)(2)). The decal sign area at the lower section of the window can occupy up to 10% of the glass area of a single pane. Decals mounted at the transom are restricted to 50% of the area of the transom. Decals located at the lower section of the main display area are to be limited to 6" in height unless they contain store operation hours, which are restricted to 2".

**(B) Awning and Banner Restrictions.**

The regulations as set forth under Section 1467.05(H) above should be adhered to in locating awnings or banners on Cermak Road, Roosevelt Road Corridor, South Berwyn Corridor and Ogden Avenue.

1. Vinyl, bubble awnings, and internally illuminated awnings, which function as oversized signs, are prohibited on Cermak Road, Roosevelt Road Corridor, South Berwyn Corridor and Ogden Avenue. Existing bubble awnings shall be removed by June 1, 2010.

**1476.07 Signs Permitted in All Other Non-Residential Zoning Districts.**

No person shall erect or maintain measured signs as defined in Section 1476.04(B)(1) on any lot in excess of the limitations established herein on the size, type, location, number and total area of signs for the zoning district in which the lot is located and for the various classes of uses established in each district. Accessory signs are permitted in addition to the limitations placed on measured signs in accordance with the provisions of Section 1476.08. Temporary signs are permitted in addition to the limitations placed on measured signs and for a specific period of time in accordance with the provision of Section 1476.09.

Measurements of total sign area or of individual sign area shall be based on the lineal feet of street frontage of a lot, or in the case of uses that occupy more than one lot, the combined street frontage of all lots participating in the use.

Where a lot is occupied by more than one use, which fronts a street, the measured signage permitted for each use shall be based on the building frontage occupied by such use.

In the case of corner lots or lots having more than one street frontage, the regulations established below shall apply separately to each street frontage so that the total sign area, individual sign area, and setbacks shall be interpreted as such for each street upon which the lot fronts.

In the case of a lot, lease hold or other business premises however defined which has no actual street frontage, the allowable total sign area shall be based on the width of the property measured along a line generally parallel to the street from which the site obtains access.

**(A) Total Sign Area.**

The total area of all measured signs permitted on a lot shall not exceed the number of square feet permitted for each lineal foot of frontage pursuant to Section 1476.04(A).

**(B) Number of Signs.**

The maximum number of measured signs of all types located on a lot shall be restricted to one wall sign per use for each street frontage and one ground sign. One additional ground sign is permitted for every 500 feet of street frontage.

**(C) Sign Setbacks.**

All measured signs shall be set back from the property line as follows:

1. In all residential districts, all ground signs shall be set back at least a distance of five feet from the property line. In all business districts and industrial districts in which there are required front yards and required yards adjoining streets, all signs shall be set back at least five feet from the property line. In districts in which there is no required front yard or yard adjoining a street, ground signs may be located at the property line provided that no part of the sign shall overhang the public right-of-way.
2. In addition to these regulations, the requirements of Section 1476.05 for the location of signs shall also be met.

**(D) Height of Signs.**

Measured ground signs shall not exceed the height limitations shown in Section 1476.05(E)(4).

**(E) Measured Signs in Residential Districts.**

Measured signs are prohibited in residential districts except for the following: legal-nonconforming signs to the extent of the legal nonconformity; on-premise identification signs for educational institutions, parks and playgrounds, and religious institutions, development signs and multi-family building on-premise identification signs. Such measured signs that are permissible in residential zones under the terms of this section shall conform to all other requirements for measured signs.

**1476.08 Regulations for Accessory Signs.**

**(A) General Regulations.**

Accessory signs as defined in Section 1476.04(B)(2) shall be erected and maintained only in conformance with the following regulations:

1. Permits and Fees. Permits are required and fees are charged for the erection and maintenance of accessory signs that such signs shall conform to the regulations herein except that any electrical accessory sign shall conform to the Electrical Code of the City.
2. Size of Accessory Signs. Any accessory sign shall not exceed four square feet of measured sign area.
3. Height Accessory Signs. Shall not exceed a height of four feet.
4. Prohibited Advertising. Accessory signs shall carry no advertising messages for either products, product lines, services or firms except that the sign face may include a logotype or other symbols the area of which does not exceed one-fourth the measured sign area or the name of the owner in letters no higher than one-third of the height of the letters used in the message.
5. Accessory Signs: Shall conform to the requirements established for a clear view of intersections as provided in Section 1476.05(E)(3).

**(B) Regulations for Particular Accessory Signs.**

1. Name Plates. Signs displaying the name of the occupant, the business or profession, and the street name and number may be displayed near the entrance to the building, provided such sign does not exceed a measured area of two square feet.
2. Window Signs. Signs painted on windows and indicating the name of the occupant and the business or profession conducted therein are permitted accessory signs provided such signs are limited to one per street frontage and that each sign does not exceed two and one-half square feet of measured sign area.
3. Warning Signs. Signs posting private property against trespassing, hunting or similar prohibitions provided such signs do not exceed two square feet of measured sign area and are not closer than 100 feet to each other.
4. Directional Signs. Notwithstanding the provisions of 1476.08(A)(5) above, a directional sign, which in all other respects conforms, to the requirements for an accessory sign may bear a message consisting of the name of the place of business or logo and an arrow indicating the direction or route to be taken.

**1476.09 Regulations for Temporary Signs.**

Temporary signs may be erected and maintained only in accordance with the following regulations:

**(A) General Regulations.**

1. Permits. Temporary signs as provided in Section 1476.09(B), below, shall only be erected pursuant to the issuance of a temporary sign permit Any electrical temporary sign shall be subject to the Electrical Code of the City.
2. Fees. Temporary signs for which permits are required shall only be erected and maintained after the payment of a fee as provided in Section 1476.04(F) herein including any electrical fee except that no fee shall be required for any construction sign for a project for which a building permit has been issued.

3. Size of Signs. The measured sign area of temporary signs, the number of such signs, or the aggregate area of such signs shall not exceed the area or size limitation imposed in Section 1476.09(B) below.
4. Location of Signs. Unless otherwise specified in Section 1476.09(B) below, no temporary sign shall be located in the public right-of-way or in any required yard within ten feet of the public right-of-way.
5. Time of Display. The erection and maintenance of all temporary signs shall be limited to the time period specified in Section 1476.09(B), below, or to the time period specified in the permit, whichever is less.
6. Identification Required. The name and address of the owner or person displaying any temporary sign shall appear on either the face or back of the sign except for temporary identification signs in which the name of the owner is part of the message. All temporary signs for which a specific date for their erection and removal has been established by permit, or otherwise, shall display those dates thereon in the following example: 7-21-08 to 7-28-08.
7. Removal of Temporary Signs. All temporary signs shall be removed by the owner as follows:
  - a. Upon the expiration of the permit.
  - b. Upon the expiration of the time period established in Section 1476.09(B).
  - c. When any such sign becomes damaged, deteriorated or illegible.
  - d. Further, any temporary sign that does not contain the identification required above, is displayed before or after the time period established by permit, or otherwise does not display the time period as provided above may be immediately removed by an inspector of the Building Department or any other person.

**(B) Regulations for Particular Temporary Signs.**

The following regulations are established for particular temporary signs:

1. Construction Signs. One sign identifying a construction project, the owner, architect, general contractor, sub-contractors, financiers and other information relating to a construction project may be erected at the construction site in accordance with the following:

- a. Size. Not to exceed 64 square feet.
  - b. Locations. Within the property lines subject to the requirements for safety and clear view of intersections.
  - c. Height. Not to exceed 14 feet.
  - d. Period of Display. From two weeks before ground breaking until occupancy.
2. Point of Sale Signs. The use of temporary, intermittent, freestanding signs to advertise products or sale items, prices or for similar purposes shall only be used in accordance with the following:
- a. Size. No individual sign shall exceed four square feet and no display of a point of sale sign shall include more than one such sign per frontage.
  - b. Location. No point of sale sign shall be located on the public right-of-way.
  - c. Height. No point of sale sign shall exceed a height of five feet.
  - d. Period of Display. A point of sale sign shall not be erected more often than three times in any calendar year and the length of each such display shall not exceed 30 days.
3. Temporary Event Signs. A-Frame-type signs shall be allowed in accordance with all other provisions of this code, for a maximum time period of 15 days preceding the event advertised. The sign must be removed following the event, and the maximum permissible period of display shall be indicated on the sign permit. Such signs shall be installed with down guy-type anchors installed into the ground a minimum of 42" below grade. The sign shall be secured to the down guy-type anchors with chain, cable assemblies to secure the sign on all four corners. The anchors shall be removed at the same time as the sign is removed.
4. Temporary Sign Face. Sign faces which identify a location during the interim period while the permanent sign face is being manufactured, and which are typically made of plastic or canvas materials shall be allowed for a period of 30 days or until the permanent sign face is ready, whichever is less.

**1476.10 Administration and Enforcement.**

**(A) Building Director.**

This Chapter shall be administered and enforced by the Building Director who shall have the following powers and duties:

1. Receive all applications for sign permits.
2. Perform the review and inspections required by this Chapter.
3. Enforce, as appropriate, the other laws and ordinances of the City as the same apply to the erection and maintenance of signs.
4. Issue all permits in conformance with this Chapter.
5. Issue all citations or notices of violations required by this Chapter.
6. Maintain accurate records of all permits, inspections, citations, violations and fees and make such records available for public inspection during normal business hours.
7. Make all determinations required of the City Council as provided by this Chapter.
8. Review and resolve any conflicts in standards, regulations, requirements or procedures arising from the application of this Chapter and other laws or ordinances of the City regulating the erection and maintenance of signs or the licensing of sign contractors.
9. Make all determinations, requirements, conditions or agreements necessary to affect the removal of nonconforming signs and signs subject to the amortization provisions of this Chapter.
10. Interpret the various provisions of this Chapter as requested by either the Building Director, the applicant for or holder of a sign permit or the public.
11. Review all requests for variations from the regulations established by this Chapter and issue an order in accordance with the standards established below.
12. Make rules governing the administration and enforcement of this Chapter in accordance with the provisions of the Berwyn Code Enforcement Ordinance.

**(B) Enforcement.**

1. The Building Director shall be authorized to enforce all provisions of this Chapter. If the Building Director shall find that any sign has been erected or is being maintained in violation with the provisions of the Chapter, the Building Director shall issue any such citation which is necessary or take any action necessary as provided by the Codified Ordinances of the City.
2. Appeal. Any person aggrieved by a decision, order or citation issued by the Building Director concerning any violation of this Chapter, may appeal to the Zoning Board of Appeals. The Building Director shall take no further action on the matter pending the Zoning Board of Appeals decision, except unsafe signs which present an immediate and serious danger to the public may be removed. This appeal shall be heard by the Zoning Board of Appeals in accordance with the rules, regulations and bylaws adopted for this purpose set forth in Chapter 1244.

**(C) Variations.**

Variations in the requirements of the various provisions of this Chapter may be granted in accordance with the following regulations:

1. Application. A variation shall be made in writing to the Building Director who shall forward the same to the Zoning Board of Appeals.
2. Standards. The following standards shall govern the granting of a variation by the Zoning Board of Appeals:
  - a. The variation shall be based on practical difficulties arising from the strict application of the provisions of this Chapter and not merely upon the desire of the applicant to establish an alternative signage.
  - b. The variation shall be based on hardship imposed by the Chapter and not upon any self-imposed hardship by the applicant.
  - c. The variation granted shall be the least amount of variation, which will overcome the practical difficulty or hardship.
  - d. The variation shall be granted in conformance with the furtherance of the stated purpose and intent of this Chapter.
  - e. The variation granted shall not be expressly prohibited as provided below.

3. Authorized Variations. The following variations or types of variations may be granted by the Zoning Board of Appeals:
  - a. Variations in the location of signs for businesses, which do not have direct street frontage.
  - b. Variations in the size and height of individual signs.
  - c. Any other variation which is not a prohibited variation.
  - d. Variation from the amortization requirements.
  
4. Prohibited Variations. The following variations or types of variations may not be granted by the Zoning Board of Appeals:
  - a. Any variation that would result in an increase in the total amount of signage permitted on a lot.

**1476.11 Severability.**

If any section, subsection, paragraph, section, clause or phrase of the Chapter should be declared invalid by a court of competent jurisdiction for any reason whatsoever, such decision shall not affect the remaining portions of this Chapter, which shall remain in full force and effect. And to this end the provisions of this Chapter are hereby declared to be severable.

**1476.99 Violations and Penalties.**

Whoever violates, fails to comply with, or resists the enforcement of any of the provisions of this Chapter shall, upon conviction, be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense. A separate offense shall be deemed committed each day during or on which a violation, failure to comply or resisting of enforcement occurs or continues.

**Section 2.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provisions of this Ordinance.

**Section 3.** All Ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 4.** This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

**ADOPTED** by the Mayor and City Council of the City of Berwyn, Cook County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2008, pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Chapman				
Ramos				
Weiner				
Skryd				
Day				
Phelan				
Lovero				
Erickson				
(Mayor O'Connor)				
<b>TOTAL</b>				

**APPROVED** by the Mayor of the City of Berwyn, Cook County, Illinois on this \_\_\_\_\_ day of \_\_\_\_\_ 2008.

\_\_\_\_\_  
 Michael A. O'Connor  
 MAYOR

ATTEST:

\_\_\_\_\_  
 Thomas J. Pavlik  
 CITY CLERK

J-2

**CITY OF BERWYN**

**CITY COUNCIL MEETING** (Date) 05/27/08

**Deferred Communication**

Agenda Item J-2 is a Deferred Communication from C C Meeting dated 05/13/08 Agenda item #44

FROM LAW DEPARTMENT

Re: LIQUOR LICENSE REVISION ORDINANCE

---



3318 WEST 95TH STREET 2/4  
EVERGREEN PARK, IL 60805  
TEL (708) 424-5678  
FAX (708) 475-1898  
DATE MAY 13 2008  
www.odelsonsterk.com  
DISPOSITION  
*Refer*

May 9, 2008

Thomas J. Pavlik  
City Clerk  
City of Berwyn  
6400 W. 26<sup>th</sup> St.  
Berwyn, IL 60402

**Re: Liquor License Revision Ordinance**

Dear Mr. Pavlik:

Please put the attached ordinance on the May 13, 2008 agenda for consideration by Council.  
Thank you.

Very truly yours,

Richard F. Bruen, Jr.

RFB/jt

**THE CITY OF BERWYN**  
COOK COUNTY, ILLINOIS

**ORDINANCE**  
NUMBER \_\_\_\_\_

**AN ORDINANCE REVISING THE NUMBER OF  
LIQUOR LICENSES AND AMENDING  
CHAPTER 804.07 OF THE CITY CODE OF THE  
CITY OF BERWYN, COOK COUNTY, ILLINOIS**

**Michael A. O'Connor, Mayor**  
**Thomas J. Pavlik, City Clerk**

**Nona Chapman**  
**Santiago "Jim" Ramos**  
**Mark Weiner**  
**Michele Skryd**  
**Thomas Day**  
**Michael Phelan**  
**Robert Lovero**  
**Joel Erickson**  
**Aldermen**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE REVISING THE NUMBER OF  
LIQUOR LICENSES AND AMENDING  
CHAPTER 804.07 OF THE CITY CODE OF THE  
CITY OF BERWYN, COOK COUNTY, ILLINOIS**

**BE IT ORDAINED** by the Mayor and Council of the City of Berwyn, Cook County, Illinois in the exercise of Berwyn's home rule powers as follows:

**SECTION 1:** Chapter 804.07 of the City Code, as amended, is hereby amended to read as follows:

**804.07      Number of Licenses Restricted**

The total number of licenses issued and in force at any one time in a year issued shall be as follows:

<u>Class of License</u>	<u>Number of Licenses Permitted</u>
A-1	10
A-2	3
A-3	11
B-1	17
B-2	3
B-3.1	7
B-3.2	7
B-3.3	2
B-3.4	3
C-1	8
C-2	1
C-3.1	1

C-3.2	1
C-3.3	1
C-3.4	0
D-1	7
D-2	0
D-3.1	0
D-3.2	2
D-3.3	3
D-3.4	1
D-3.5	5
E	No limit
F	8
G	1
H	No limit
I	No limit

**SECTION 2:** If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not effect any of the other provisions of this ordinance.

**SECTION 3:** All Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 4:** This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2008, pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Chapman				
Ramos				
Weiner				
Skryd				
Day				
Phelan				
Lovero				
Erickson				
(Mayor O'Connor)				
<b>TOTAL</b>				

APPROVED by the Mayor on \_\_\_\_\_, 2008.

---

Michael A. O'Connor  
MAYOR

ATTEST:

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Thomas J. Pavlik  
CITY CLERK

J-3

**CITY OF BERWYN**

**CITY COUNCIL MEETING** (Date) 05/27/08

**Deferred Communication**

Agenda Item J-3 is a Deferred Communication from C C Meeting dated 05/13/08 Agenda item #46

FROM LAW DEPARTMENT  
Re: FIRE AND POLICE COMMITTEE RECOMMENDATIONS  
GRIEVANCE (A)

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3318 WEST 95TH STREET  
EVERGREEN PARK, IL 60805  
(708) 424-5678  
FAX (708) 425-1898  
www.odelsonsterk.com

May 9, 2008

ITEM NO. 46  
DATE MAY 13 2008  
DISPOSITION \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Thomas J. Pavlik  
City Clerk  
City of Berwyn  
6400 W. 26<sup>th</sup> St.  
Berwyn, IL 60402

**Re: Fire and Police Committee Recommendations**

Dear Mr. Pavlik:

Please put the attached recommendations from the Fire and Police Committee on the May 13, 2008 agenda for consideration by Council. Thank you.

Very truly yours,

Richard F. Bruen, Jr.

RFB/jt

AK

**GRIEVANCE**

**NAME OF GRIEVANT:** Illinois Municipal Police Association

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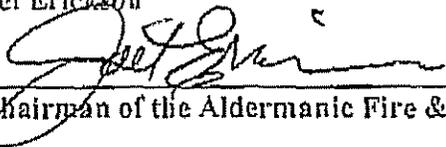
**EMPLOYER'S STEP FOUR RESPONSE**

Employer, City of Berwyn, conducted a grievance hearing with all interested parties present. Upon review of the facts, the Committee acknowledges that no officers have been denied medical, insurance, or other benefits available to full-time officers. The Committee also acknowledges that officers who have been unable to assume full-time work duties beyond a twelve (12) month period must be afforded a hearing before the Fire and Police Commission in order to prove that the officer can commence full-time duties without restriction. Absent a showing of proof that the officer can commence full-time duties without restriction, the Commission may terminate employment and the officer may petition the Police Pension Board for benefits.

The Committee finds in favor of the Grievant and directs the Fire and Police Commission to conduct a hearing for Officers Carmelita Terry, William Hiller and John Scardina to determine if each officer can prove the ability to assume full-time duties without restriction or be subject to termination as a Berwyn Police Officer.

Employer Representative: Joel Erickson

Employer Signature: \_\_\_\_\_

  
Chairman of the Aldermanic Fire & Police Committee

Date: February 12, 2008

IMPA Representative Receiving Response: John O'Halloran

J-4

**CITY OF BERWYN**

**CITY COUNCIL MEETING** (Date) 05/27/08

**Deferred Communication**

Agenda Item J-4 is a Deferred Communication from C C Meeting dated 05/13/08 Agenda Item #47

FROM LAW DEPARTMENT  
Re: FIRE AND POLICE COMMITTEE RECOMMENDATIONS  
GRIEVANCE (B)

Odelson  
ATTORNEYS-AT-LAW  
Sterk, Ltd.



3318 WEST 95TH STREET  
EVERGREEN PARK, IL 60805  
(708) 424-5678  
FAX (708) 425-1898  
www.odelsonsterk.com

May 9, 2008

ITEM NO. 47  
DATE MAY 13 2008  
DISPOSITION Report

Thomas J. Pavlik  
City Clerk  
City of Berwyn  
6400 W. 26<sup>th</sup> St.  
Berwyn, IL 60402

**Re: Fire and Police Committee Recommendations**

Dear Mr. Pavlik:

Please put the attached recommendations from the Fire and Police Committee on the May 13, 2008 agenda for consideration by Council. Thank you.

Very truly yours,

Richard F. Bruen, Jr.

RFB/jt

B

GRIEVANCE

NAME OF GRIEVANT: IMPA on behalf of William Hiller, Amy Hiller & Guy Papa

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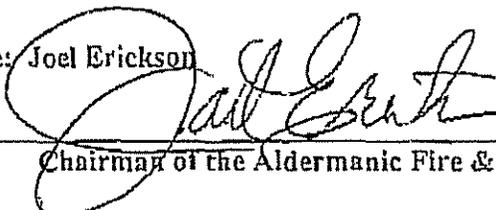
EMPLOYER'S STEP FOUR RESPONSE

Employer, City of Berwyn, conducted a grievance hearing with all interested parties present. Upon review of the facts, the Committee determined that all sworn police officers are obligated, upon oath, to uphold the laws and ordinances of the City of Berwyn, including ordinances regulating conduct. The Ordinance at issue, Familial Relationships in Hiring and Promotions (Sec. 242.14) was in full force and effect prior to any of the offers swearing oath in order to become commissioned officers. Only after becoming a sworn officer peace officer would any individual enjoy the full benefits of the collective bargaining agreement. In this case, the Officers Hiller and Hiller had an affirmative duty to report conflicts of interest prior to shift assignment.

The Committee finds against the grievant IMPA, on behalf of William Hiller, Amy Hiller, and Guy Papa, and recommends that the three officers resolve prospective shift disputes collectively. The Committee is sympathetic to the plight of Officer Guy Papa, but finds that the remedy is outside the scope of Committee authority if such remedy is in conflict with the shift bidding provisions of the collective bargaining agreement.

Employer Representative: Joel Erickson

Employer Signature: \_\_\_\_\_

  
Chairman of the Aldermanic Fire & Police Committee

Date: February 29, 2008

IMPA Representative Receiving Response: John O'Halloran



J-5



3318 WEST 95TH STREET  
EVERGREEN PARK, IL 60805  
(708) 424-5678  
FAX (708) 425-1898  
www.odelsonsterk.com

May 23, 2008

Thomas J. Pavlik  
City Clerk  
City of Berwyn  
6400 W. 26<sup>th</sup> St.  
Berwyn, IL 60402

**Re: Sign Ordinance**

Dear Mr. Pavlik:

Please put the attached ordinance on the May 27, 2008 agenda for consideration by Council.  
Thank you.

Very truly yours,

Richard F. Bruen, Jr.

RFB/jt

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**THE CITY OF BERWYN**  
COOK COUNTY, ILLINOIS

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ORDINANCE  
NUMBER \_\_\_\_\_

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**AN ORDINANCE AMENDING CHAPTER 1476 OF THE CODIFIED  
ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS**

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**MICHAEL A. O'CONNOR, Mayor**  
**THOMAS J. PAVLIK, City Clerk**

**NONA N. CHAPMAN**  
**SANTIAGO "JIM" RAMOS**  
**MARK WEINER**  
**MICHELE D. SKRYD**  
**THOMAS J. DAY**  
**MICHAEL J. PHELAN**  
**ROBERT J. LOVERO**  
**JOEL ERICKSON**  
Aldermen

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Published in pamphlet form by authority of the Mayor and City Clerk of the City of Berwyn on --/--/08  
Odelson & Sterk, Ltd. - City Attorneys - 3318 West 95<sup>th</sup> Street - Evergreen Park, Illinois 60805

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 1476 OF THE CODIFIED ORDINANCES OF  
THE CITY OF BERWYN, COOK COUNTY, ILLINOIS

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**WHEREAS**, the City of Berwyn, Cook County, Illinois (the "*City*") is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the "*Home Rule Powers*"); and

**WHEREAS**, the Mayor and City Council of the City of Berwyn (the "*Corporate Authorities*") established specific limits on signage within the City for aesthetic and safety reasons after determining that signs can detract from the aesthetic beauty of the City and that unregulated sign proliferation may contribute to the lowering of property values; and

**WHEREAS**, the Corporate Authorities find that limiting the number, type, and dimension of signs in accordance with prescribed regulations that balance the right to communicate via signs and the protection of community interests is in the best interest of the City; and

**WHEREAS**, the Corporate Authorities declare that it is the intent of the City when establishing regulations pertaining to the number, type and dimensions of signs to approved or disapproved the placement of a sign without material regard to the content to be posted on a sign; and

**WHEREAS**, the Corporate Authorities have adopted Sign regulations in Chapter 1476, which have been amended from time to time;

**WHEREAS**, the City Council has further decided to amend the Codified Ordinances to provide for more comprehensive regulation of signs.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and the City Council of the City of Berwyn, Cook County, Illinois, in the exercise of its Home Rule Powers, as follows:

**Section 1.** Chapter 1476 entitled "*Signs*" of the Codified Ordinances of the City of Berwyn is hereby repealed and replaced in its entirety by the following:

**CHAPTER 1476    SIGNS**

**1476.01      Title.**

This Chapter shall be known, cited and referred to as the Berwyn Sign Act.

**1476.02      Purpose and Intent.**

This Chapter is enacted for the following purposes:

1.    To protect and enhance the character, property values and stability of new and existing residential neighborhoods and commercial and industrial districts in the City.
2.    To establish a regulatory framework for the use of signs as an adjunct to economic and social activities of the residents, institutions and businesses of the community.
3.    To conserve the taxable value of land and buildings.
4.    To reduce sign clutter and to eliminate the potential for the distraction of motorists and the degradation of the appearance of the community that results from an excessive number of signs.
5.    To protect aesthetic values and to establish and maintain standards of community appearance with respect to signs, canopies and awnings.
6.    To provide standards and procedures for the removal, elimination or relocation of signs, which fail to conform to those standards as established herein.

7. To establish an administrative framework for the enforcement of the standards and regulations established herein.
8. To provide for the licensing of sign contractors.
9. To further accomplish the general purpose and intent of the Codified Ordinances of the City.
10. To implement, in part, the Comprehensive Plan of the City.
11. To promote and protect the health, safety, morals, comfort, convenience and general welfare of the people of the City.

**1476.03 Definitions.**

Unless otherwise stated, the following terms shall, for the purpose of this Chapter, have the meaning indicated in this Article words used in the present tense include the future. Words used in the masculine gender include the feminine and neuter. The singular number includes the plural and the plural the singular. Where terms are not defined herein, they shall have their ordinary accepted meanings or such as the context shall imply:

1. **Abandoned Sign:** A sign no longer correctly advertising a bona fide business, institution, lessor, owner, product or activity available or located on the premises where the sign is displayed. See also Section 1476.04(I)
2. **Accessory Sign:** All other permanent signs, other than those referred to in Section 1476.04(A) herein, shall be considered accessory signs, including on-site directional signs for vehicles and pedestrians, parking restrictions, warnings and other similar signs. See also Section 1476.04(A) and Section 1476.08(B).
3. **A-frame:** A temporary sign, otherwise known as a sandwich board, which is not generally mounted to the ground. It is a double sided sign connected at the top and separated at the bottom.
4. **Architectural Materials:** Shall mean building materials used in or customarily used in the construction of the exterior of a building or the particular materials used in the construction of the exterior of any building which displays a cornerstone as defined herein.

5. Awning: An structure, as of canvas, extended before a window, door, etc. as a protection from sun or rain. Any sign which is attached to or made a part of an awning shall be a measured sign for purposes of this Chapter.



*Awning Sign*

6. Backlighted Letter: An illuminated reverse channel letter (open or translucent back) configured so light from the letter is directed against the surface behind the letter producing a halo lighting effect around the letter.



*Backlighted Letter*

7. Banner Sign: A sign made of fabric or any non-rigid material with no enclosing framework. A banner sign shall be a temporary sign as regulated by this Chapter. See also Section 1476.05(H)(6).
8. Bench Any bench, chair, seat or structure upon which a person may sit and which directs attention to a business, commodity service or entertainment conducted, sold or offered for sale. Bench signs are prohibited in the City.
9. Billboard: See Section 1476.03(37).
10. Building Director: Shall mean building director or designee thereof.

11. Cabinet Sign: A lettered glass or plastic panel lit by fluorescent lighting behind. This signage is prohibited in the business districts (C-1 C-2, and C-3).



*Cabinet Sign*

12. Changeable Copy Sign: Any sign on which the message, letters, characters, illustrations or other symbols can be changed, replaced or rearranged on the surface of the sign. This signage is prohibited in the business districts. (C-1, C-2, C-3). See also Section 1476.05(I).

13. Channel Letter: A fabricated or formed three-dimensional letter that may accommodate a light source.



*Channel Letter*

14. City: Shall mean the City of Berwyn, Illinois.
15. Construction Sign: A sign identifying the designers, contractor and financiers and other information regarding a project on the site where the sign is located. See also Section 1476.09(B)(1).
16. Cornerstone: Shall mean a permanent sign showing the name of the building, address, date of construction, name of the architect, name of the owner or similar information concerning a building, provided that where such sign is not integral with the design and structure of the building it shall consist of a cast metal plaque or similar object permanently affixed to the building. Included in the

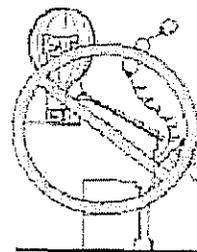
definition of cornerstone are the name of the building when presented as a part of the facade of the building, and decorative trim or other decoration device when designed and constructed as an integral part of the building, provided the same is purely ornamental and does not represent any trademark, logotype or other reference to the owner of the building or the products or services offered therein. No cornerstone may be a roof sign, or projecting and hanging sign or a painted sign and must be 'part of' as distinguished from 'attached to' a principal or accessory building.

17. Deteriorated: When applied to a sign or sign face shall mean a change in the condition of the sign such that structural members are weakened; fastenings are weakened or loosened; anchors are weakened or loosened; components of the sign such as letters, glass tubing, trim, access plane or other parts have become weakened, loosened, displaced or damaged, paint or other protective covering is worn away, flaked, peeling or loosened in whole or in part, and/or the sign face is flaked, peeling, worn away or damaged. A deteriorated sign or sign component need not be an unsafe sign or component and need not pose an immediate safety hazard.
18. Development Sign: A monument sign placed at the entrance to a residential, commercial or industrial subdivision, indicating the name of said subdivision.
19. Directional Sign: A sign designating the location or direction of any place or area.
20. Directory: Any permanent, enclosed changeable copy sign used to identify the occupants of a building or group of buildings and their location within the same. See also Section 1476.05(F).



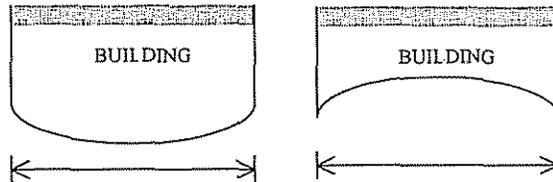
Directory

21. Electrical Sign: Shall mean any sign containing electrical wiring or any sign which is attached to or intended to be attached to an electrical power source including batteries or solar cells or any sign which is lighted by an electrical light source attached to the sign for purpose of providing light upon the sign surface.
22. Erect: As applied to signs and as used in this Chapter, shall mean the act of construction, placing, displaying, erecting, relocating or painting in place a sign, and shall not include the printing fabrication or painting of signs in a sign shop or in a location other than where the sign is to be displayed or any permitted aspect of sign maintenance when applied to an existing sign. Repainting an existing sign constitutes a new sign which requires a permit.
23. Eye Catcher: Shall mean a temporary sign or device which flutters or moves in the wind, which revolves, moves or changes shape, or which reflects light in a startling or unusual way or which emits light, changes color, or turns on and off in such a way as to attract or capture the attention of a passerby. For the purposes of this definition, it shall not be a requirement that eye catchers contain or put forth any particular message or other information. However, the presence of a message or other information attached to or incorporated into the design of the eye catcher as defined herein shall not serve to classify it as any type of sign other than an eye catcher. Included here are strings of flags, pennants, whirly gigs, balloons or other inflatable items, or other wind-driven devices, flashing lights, search lights, novelty items or similar devices but without limitation to their being specifically included herein. Said type of sign is prohibited.



*Eye Catcher*

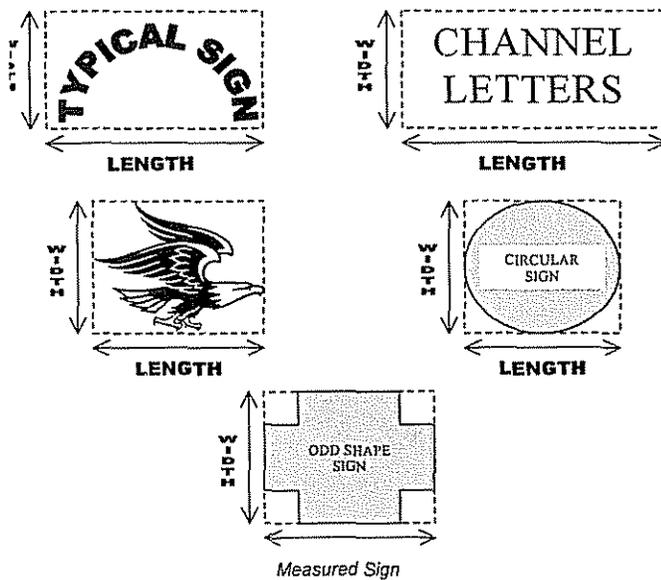
24. Facade: Shall be all window and wall area in the front plane or elevation of a building or storefront. In the case of a two-story building, only the first level shall be used in calculating the facade area. For purposes of calculating wall signage, if the facade is not a straight line, the facade shall be the lineal distance measured from corner to corner at grade level.



25. Firm: Shall mean any partnership, corporation, group or association whether constituted on a for-profit or not-for-profit basis.
26. Flag: Shall be a lightweight fabric, or other material with patterns and colors, which is meant to move in the wind. Flags of any political subdivision, corporation, church, nation or organization, or those flags which celebrate a holiday or season are allowed. All other flags are prohibited.
27. Frontage: Shall mean, for the purposes of this Chapter only, a lot line or the length of a lot line, which is also the line of any public street right-of-way other than an alley. The frontage of the lot or parcel that is legally created or described as extending to the center line of a street shall be measured along the line which denotes the edge or boundary of the easement established for the street. The street shall exist or have been created for street purposes and may be a limited access or controlled access roadway but shall not be a utility right-of-way, drainage way, park or railroad and shall not be an alley.
28. Ground Sign: A free standing sign permanently attached to or supported by a foundation. Not attached to any building. Some examples of ground signs include, but are not limited to, pole signs and monument signs.
29. H-Channel Letter: A dimensional letter with baffles at the center of the cross-sectional shape for support of neon tubing and mounting of transformers.

30. Illegible: When applied to a sign shall mean any sign on which there are missing letters or words, a deteriorated sign face or an obscured sign face such that the recognition of the symbols or words or the cognition of the sign message is not immediate, requires a longer time than would be required if the missing, damaged or obscured parts were repaired or replaced. Any sign on which ten percent of the letters, words or symbols are missing, damaged or obscured shall be considered illegible for purposes of this Chapter.
31. Linear Feet: Shall mean the measurement of distance per foot in a straight line.
32. Maintain: Shall mean the act of restoring, preserving, refurbishing, cleaning, renewing, painting, repainting, or keeping within the public view the sign or signs.
33. Marquee: Shall mean and include any fixed hood or canopy, constructed of metal or other incombustible material and extending over the public right-of-way and providing a roof over the entrance of a theater, hotel, motel, restaurant, auditorium or similar use. See also Section 1476.05(K).
34. Measured Sign: All permanent signs for which this Chapter establishes restrictions upon the area of the sign or upon the total area of the signage to be displayed upon a lot.
35. Measured Sign Area: Shall mean the area of the sign face determined in one of the following ways and upon which the regulations of the amount of signage permitted by this Chapter is based:
- a. The measured sign area shall be taken as the area inside a perimeter determined by connecting with straight line segments the extreme outside corners or edges of the sign face. When individual letters are used, the sign area shall be determined by the above procedure and shall include all of the blank space, as well as the individual letters, in the square foot area thus determined.
  - b. Where the sign contains more than one face facing in the same direction, the perimeter shall enclose all such faces.

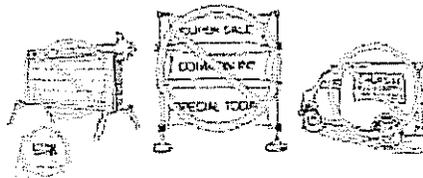
- c. Where the sign contains identical faces facing in opposite directions, the measured sign area shall only be counted once.
- d. All measurements shall be made from the actual sign or from scaled drawings and shall be accurate within one square foot. All measured sign areas are expressed in square feet.



- 36. **Name Plate:** Shall mean a sign containing the name or street address and occupation or profession of the occupant of a building.
- 37. **Off-premise Sign:** Shall mean a sign, other than an outdoor advertising sign, which refers to a place of business or event at a location other than the lot upon which the sign is erected. Off-premise signs are prohibited in the City.
- 38. **Outdoor Advertising Sign (Also "Billboard"):** Shall mean a sign, sign board, wall or other framework, device or other structure erected and maintained for the

purpose of displaying commercial and other message for hire. See Sections 1476.04(K) and 1476.04(L). Outdoor advertising signs shall be removed by pursuant to Section 1476.04(I)(3).

- 39. Painted Wall Sign: Shall mean any wall sign that is applied directly to the wall or other surface of any existing building or other structure without any support or surface preparation other than paint, primer, or similar products or materials. A painted wall sign is a prohibited sign. Existing painted wall signs shall be removed pursuant to Section 1476.04(I)(3). See Section 1476.04(L).
- 40. Pennant: Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind. This is considered an eye-catcher and hence is prohibited.
- 41. Person: Shall mean a person, partnership, corporation, firm, association or other body or individual.
- 42. Pole Sign: A type of ground sign.
- 43. Portable Sign: Shall mean any temporary ground sign or any other ground sign that does not conform to the regulations for sign construction and erection. Portable signs are prohibited in the City. See also Section 1476.04(L).



Portable Sign

- 44. Projecting and Hanging Sign: Shall mean any sign which is attached to a building or other structure and projects into or overhangs the public right-of-way or other public land except that a wall sign the face of which is parallel to the wall upon which it is located and which projects is not more than one foot into the public right-of-way or other public land shall not be

considered a projecting and hanging sign for the purposes of this Chapter. Projecting and hanging signs are prohibited in the City.

- 45. Real Estate Sign: Any sign indicating that the premises upon which it is located is available for sale or lease. A real estate sign may be either a ground sign or a wall sign. Real estate signs must conform to the requirements of Section 1476.05(J).
- 46. Relocatable Sign: (Mobile sign) shall mean a permanent sign which is designed to be moved from one location to another for the purpose of advertising events or locations including trailer signs, and including signs that have either a fixed message or changeable copy message board. Such relocatable signs are prohibited in the City. See also Section 1476.04(L).
- 47. Reverse Channel Letter: A fabricated dimensional letter with opaque face and side walls.
- 48. Roof Sign: Shall mean any sign erected or constructed on or over the roof of any building or other structure or which extends above the cornice line of the building upon which it is located and supported in whole or in part by such building or structure. Roof signs are prohibited in the City. Existing roof signs shall be removed pursuant to Section 1476.04(l)(3). See also Section 1476.04(L).
- 49. Rotating or Moving Sign: Any sign which revolves, rotates, swings, undulates, or otherwise attracts attention by moving parts, whether operated by mechanical equipment or by natural sources, but not including flags or banners. Rotating or Moving signs are prohibited in the City.
- 50. Sign: Shall mean any placard, announcement, illustration, depiction, insignia, banner, fixture, or other object used to advertise or promote the interests of any person, product, event or other activity when placed out of doors or in a window, or other building opening in view of the general public or private property. The term shall include any supporting structure or trim and shall also include any light or sound emitted from such sign or object the purpose of which is to attract attention to the sign and any light or light fixture to sole purpose of which is to illuminate such sign.

51. Signage: Shall mean the collection, aggregation or sum total of signs located on a lot, pertaining to a particular use or class of uses, subject to a particular regulation or standard, or however else aggregated.
52. Sign Components: For the purpose of this regulation, there are three components to a sign: the sign face, the supporting structure and the structural trim.
53. Sign Band: Shall mean the horizontal wall area immediately over the storefront and below the second floor line.
54. Sign Face: Shall mean the surface of the sign upon which the message, logotype, symbol, or other device is located including surrounding moldings, trim, decorative trim or any portion of the sign which is painted with a distinctive color scheme or in colors which contrast in hue or value with the painted or natural colors of the supporting structure or structural trim, if any.
55. Skeleton Sign: Shall mean a measured sign where individual letters are bracketed to a free-standing support. See also Section 1476.05(A)(5)(a).



*Skeleton Sign*

56. Snipe Sign: A temporary sign or poster affixed to a tree, fence, etc.
57. Solid Sign: For purposes of construction specifications, a non-skeleton sign. See also Sections 1476.05(A)(5)(a) and 1476.05(A)(5)(b).
58. Structural Trim: Shall mean any battens, capping, nailing strips, laticing, platforms, railings and light fixtures attached to or used in conjunction with a sign.
59. Supporting Structure: Shall mean all load bearing members including uprights, cross bars, diagonal braces, guys, light fixture supports

and similar components. The exposed back of any sign face shall be considered part of the structure.

60. Swinging Sign: A sign that is installed on an arm or mast or spar that is not, in addition permanently attached to an adjacent wall or upright. Swinging signs are prohibited. See also Section 1476.04(L).
61. Temporary Sign: Any sign irrespective of the type of sign or the materials used for its construction which is restricted by the terms of this Chapter as to the length of time that it may be erected, maintained, used or displayed. See also Section 1476.04(B), and Section 1476.09.
62. Wall Sign: Any sign which is attached to and supported by the wall of a building or other structure provided the sign face is parallel to the wall to which the sign is attached See also Section 1476.05(D).
63. Window Sign: Any permanent sign displayed inside the window or a doorway of a building or upon the interior wall of a building opposite a window in such a way as to be clearly visible from the outside. See also Section 1476.05(G).

#### **1476.04 General Regulations.**

The standards, regulations and procedures established by this Chapter shall apply to all signs erected, displayed or maintained in the City, including all exterior signs and all interior signs located in windows, doorways or other building openings which are clearly visible from the building exterior, except for exempt signs as provided in Section 1476.04(J).

##### **(A) Sign Area.**

1. Wall sign area shall not exceed one and one-half (1.5) square feet per lineal foot of lot frontage. See sections 1476.05(D), 1476.07(A) and 1476.07(B).
2. Ground sign area shall not exceed one-half (.5) square feet per lineal foot of lot frontage See sections 1476.05(E), 1476.07(A) and 1476.07(B).

##### **(B) Classification of Signs.**

For purposes of this Chapter, signs are classified into three groups as follows:

1. Measured Signs: All permanent signs for which this Chapter establishes restrictions upon the area of the sign or upon the total area of the signage to be displayed upon a lot including all business identification and on-premise advertising signs
2. Accessory Signs: All other permanent signs shall be considered accessory signs including on-site directional signs for vehicles and pedestrians, parking restrictions, warning and similar signs. Any accessory sign that exceeds the size limitations established by this Chapter for such signs or any accessory sign which bears a logotype, corporation symbol, or similar device in excess of the standards established for such names shall become a measured sign and part of the regulated area of the signage.
3. Temporary Signs: A temporary sign is any sign irrespective of the type of sign or the materials used for its construction which is restricted by the terms of this Chapter as to the length of time that it may be erected, maintained, used or displayed. In addition, the term "temporary sign" shall include any sign constructed of temporary, unsubstantial or inherently fragile materials such as paper, cardboard, water soluble paints and other such materials. See also Section 1476.09.

**(C) Permits.**

Except as provided in Section 1476.04(K) and Section 1476.09, it shall be unlawful for any person to erect, modify, or maintain any measured sign or any temporary sign for which a permit is expressly required without first obtaining a Sign Permit from the Building Department and making payment of the fee required.

In addition, all electrical signs including otherwise exempt signs, electrical access signs and electrical temporary signs subject to the regulations of the Electrical Code of the City shall be subject to the permit and fee requirements established therein.

1. Application for Sign Permit. An application for a sign permit shall be made upon forms provided by the Building Director and shall contain or have attached thereto the following information:

- A. Name address and telephone number of the person responsible for the erection of the sign.
- B. Name, address and telephone number of the owner of the sign if different from the above.

- C. Name, address and telephone number of the owner of the property or building upon which the sign is to be erected, if different from the above.
- D. The location of the property or building upon which the sign is to be erected.
- E. A drawing or other representation of the sign, showing the height and position of the sign and its relationship to lot lines, building set back lines, buildings or other structures on the property, if any; and buildings or other structures on the adjoining properties, if any. In the case of a wall sign, the location on the facade must be indicated.
- F. Two sets of plans and specifications for the sign and its methods of attachment to either the ground or to a building, and one copy of a stress sheet and calculations bearing the seal of an architect, engineer, or manufacturer showing that the sign is designed for dead load and wind pressure as required by the Building Code of the City or other applicable ordinances of the City. This requirement may be waived for all wall signs and ground signs where the Building Director finds that he is provided with sufficient information in Section 1476.04 above to determine compliance with all of the requirements of this Chapter. His determination shall be based on consideration of location, size, weight, materials and method of attachment, none of which shall represent a threat to public safety.
- G. Two sets of plans or other diagrams and specifications for all electrical components of the sign and the electrical service to the sign or the Underwriters Laboratories certificate number for the sign in question.
- H. A written statement of the consent of the owner of the building or other structure or the land upon which the sign is to be erected.
- I. A signed copy of the insurance policy or bond as required by Section 1476.04(E).
- J. Such other information as the Building Director shall require showing full compliance with this Chapter and all other applicable laws and ordinances of the City.
- K. A receipt for the full amount of the fees required by this Chapter and for the erection of a sign and all other applicable ordinances of the City.
- L. Signs installed without first obtaining a permit are illegal and shall be removed until such time as a permit is obtained. The permit fee for reinstalling such a sign shall be doubled and subject to fines per

section 1444, and the sign shall not be reinstalled until such time as all requirements herein are complied with.

2. Issuance of Permits. Upon receipt of the completed application, the Building Director of the City shall review the application, plans, specifications and other information required and shall, where they deem necessary, inspect the site and location of the proposed sign, and upon reaching a determination that the proposed sign meets the requirements of this Chapter and all other applicable ordinances, shall issue a sign permit. If the proposed sign does not meet the requirements of the Chapter, the applicant shall be informed in writing that his application has been denied. The Building Director shall take formal action on the application within thirty days of the date the application was filed. Failure to take action within 30 days shall be deemed a denial.

3. Revocation of Sign Permits. All rights and privileges acquired under the provisions of this Chapter are mere licenses and are revocable for cause by the Building Director. Further, if the work authorized by the sign permit is not completed within six months of the date of issuance of the permit or by the agreed date for the completion of the sign as shown on the permit, such permit shall become null and void. The Building Director may, upon written request, grant an extension of the completion date of up to three months.

4. Appeal. Any person aggrieved by a denial or revocation by the Building Director concerning any provision of this Section, may appeal to the Zoning Board of Appeals within five (5) days of such decision. The Building Director shall take no further action on the matter pending the Zoning Board of Appeals decision, except unsafe signs which present an immediate and serious danger to the public may be removed. The appeal shall be heard by the Zoning Board of Appeals in accordance with the rules, regulations and bylaws adopted for this purpose set forth in Chapter 1244.

**(D) Sign Contractor Registration.**

1. Registration Required. No person or firm shall perform any work or service for any other person, with or without compensation in connection with the erection, relocation, construction, reconstruction or maintenance of a sign as regulated by this Chapter unless the person or firm performing the work is a registered sign contractor with the City.
2. Exception. Notwithstanding the above requirement, a general contractor, or appropriate subcontractor may, in the normal course of the construction of a building, erect, construct or install a cornerstone or similar devices as provided in Section 1476.04(K).
3. Application. Application for a sign contractor registration shall be made in writing to the City Collector and shall be accompanied by a statement of the applicant's qualifications, competency, the required license fee and bond or insurance policy as provided below.

**(E) Indemnification.**

1. Sign Contractor's Indemnification. All persons engaged in the business of erecting or maintaining signs in the City which involves, in whole or in part, the erection, installation, relocation, maintenance of a sign or other sign work immediately adjacent to a public right-of-way or in, over, or immediately adjacent to other public property so that a portion of the public right-of-way or public property is used or encroached upon by the sign contractor, shall agree to hold harmless and indemnify the City, its officers, agents and employees from any and all claims of negligence or damage suffered resulting from the erection, alteration, relocation, maintenance or other sign work insofar as this Chapter has not specifically directed the placement of a sign.
2. Bond Requirements. Every applicant for a permit required by this Chapter shall, before the permit is issued, file with the City Collector, a license bond in the sum of \$25,000 executed by the applicant and an approved surety company, and conditioned on the faithful observance of this Chapter and all amendments thereto and to the terms and conditions of any variations granted hereto and to any other law and ordinance of the City relating to signs, other advertising structures, marquees or awnings, of said applicant, or by reason of any damages or injury wrongfully caused by or resulting there from In addition, a certificate of liability insurance issued by an insurance company authorized to do business in the State of Illinois, with bodily injury limits of at least \$1,000,000 per occurrence, and \$1,000,000 aggregate and property damage insurance of at least \$500,000 per occurrence and \$500,000 aggregate. Registered sign contractors shall not be required to file such bond or liability insurance policy for each sign permit provided that the bond and policy is filed with the application for the contractor's registration and faithfully and continuously renewed. Such insurance shall not be cancelled or reduced without the insured giving thirty days written notice to the City of such cancellation or reduction.

**(F) Fees for Sign Permits.**

Fees for all required permits, plan reviews, inspections, electrical permits for signs, and annual fees on variances shall be paid in accordance with Chapter 1444 of this Code.

**(G) Inspections.**

All signs shall be subject to an initial inspection as provided herein and no person shall put into use or maintain in use any sign until a certificate of inspection has been affixed to the sign permit by the Building Department of the City.

Owner's Obligation. Whether or not an annual license or permit is required or issued, it shall be the obligation of the owner of any sign to maintain such a sign in conformance with the provisions of this Chapter at all times.

The Building Director shall inspect, at any time deemed necessary, each sign regulated by this Chapter to ensure that any sign conforms to this Chapter and all other ordinances of the City.

**(H) Maintenance of Signs.**

All signs shall be maintained in a safe, legible and good condition.

1. Safety: All signs shall be maintained to the same structural standards by which they were approved or, in the case of nonconforming signs, the standard by which they would have otherwise been approved. All metal parts which are subject to rust or corrosion shall be painted at all times, all anchors and other fastenings shall be maintained in a secure and functioning condition capable of sustaining the loads for which they were designed. All sign faces shall be smooth and free from nails, tacks, wires, splinters and other hazards.
2. Legibility: All signs shall be maintained in a legible condition. Painted signs shall be repainted at such times as the deterioration of the paint results in illegibility or disfiguration. Repainting an existing sign constitutes a new sign which requires a permit.
3. Condition: All glass panes or panes of other materials that comprise the sign face shall be immediately replaced if broken. All electrical components, switches, lamps, relays, fuses and similar devices shall be maintained in good working order.

**(I) Nonconforming Signs.**

1. Any sign which was erected prior to the adoption of this Chapter and in conformance with the requirements of the sign ordinance in effect at the time of its erection but which fails to meet the size, location or other applicable requirements of this Chapter, shall be considered a legal nonconforming sign and shall be permitted to continue in such status until the earlier of such time as it is either abandoned, removed by its owner or the amortization period, as defined in Section 1476.04(I)(3) has expired. A legal nonconforming sign may be maintained only in conformance with the following regulations:

- a. Inspections: All nonconforming signs of a type for which an annual license is required shall be inspected and any deficiencies in the condition of the sign shall be corrected as provided in Section 1476.04(H).
- b. Fees: All nonconforming signs of the types for which annual license fees are established as provided in Chapter 1444, shall be charged such fees. Failure to pay such annual fees in the manner prescribed shall be cause for the immediate removal of a nonconforming sign.

2. Removal of Nonconforming Signs. Notwithstanding the requirement for the payment of annual license fees, a legal nonconforming sign may continue in such status unless any of the following regulations applies:

- a. Alteration in any way except for normal maintenance and repair.
- c. All nonconforming signs or all components of nonconforming signs which are prohibited signs as provided in Section 1476.04(L) other than signs described herein shall be removed as provided in Section 1476.04(I)(3) below and shall not be re-established.
- d. All nonconforming signs, which are abandoned signs as provided in Section 1476.04(J), shall be removed immediately upon passage of this Chapter.
- e. Any existing sign that the Police Department finds to be nonconforming with respect to Section 1476.05(B)(7) shall be removed immediately following notification by the Police Department. Such signs may be relocated or re-erected in a conforming manner.
- f. The nonconforming signs of any business or other legal entity which ceases the activities to which the signs apply or which is replaced by a different business or other entity shall be removed, relocated or rebuilt in a conforming manner. Relocating or rebuilding a sign constitutes a new sign which requires a permit.
- g. The nonconforming signs of any business or other activity which changes ownership but which continues the operation of the business or activity may be continued as legal nonconforming signs for a period of ninety (90) days.
- h. All temporary nonconforming signs shall be removed and shall not be reestablished except in compliance with this Chapter immediately following the date of the event to which the signs pertain or, in cases

where no such date is specified, either by ordinance or by permit, within thirty (30) days.

- i. Any nonconforming sign, which the Building Director finds to be unsafe, shall be removed immediately.
- j. No sign shall be moved in whole or part to any other location on the same or any other lot unless every portion of such sign is made to conform to all regulations of this Chapter and other applicable regulations of the City.
- k. A nonconforming sign which is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration to the condition in which it was before the occurrence shall exceed fifty percent (50%) of the cost of the replacement of the entire sign, shall not be restored unless said sign shall conform to all of the regulations of this chapter and other applicable regulation of the City.

3. Amortization of Nonconforming Signs. Not later than five (5) years from the date of passage of this Chapter, all nonconforming signs must be removed or brought into full compliance with the requirements herein.

**(J) Abandoned Signs.**

The following regulations shall govern abandoned signs.

- 1. For the purpose of this Chapter, the following signs shall be deemed abandoned:
  - a. Any sign, which is located on property which becomes vacant and which remains vacant for a period of 30 days except that real estate signs in accordance with Section 1476.05(J) may be displayed thereon.
  - b. Any sign, wherever located, which refers to a business or other activity, which has become vacant and remains vacant for a period of 30 days.
  - c. Any sign for which an annual permit or license fee is charged and where the owner of such sign fails to obtain such permit or license within 60 days of inspection and proper notification.
  - d. Any sign announcing an event or the date or dates of an event which has passed, except permanent signs announcing the opening of a new business or activity provided that the references to the dates of the

opening are removed upon opening. See also Section 1476.09(B)(2)(d).

- e. Any dilapidated, deteriorated, unreadable, illegible, structurally unsound, or unsafe sign.

2. Removal of Abandoned Signs. It shall be the responsibility of the owner of any property upon which an abandoned sign is located to remove such sign either immediately or within the time period otherwise established in Section 1476.04(J)(1) above. Removal of an abandoned sign shall include the removal of the entire sign including the sign face, supporting structure and structural trim. Where the owner of the property on which an abandoned sign is located fails to remove such sign in a timely manner, the Building Director may remove such sign. Any expense directly incurred in the removal of such sign shall be charged to the owner of the property. Where the owner fails to pay, the City may file a lien upon the property for the purpose of recovering all reasonable costs associated with the removal of the sign.

**(K) Exemptions.**

The provisions and regulations of this Chapter shall not apply to the following signs; provided, however, that such signs shall be subject to the Electrical Code of the City, the regulations governing the removal of unsafe and unlawful signs, and the regulations herein.

1. Traffic control signs, warning signs and temporary construction and routing signs erected, maintained or operated by a governmental agency in conformance with the Manual for Uniform Traffic Control Devices.
2. Signs authorized and erected by the City, including public notices posted by public officials or employees in the performance of their duties.
3. The signs of any other governmental agency erected and maintained in the furtherance of agency's official mission, duties and responsibilities.
4. Warning signs placed by utility companies or others in areas of danger that are accessible to the public.
5. Identification tags, labels, plaques and signs used by utility companies and other organizations to identify fixed operating equipment and for similar purposes.
6. Signs on poles which indicate towing regulations or restrictions.
7. Homeowner's signs indicating items of personal property "for sale", "beware of dog", "no trespassing" and similar signs may be displayed upon residential property provided such signs pertain to an actual offering for sale or announce

an actual warning and provided further that such signs do not exceed two square feet in area and are not located in any required yard.

8. Outdoor advertising sign (including legal nonconforming outdoor advertising signs) erected and maintained in conformance with the Outdoor Advertising Ordinance of the City.
9. Political signs may be displayed without permit provided that such signs are not located in the public right-of-way, attached to utility poles or trees and provided further that such signs are removed after the election or referendum.
10. Religious signs may be displayed without permit provided that such signs are not located in the public right-of-way or attached to utility poles or trees. Not included in this exempt section are signs identifying places of religious worship, which are considered measured signs and included in the terms of this Chapter.
11. Real estate signs in conformance with the requirements of Section 1476.05(J) herein.
12. Seasonal decorations, including items of a primarily decorative nature associated with national, local or religious holidays. Such seasonal decorations visible from the public right-of-way shall be removed within thirty (30) days after the event.
13. Snipe signs and temporary signs advertising garage sales, estate sales, bazaars, and rummage sales and similar events may be displayed during the time of the event. Such signs shall not be attached to any utility poles, light standard, tree, or placed in any right-of-way.
14. Temporary window signs of non-permanent materials such as paper, poster board or similar materials may be displayed in any window provided such signs do not occupy more than 20% of the area of the window. However, such signage may not obscure entry areas or prevent the general public or public safety personnel from viewing interior or exterior activity.
15. Signs on vehicles provided such signs are not relocatable signs as regulated by this Chapter and provided further that such vehicles are fully operable and licensed by the State of Illinois and are being operated in normal and customary fashion. Such signs are limited by the provisions of Section 1476.04(L)(7) herein.
16. Official flags, pennants or insignia of any governmental or nonprofit organization and flags of any country.
17. Construction signs. See Section 1476.09(B) for requirements.

18. Any sign designated by the Historic Preservation Commission as having a historic quality.

**(L) Prohibited Signs.**

The following signs, parts of signs, characteristics of signs, and sign-like objects are prohibited and may not be erected, maintained, continued or used in the City:

1. Any sign or similar object, color, light, shape or combination thereof which resembles an official traffic control device or sign, or is a representation of such a traffic control device or sign.
2. Any obscene language or graphic material or other representation of an obscenity or obscene act.
3. Any sign, signal or similar device which emits music, speech, simulated speech or any other sound on a regular or intermittent basis.
4. Any sign affixed to a tree.
5. Any sign affixed to a utility pole, public light or street light, traffic control device or similar standard used for lighting, such as parking lot lights.
6. Any sign or similar device, which contains a strobe light or any other high intensity light, which is emitted on a periodic or intermittent basis, or any such light used as an eye catcher.
7. Any sign attached or painted onto an inoperable or unlicensed motor vehicle or any sign attached to a licensed vehicle within 50' of the public right-of-way or on the property to which the sign thereon refers.
8. Any outdoor advertising sign which is not a permitted sign (including legal nonconforming outdoor advertising signs) under the Berwyn Outdoor Advertising Sign Ordinance. Outdoor advertising signs shall be removed pursuant to Section 1476.04(I)(3).
9. Bench signs as defined herein.
10. Cross-Street Banners. Banners strung across the public right-of-way are prohibited.
11. Rotating or moving signs as defined herein.
12. Eye catchers as defined herein.
13. Any off-premise sign as defined herein.

14. Portable signs as defined herein.
15. Painted wall signs as defined herein. Existing painted wall signs shall be removed pursuant to Section 1476.04(l)(3).
16. Projecting and hanging signs as defined herein.
17. Relocatable (mobile) signs as defined herein.
18. Roof signs as defined herein. Existing roof signs shall be removed pursuant to Section 1476.04(l)(3).
19. Swinging signs as defined herein.
20. Larger than life size inflatable and/or plastic figures representing tradespersons, animals, products or other figures commonly associated with a particular business or occupation.
21. Any sign painted on the roof of a building, pavement or other surface or structure.
22. Any otherwise exempt sign, which exceeds the regulations or restrictions for size, location or time of display, placed on such exempt signs by Section 1476.04(K).

**(M) Removal of Signs.**

Signs required to be removed by this Chapter shall be removed in accordance with the following regulations:

1. It shall be the responsibility of the owner of the property upon which a sign is located to remove such sign as required by this Chapter, except that where a sign is a leased sign being maintained under the terms of a current lease, it shall be the responsibility of the owner of the same sign to remove same. In any case in which a sign has been removed by the Building Director or by a private contractor at the direction of the Building Director in accordance with the provisions of this Chapter, any cost directly incurred in the removal of such sign shall be charged to the owner of the property. If the owner fails to pay such costs to the City within thirty days, then the City may file a lien upon the property for the purpose of recovering all reasonable costs associated with the removal of the sign.
2. Nonconforming signs shall be removed in accordance with the provisions of Section 1476.04(l) and this Section.

3. Abandoned signs shall be removed in accordance with the provisions of Section 1476.04(J) and this Section.
4. Prohibited signs and other signs erected subsequent to the passage of this Chapter and found to be in violation of this Chapter shall be removed by the owner of such sign within thirty days of receiving notice of such violations. If after thirty days such sign has not been removed, the Building Director may remove it as provided in Section 1476.04(J)(2), above.
5. Any permitted or prohibited sign that becomes a danger to the public, because of damage to or deterioration of the structure must be removed immediately. Where the owner cannot be immediately contacted, the Building Director may order such sign removed as provided in Section 1476.04(J)(2), above.

### **1476.05 Regulations for Particular Signs**

The following regulations shall govern the design, erection and maintenance of the various types of signs wherever permitted.

#### **(A) Sign Construction.**

All signs other than temporary signs shall be constructed in conformance with the following regulations:

1. All wall sign, ground sign, monument sign, directory, or any other measured sign shall be designed by an architect, structural engineer or manufacturer and must be in compliance with the Building Code of the City.
2. All electrical signs shall bear the seal of Underwriters Laboratories or an equivalent agency engaged in practice of making safety inspection and certifications of electrical equipment.

Construction specifications:

3. All ground sign structures shall be self-supporting structures and permanently attached to sufficient foundation which shall include architectural treatments such as brick or stone.
4. Electrical service to ground signs shall be buried or otherwise concealed.
5. All signs, except those attached flat against the wall of a building shall be constructed to withstand wind loads as follows, with correct engineering adjustments for the height of the sign above grade:

- a. For solid signs, 30 pounds per square foot on the largest face of the sign and structure.
  - b. For skeleton signs, 30 pounds per square foot of the total face cover of the letters and other sign surfaces, or 10 pounds per square foot of the gross area of the sign as determined by the overall dimensions of the sign, whichever is greater.
6. No sign shall be suspended by chains, or other devices that will allow the sign to swing due to wind action. Signs shall be anchored to prevent any lateral movement that could cause wear on supporting members or connections.
  7. Support and braces shall be an integral part of the sign design. Angle irons, chains, or wires used for supports or braces shall be hidden from public view.
  8. All signs shall be marked with the manufacturer's name in a size easily visible from the ground. All electric signs shall also include: for incandescent lamps, the number of lamp holders; for electric discharge lamp signs, the input amperes at full load and the input voltage.

**(B) Sign Erection.**

All signs shall be erected in accordance with the following regulations:

1. Wall signs. All wall signs shall be safely and securely attached to the building by means of metal anchors, bolts or expansion screws or other fastening approved by the Building Director and imbedded in the wall. However, such signs may rest or be bolted to heavy metal brackets or saddles each of which shall be attached to the wall as provided above. In no case shall any sign be secured to a building with wire, strips of wood or nails. The Building Director shall approve the methods and materials used in the erection of all wall signs.
2. Pole signs. All pole signs, directories and similar approved free standing signs shall be erected on posts or standards extending at least 72" below the natural surface of the ground. All posts or standards shall be protected from moisture and corrosion below grade.
3. Ground Signs. All ground signs and similar approved free standing monument signs shall be secured to a brick/stone base which in turn will be secured to a concrete foundation extending at least 42" below the natural surface of the ground
4. Window Signs. All window signs other than painted signs shall be safely and securely attached to the window frame or other structural member and shall not be fastened to the glass. No window sign shall be located in such a way

as to block or prevent ingress or egress through any window, doorway or any required fire opening.

5. Safety. All signs shall be installed and maintained in a workmanlike manner using equipment, which is adequate and safe for the task. The Chapter recognizes that one of the greatest perils to public safety is improper performance of sign contractors in the use of inadequate equipment. As such, the Building Director may deny a sign permit if the sign contractor does not have or does not arrange for the use of adequate equipment. The Building Director may also cite the sign contractor for a violation of this Chapter if he fails to use proper equipment in the maintenance of a sign.
  
6. Electric Signs. This Chapter recognizes that electric signs are controlled under the special equipment provisions of the Electrical Code of the City. It also recognizes that the electric sign contractors have developed a specialized trade of high voltage discharge electric sign installation and maintenance to properly install and service high voltage electric signs. Electric sign contractors and their employees are hereon authorized to perform the following specific tasks:
  - a. Install exterior electric signs, ballasts, or high voltage transformers to sockets or outline lighting tubes, and may connect said signs to primary branch circuits, if said circuits already exist outside of the building.
  - b. Install interior electric signs, but may not connect said signs to the primary branch circuit.
  - c. Maintain and replace any electric component within the sign, on its surface, or between the sign and building for exterior signs only. This Chapter prohibits the electric sign contractor or its employees from performing work on electric signs in contradiction to the Electrical Code of the City.
  
7. Location. All signs shall be located in conformance with the requirements of Section 1476.05 and 1476.06, In addition, signs shall be located so as to provide for the clear view of any traffic control sign or device and no sign shall be erected so as to obscure such a device or so as to create a situation in which it is difficult to distinguish the traffic control device from the sign. The location of any sign at an intersection at which there are traffic signals shall first be approved by the Police Department.

**(C) Lighting.**

The lighting of all signs shall conform to the following regulations:

1. Signs may be lighted internally or externally with a lighting fixture the sole purpose of which is to light a sign. The lighting fixture shall be construed, for purposes of this Chapter, to be a part of the sign.
2. All external lighting fixtures and reflectors shall be provided with the proper glass lenses or hoods concentrating the illumination on the area of the sign and preventing glare upon the street or other adjacent property. No floodlight or spotlight of the simplified industrial type shall be permitted.
3. The lettering or advertising designs to be illuminated internally may be composed of glass or other transparent or translucent material provided that any glass forming the sign face shall be laminated safety glass, tempered glass or wired glass at least one-quarter inch thick.
4. All lighting fixtures and all electrical service may be approved by the Electrical Inspector if they conform to the Electrical Code of the City.
5. Under no circumstances shall signs or sign components be used as site lighting or exterior lighting.

**(D) Wall Signs.**

1. Wall sign shall mean any sign, which is attached to and supported by the wall of a building or other structure provided the sign face is parallel to the wall to which the sign is attached. Further, where the wall treatment of a building establishes a sloping wall or a "mansard roof" wall treatment, a wall sign may be located on such a sloping surface or "roof". The face of a sign located on a sloping roof may be vertical and need not parallel the sloping surface of the wall.
2. Size. See Section 1476.04(A).
3. Location:
  - a. A wall sign shall not project more than one foot from the wall to which it is attached.
  - b. A wall sign shall not cover partially or wholly any wall opening.
  - c. A wall sign shall not project beyond the ends of a wall to which it is attached nor shall it project above the lowest point of the eaves or the cornice line or cap of the wall to which it is attached.

4. No wall sign can project into or overhang the public right-of-way or other public property.
5. No wall sign shall be located so as to prevent fire access from any door, window or fire escape.

**(E) Ground Signs.**

1. Ground sign (or pole sign) as permitted by this Chapter shall mean a sign permanently attached to or supported by a foundation in the ground.
2. Design. The primary supporting structure (uprights) of a ground sign shall be constructed from circular, square or rectangular sections of steel, wood, brick, stone or other material approved by the Building Director. All secondary supporting members, braces, guys, structural iron, flanges, and electrical components shall be concealed. All exposed structural materials or covering materials shall have a permanent finish and shall be maintained in a safe condition as provided in Section 1476.04(H). The base of any vertical ground sign shall be landscaped with a planting of low evergreen shrubs or other decorative screening for the foundation but not to exceed four feet in height. The landscaped area shall equal one square foot for every square foot of sign face.
3. Height of Ground Signs. A ground sign shall have no part of the sign higher than the height of the principal building on the lot.
4. Location. Ground signs shall be located within the property lines and no part of the sign shall overhang the public right-of-way or any adjoining property. The following additional regulations shall apply to the location of ground signs:
  - a. In all residential districts, ground signs shall be set back five feet from the public right-of-way.
  - b. A ground sign shall not be located within 100 feet of any other ground sign on the same lot or zoning lot.
  - c. In any yard adjoining the intersection of street, alleys or driveways, a ground sign shall be designed or located in such a way that it does not interfere with the clear view of motorists and pedestrians. Such sign shall be three feet in height or less or shall be set back from the intersection in such a way as to maintain the clear view of the intersection by both motorists and pedestrians. At minimum in intersection situations, the sign shall not be placed within a sight triangle having one side along the property line or sidewalk a distance of 15 feet from the intersection; the second side along the other

property line, sidewalk, alley or driveway a distance of 15 feet from the intersection, and the third side along a line between the two points on the other two sides which are 15 feet from the intersection. The following exceptions may be permitted by the Building Director where he finds that the resultant sign will not obscure vision at the intersection: an accessory sign of four square feet or less or a ground sign supported by a structure having a width of eighteen inches, when measured at the widest point, or less and the lowest point of the sign at least ten feet above grade.

**(F) Directories.**

1. Directory shall mean any permanent, enclosed changeable copy sign used to identify the occupants of a building or group of buildings and their location within the same or similar events where such sign is located on the same premises as the building or buildings and where such sign contains no more than eighteen square feet of measured sign area.
2. Location:
  - a. In districts for which there is no required front yard, directories may be located at the property line. In all other areas, directories shall be set back at least five feet.
  - b. There shall be no more than one directory for each street that the lot or building fronts upon, except that where a building adjoins one or more additional streets, one additional directory shall be permitted for each such street face that contains a point of public access to the building.
  - c. Additional directories may be erected when located within the building lines established for the lot upon which they are located, provided that such additional directories shall be counted as measured signs.

**(G) Window Signs.**

1. Window signs shall mean any permanent sign or similar device displayed inside the window or a doorway of a building or upon the interior wall of a building opposite a window in such a way as to be clearly visible from the outside.
2. Any permanent window sign, any window sign constructed of permanent materials or any lighted window sign is a measured sign. No window sign shall

have a total measured sign area in excess of twenty percent (20%) of the opening in which it is located except that neon borders or other decorative borders on a transparent window shall be measured using the actual area of such borders rather than measured sign area as defined in this Chapter. Such signage may not obscure entry areas or prevent the general public or public safety personnel from viewing interior or exterior activity at the location. Any neon borders shall be protected by a clear Plexiglas cover that will prevent contact with the neon tube and/or the splices made to the neon tube. The Plexiglas shield shall be placed away from the neon tube and/or splices to provide for ventilation and to prevent the buildup of heat. All neon transformers and wiring shall be adequately supported and installed in a good and workmanlike manner and be secure from the public.

#### (H) Awning Signs.

Any sign which is attached to or made a part of an awning shall be a measured sign for purposes of this Chapter. A sign located on an awning shall be affixed flat to the surface thereof, be non-illuminated, and shall indicate only the business name, address, phone number, website and one logo. Awning scale and proportions are to be appropriate for the building on which they are mounted. Awnings must be uniform in size, shape (except for arched openings, see "Forms" below) and color in order to unify multiple storefronts within a single building. The length of the awning is to be restricted to the length of the storefront opening. Awnings must not continue over masonry piers. The vertical and horizontal dimension should be proportional to the overall projection of the awning.

1. Projection. Awnings may project a maximum of 54 inches. Projection depth should match the existing adjacent awnings provided they comply with the acceptable minimum projection. Awnings should be placed at a minimum height of 8 feet above the sidewalk. No backlit awnings are allowed.
2. Forms. Awning forms are to conform to the general shape of the opening. Arched openings are to receive half-round domed awnings, whereas rectangular openings are to receive rectangular, gently sloping; planar forms. Valances may be fixed or loose. Bubble awnings are prohibited.
3. Mounting. Awnings may be fixed or retractable. Retractable awnings must be kept either in the fully projected position or the fully closed position. Fixed awnings are to have concealed rigid metal frames. Retractable awnings should have a canopy cover and automatic retractable rollers mounted to the building. Under panels are not desired. Frames should be painted to match or complement the color of the awning cover material or its underside.
4. Materials. The awning material should be taut, not relaxed. Awning materials may include matte finish painted army duck, vinyl-coated cotton, acrylic-coated polyester, and vinyl-coated polyester or cotton and solution-dyed

acrylic All awnings shall be restricted to cutout lettering, heat color-transfer, pressure sensitive vinyl films or sewn applique signs. All awnings located on the same building must be the same material and lettering.

5. Colors. Awning and banner colors must take into account the color selection of the surrounding materials, buildings, signs, awning, of the retailer/user and district. All awnings located on the same building must be the same color. Colors should enhance and complement the building.
6. Banners. Banners may be location, event, holiday or sponsor specific and are temporary signs as defined by this Chapter. Banners are to be secured to building walls or mounted on existing poles by fixed brackets and hardware.
7. Compliance. All new or replacement awnings and banners must comply with all applicable City Codes.

**(I) Changeable Copy Signs.**

Any permanent changeable copy signs are measured signs and are permitted subject to the restrictions for measured signs as provided in this Section, Section 1476.09 and this Chapter generally and subject to the following regulations:

1. Changeable copy sign. Shall mean any sign on which the message, letters, characters, illustrations or other symbols can be changed, replaced or rearranged on the surface of the sign. Included in this definition are time and temperature clocks with digital displays, electronic message boards, changeable displays of product prices and permanent changeable copy boards.
2. Electronically controlled message signs. No message, word or symbol may be displayed for a period of less than four (4) seconds duration. "Rolling" messages, words or symbols that appear to be animated, move, scroll, blink or flash are not permitted. All message, words or symbols displayed must relate only to goods or services offered on the same lot or to community service announcements.
3. Location. Changeable copy signs are permitted as or as part of any permitted wall sign or ground sign subject to the regulations established for such signs.
4. Maintenance. In addition to the general requirements for sign maintenance, all changeable copy signs shall bear a legible message, other suitable display or left blank. Electronic devices when not in use may be left blank and unlighted. Any lighted or electronic changeable copy sign in which the electrical or lighting components are operating in an erratic, broken or damaged fashion shall be turned off or removed.

**(J) Real Estate Signs.**

Real Estate Signs shall conform to the following provisions:

1. Real estate signs shall be erected only on private property and are restricted to the actual location of the property being sold, rented or leased.
2. No more than one real estate sign shall be erected on any property, except that twenty-four (24) hours prior to a formal public showing of the property, an "Open House" sign may be erected. Said "Open House" sign must be removed by 6:00 p.m. the day of the showing. Banners, flags, bunting or other adornments may only be used in conjunction with an "Open House" sign and only during specific hours of the formal public showing of the property.
3. No real estate sign shall project beyond the property line into the public right of way.
4. In areas zoned residential, no real estate sign shall exceed four square feet in area, except that a "rider" not exceeding six inches in vertical height, by the horizontal length of the sign, may be added.
5. In areas zoned residential, no real estate sign shall exceed a maximum height of four feet above the existing grade at the point of erection. The sign structure is not included in calculating the maximum height.
6. In areas zoned commercial and industrial, no real estate sign shall exceed thirty two square feet in area.
7. In areas zoned commercial, no real estate sign shall exceed a maximum height of six feet above the existing grade at the point of erection. The sign structure is not included in calculating the maximum height.
8. Real estate signs located on developed property in areas zoned residential shall be erected parallel to the front side of the main residential building located on the property. The sign shall be placed no more than three feet from the front foundation wall of said building. However, if landscaping or other natural obstructions preclude visibility of the sign, then the sign may be placed immediately in front of the obstruction.
9. Real estate signs located on vacant property in areas zoned residential shall be erected parallel to the public right of way, and shall be placed no less than twelve feet from the front property line. However, if landscaping or other natural obstructions preclude visibility of the sign, then the sign may be placed immediately in front of the obstruction.

10. Real estate signs located on any property in areas zoned commercial or industrial shall be erected parallel to the public right of way and shall be placed no less than five feet from the property line.
11. Real estate signs located on any property in areas zoned residential, commercial or industrial, where the building is situated on the property in such a way that it abuts the front property line, or is set back less than the required minimum from the front property line, may be attached to either the front or side of said building. Such a sign shall be securely mounted to the building or poles or to a framework which is sufficiently strong to support the sign.
12. Real estate signs shall not be illuminated signs.
13. Real estate signs shall be removed by the person having responsibility for the placement of such sign, including, but not limited to the broker, sales agent or owner of said property, within forty-eight hours after the issuance of real estate transfer stamps for the subject property.

**(K) Marquees.**

1. Marquee shall mean and include any fixed hood or canopy, constructed of metal or other incombustible material and extending over the public right-of-way and providing a roof over the entrance of a theater, hotel, motel, restaurant, auditorium or similar use.
2. The roofs of marquees shall be used for no other purpose than to form and constitute a roof; and may be opaque, translucent or transparent. The roof of a marquee shall not bear or carry any sign or other advertising device.
3. Location. A marquee may be constructed over that portion of the public right-of-way, which is a sidewalk. No marquee shall extend beyond the curb line of the street. A marquee shall be at least ten feet above the sidewalk. No marquee shall extend above the sill line of windows on the second story of a building to which it is attached or above the cornice line of a one-story building.
4. Erection. No marquee shall be attached to the ground, but shall be supported entirely by the building to which it is attached.
5. Signs on Marquees. Signs on marquees shall be measured signs and shall be subject to the regulations for sign area established in Article 7. No sign shall be located on the roof of a marquee nor be suspended from a marquee so as to have a clearance of less than ten feet.

**(L) A-Frame Signs.**

First floor businesses may have one A-Frame sign which shall be no larger than six (6) square feet which is not calculated against the total square feet allowed and which may be placed on the public way provided the following requirements are met:

1. A license agreement is entered into a form and amount approved by the City indemnifying and holding the City harmless from liability and naming the City, its officers and employees as an additional insured on a general liability insurance policy. Such license agreements shall be approved and signed by the Building Director.
2. Sign may be displayed during business hours only and must be removed each day.
3. Signs may not be placed in any location where the paved area for pedestrian passage is reduced to less than six (6) feet or within fifteen (15) feet of any intersection, driveway or crosswalk.
4. A-Frame signs shall be constructed of wood, metal or durable plastics.
5. The minimum fine for a violation of this Section shall be seven hundred fifty dollars (\$750.00). Each day that such a violation shall continue shall constitute a separate offense.

**1476.06 Signs Permitted on Cermak Road.**

Signs, which are erected on Cermak Road shall be subject to separate regulations than those that are listed generally within this Chapter. Measured signs, as defined in Section 1476.04(A)(1) may not be erected or maintained on any lot in excess of the limitations established in this Chapter regarding size, type, location, number and total area of signs for Cermak Road. Accessory signs are permitted in addition to the limitations placed on measured signs in accordance with the provisions of Section 1476.08. Temporary signs are permitted in addition to the limitations placed on measured signs and for a specific period of time in accordance with the provision of Section 1476.09. Signs erected on Cermak Road will also be subject to review and approval by the Berwyn Main Street Foundation.

Commercial signs on Cermak Road should reflect the character of the building style, while expressing each store's individuality. There are several prominent sign styles that are appropriate: surface mounted, pin-mounted signs, interior, and decal signs. Sign materials are limited to painted wood, canvas, architectural glass and metal. Sign color is to be selected to harmonize with the building upon which it is mounted and the immediately adjacent structures. Lettering color can be unique to the image of the retailer/user. Natural

metal sign and plaque material such as brushed bronze, antique bronze, aluminum, stainless steel and painted cast iron or similarly appearing materials are preferred. Highly reflective metallic signs are not allowed. Signs should be back-lit or lit by marquee or spot lighting. Internally-lit cabinet signs (with a lettered glass panel) are strictly prohibited. Spot lighting should be minimal and unobtrusive and shall not be visible from any street, sidewalk or dwelling. Simplified industrial light fixtures are strictly prohibited. Contextual solutions are recommended. The majority of the signs will be mounted within the building's sign band, defined as the wall area immediately over the storefront and below the second floor line.

**(A) Individual Sign Area and Height Restrictions.**

The measured sign area of any individual wall sign located on Cermak Road shall not exceed the requirements set forth below for each type of sign:

1. Surface-Mounted Commercial Signs. These signs are either fabricated from painted wood or cast metal plaques and are to be mounted within the sign band or within the storefront transom. The height of the sign is restricted to 80% of the area of the sign band or 18 inches whichever is less. The length of the lettering is to be contained within 80% of the length of the sign band. The sign band of a building consists of the area located above the ground floor storefront opening and below the second floor line, and is located a minimum of 8'-0" and a maximum of 15'-0" above grade. Surface-mounted signs are not permitted on "secondary" elevations without a defined sign band and only if it is facing a designated public right-of-way.
2. Pin-Mounted Commercial Signs. These signs consist of channel, H-channel, reverse channel, cast metal and flat cut metal letters mounted above the storefront in the masonry sign band or suspended in front of the storefront at the transom or recessed entry. The size of the lettering is restricted so that the height of the letters does not exceed 80% of the height of the sign band or 18 inches whichever is less. The length of the lettering is to be contained within 80% of the length of the sign band. Pin-mounted signs are not permitted on "secondary" elevations without a defined sign band and only if it is facing a designated public right-of-way.
3. Interior Signs. Interior signs, floating independently, are set behind the glass either at the transom or at the sill of the storefront and are lit from a separate source. This sign must adhere to the size limitations of decal signs as referenced below.
4. Decal Signs. Decal signs are defined as painted or vinyl transfer letters and numbers. Decal signs can be mounted within the transom and at the lower section of the storefront window area so as not to interfere with interior or exterior activity at the location (see Sec. 1476.05(G)(2)). The decal sign area at the lower section of the window can occupy up to 10% of the glass area of

a single pane. Decals mounted at the transom are restricted to 50% of the area of the transom. Decals located at the lower section of the main display area are to be limited to 6" in height unless they contain store operation hours, which are restricted to 2".

**(B) Awning and Banner Restrictions.**

The regulations as set forth under Section 1467.05(H) above should be adhered to in locating awnings or banners on Cermak Road.

1. Vinyl, bubble awnings, and internally illuminated awnings, which function as oversized signs, are prohibited on Cermak Road. Existing bubble awnings shall be removed by June 1, 2010, as directed in Section 1476.04(I)(3).

**1476.07 Signs Permitted in All Other Non-Residential Zoning Districts.**

No person shall erect or maintain measured signs as defined in Section 1476.04(B)(1) on any lot in excess of the limitations established herein on the size, type, location, number and total area of signs for the zoning district in which the lot is located and for the various classes of uses established in each district. Accessory signs are permitted in addition to the limitations placed on measured signs in accordance with the provisions of Section 1476.08. Temporary signs are permitted in addition to the limitations placed on measured signs and for a specific period of time in accordance with the provision of Section 1476.09.

Measurements of total sign area or of individual sign area shall be based on the lineal feet of street frontage of a lot, or in the case of uses that occupy more than one lot, the combined street frontage of all lots participating in the use.

Where a lot is occupied by more than one use, which fronts a street, the measured signage permitted for each use shall be based on the building frontage occupied by such use.

In the case of corner lots or lots having more than one street frontage, the regulations established below shall apply separately to each street frontage so that the total sign area, individual sign area, and setbacks shall be interpreted as such for each street upon which the lot fronts.

In the case of a lot, lease hold or other business premises however defined which has no actual street frontage, the allowable total sign area shall be based on the width of the property measured along a line generally parallel to the street from which the site obtains access.

**(A) Total Sign Area.**

The total area of all measured signs permitted on a lot shall not exceed the number of square feet permitted for each lineal foot of frontage pursuant to Section 1476.04(A).

**(B) Number of Signs.**

The maximum number of measured signs of all types located on a lot shall be restricted to one wall sign per use for each street frontage and one ground sign. One additional; ground sign is permitted for every 500 feet of street frontage.

**(C) Sign Setbacks.**

All measured signs shall be set back from the property line as follows:

1. In all residential districts, all ground signs shall be set back at least a distance of five feet from the property line. In all business districts and industrial districts in which there are required front yards and required yards adjoining streets, all signs shall be set back at least five feet from the property line. In districts in which there is no required front yard or yard adjoining a street, ground signs may be located at the property line provided that no part of the sign shall overhang the public right-of-way.
2. In addition to these regulations, the requirements of Section 1476.05 for the location of signs shall also be met.

**(D) Height of Signs.**

Measured ground signs shall not exceed the height limitations shown in Section 1476.05(E)(3).

**(E) Measured Signs in Residential Districts.**

Measured signs are prohibited in residential districts except for the following: legal-nonconforming signs to the extent of the legal nonconformity; on-premise identification signs for educational institutions, parks and playgrounds, and religious institutions, development signs and multi-family building on-premise identification signs. Such measured signs that are permissible in residential zones under the terms of this section shall conform to all other requirements for measured signs.

**1476.08 Regulations for Accessory Signs.**

**(A) General Regulations.**

Accessory signs as defined in Section 1476.04(B)(2) shall be erected and maintained only in conformance with the following regulations:

1. Permits and Fees. Permits are required and fees are charged for the erection and maintenance of accessory signs that such signs shall conform to the regulations herein except that any electrical accessory sign shall conform to the Electrical Code of the City.
2. Size of Accessory Signs. Any accessory sign shall not exceed four square feet of measured sign area.
3. Height Accessory Signs. Shall not exceed a height of four feet.
4. Prohibited Advertising. Accessory signs shall carry no advertising messages for either products, product lines, services or firms except that the sign face may include a logotype or other symbols the area of which does not exceed one-fourth the measured sign area or the name of the owner in letters no higher than one-third of the height of the letters used in the message.
5. Accessory Signs: Shall conform to the requirements established for a clear view of intersections as provided in Section 1476.05(E)(3).

**(B) Regulations for Particular Accessory Signs.**

1. Name Plates. Signs displaying the name of the occupant, the business or profession, and the street name and number may be displayed near the entrance to the building, provided such sign does not exceed a measured area of two square feet.
2. Window Signs. Signs painted on windows and indicating the name of the occupant and the business or profession conducted therein are permitted accessory signs provided such signs are limited to one per street frontage and that each sign does not exceed two and one-half square feet of measured sign area.
3. Warning Signs. Signs posting private property against trespassing, hunting or similar prohibitions provided such signs do not exceed two square feet of measured sign area and are not closer than 100 feet to each other.
4. Directional Signs. Notwithstanding the provisions of 1476.08(A)(5) above, a directional sign, which in all other respects conforms, to the requirements for an accessory sign may bear a message consisting of the name of the

place of business or logo and an arrow indicating the direction or route to be taken.

## **1476.09 Regulations for Temporary Signs.**

Temporary signs may be erected and maintained only in accordance with the following regulations:

### **(A) General Regulations.**

1. Permits. Temporary signs as provided in Section 1476.09(B), below, shall only be erected pursuant to the issuance of a temporary sign permit Any electrical temporary sign shall be subject to the Electrical Code of the City.
2. Fees. Temporary signs for which permits are required shall only be erected and maintained after the payment of a fee as provided in Section 1476.04(F) herein including any electrical fee except that no fee shall be required for any construction sign for a project for which a building permit has been issued.
3. Size of Signs. The measured sign area of temporary signs, the number of such signs, or the aggregate area of such signs shall not exceed the area or size limitation imposed in Section 1476.09(B) below.
4. Location of Signs. Unless otherwise specified in Section 1476.09(B) below, no temporary sign shall be located in the public right-of-way or in any required yard within ten feet of the public right-of-way.
5. Time of Display. The erection and maintenance of all temporary signs shall be limited to the lime period specified in Section 1476.09(B), below, or to the time period specified in the permit, whichever is less.
6. Identification Required. The name and address of the owner or person displaying any temporary sign shall appear on either the face or back of the sign except for temporary identification signs in which the name of the owner is part of the message. All temporary signs for which a specific date for their erection and removal has been established by permit, or otherwise, shall display those dates thereon in the following example: 7-21-08 to 7-28-08.
7. Removal of Temporary Signs. All temporary signs shall be removed by the owner as follows:
  - a. Upon the expiration of the permit.

- b. Upon the expiration of the time period established in Section 1476.09(B).
- c. When any such sign becomes damaged, deteriorated or illegible.
- d. Further, any temporary sign that does not contain the identification required above, is displayed before or after the time period established by permit, or otherwise does not display the time period as provided above may be immediately removed by an inspector of the Building Department or any other person.

**(B) Regulations for Particular Temporary Signs.**

The following regulations are established for particular temporary signs:

1. Construction Signs. One sign identifying a construction project, the owner, architect, general contractor, sub-contractors, financiers and other information relating to a construction project may be erected at the construction site in accordance with the following:
  - a. Size. Not to exceed 64 square feet.
  - b. Locations. Within the property lines subject to the requirements for safety and clear view of intersections.
  - c. Height. Not to exceed 14 feet.
  - d. Period of Display. From two weeks before ground breaking until occupancy.
  
2. Point of Sale Signs. The use of temporary, intermittent, freestanding signs to advertise products or sale items, prices or for similar purposes shall only be used in accordance with the following:
  - a. Size. No individual sign shall exceed four square feet and no display of a point of sale sign shall include more than one such sign per frontage.
  - b. Location. No point of sale sign shall be located on the public right-of-way.
  - c. Height. No point of sale sign shall exceed a height of five feet.
  - d. Period of Display. A point of sale sign shall not be erected more often than three times in any calendar year and the length of each such display shall not exceed 30 days.

3. Temporary Event Signs. A-Frame-type signs shall be allowed in accordance with all other provisions of this code, for a maximum time period of 15 days preceding the event advertised. The sign must be removed following the event, and the maximum permissible period of display shall be indicated on the sign permit. Such signs shall be installed with down guy-type anchors installed into the ground a minimum of 42" below grade. The sign shall be secured to the down guy-type anchors with chain, cable assemblies to secure the sign on all four corners. The anchors shall be removed at the same time as the sign is removed.
4. Temporary Sign Face. Sign faces which identify a location during the interim period while the permanent sign face is being manufactured, and which are typically made of plastic or canvas materials shall be allowed for a period of 30 days or until the permanent sign face is ready, whichever is less.

#### **1476.10 Administration and Enforcement.**

##### **(A) Building Director.**

This Chapter shall be administered and enforced by the Building Director who shall have the following powers and duties:

1. Receive all applications for sign permits.
2. Perform the review and inspections required by this Chapter.
3. Enforce, as appropriate, the other laws and ordinances of the City as the same apply to the erection and maintenance of signs.
4. Issue all permits in conformance with this Chapter.
5. Issue all citations or notices of violations required by this Chapter.
6. Maintain accurate records of all permits, inspections, citations, violations and fees and make such records available for public inspection during normal business hours.
7. Make all determinations required of the City Council as provided by this Chapter.
8. Review and resolve any conflicts in standards, regulations, requirements or procedures arising from the application of this Chapter and other laws or

ordinances of the City regulating the erection and maintenance of signs or the licensing of sign contractors.

9. Make all determinations, requirements, conditions or agreements necessary to affect the removal of nonconforming signs and signs subject to the amortization provisions of this Chapter.
10. Interpret the various provisions of this Chapter as requested by either the Building Director, the applicant for or holder of a sign permit or the public.
11. Review all requests for variations from the regulations established by this Chapter and issue an order in accordance with the standards established below.
12. Make rules governing the administration and enforcement of this Chapter in accordance with the provisions of the Berwyn Code Enforcement Ordinance.

**(B) Enforcement.**

1. The Building Director shall be authorized to enforce all provisions of this Chapter. If the Building Director shall find that any sign has been erected or is being maintained in violation with the provisions of the Chapter, the Building Director shall issue any such citation which is necessary or take any action necessary as provided by the Codified Ordinances of the City.
2. Appeal. Any person aggrieved by a decision, order or citation issued by the Building Director concerning any violation of this Chapter, may appeal to the Zoning Board of Appeals. The Building Director shall take no further action on the matter pending the Zoning Board of Appeals decision, except unsafe signs which present an immediate and serious danger to the public may be removed. This appeal shall be heard by the Zoning Board of Appeals in accordance with the rules, regulations and bylaws adopted for this purpose set forth in Chapter 1244.

**(C) Variations.**

Variations in the requirements of the various provisions of this Chapter may be granted in accordance with the following regulations:

1. Application. A variation shall be made in writing to the Building Director who shall forward the same to the Zoning Board of Appeals.

2. Standards. The following standards shall govern the granting of a variation by the Zoning Board of Appeals:
  - a. The variation shall be based on practical difficulties arising from the strict application of the provisions of this Chapter and not merely upon the desire of the applicant to establish an alternative signage.
  - b. The variation shall be based on hardship imposed by the Chapter and not upon any self-imposed hardship by the applicant.
  - c. The variation granted shall be the least amount of variation, which will overcome the practical difficulty or hardship.
  - d. The variation shall be granted in conformance with the furtherance of the stated purpose and intent of this Chapter.
  - e. The variation granted shall not be expressly prohibited as provided below.
  
3. Authorized Variations. The following variations or types of variations may be granted by the Zoning Board of Appeals:
  - a. Variations in the location of signs for businesses, which do not have direct street frontage.
  - b. Variations in the size and height of individual signs.
  - c. Any other variation which is not a prohibited variation.
  - d. Variation from the amortization requirements.
  
4. Prohibited Variations. The following variations or types of variations may not be granted by the Zoning Board of Appeals:
  - a. Any variation that would result in an increase in the total amount of signage permitted on a lot.

**1476.11 Legal non-conforming projecting and hanging signs.**

Legal non-conforming projecting and hanging signs are subject to the following restrictions:

(a) Maintenance. Ordinary repairs and maintenance, including removing and replacing of the outer panels, or graphics/lettering, shall be permitted, provided that no structural

alterations or other work shall appreciably extend the normal life of the legal non-conforming projecting and hanging sign.

(b) Repair. No repair which increases the size of the legal non-conforming projecting and hanging sign shall be permitted.

(c) Moving. No legal non-conforming projecting and hanging sign shall be moved in whole or in part to any other location on the same or any other lot or structure, unless every portion of such sign is made to conform to all of the regulations in this Code and other applicable regulations of the City.

(d) Damaged or Destroyed.

(1) Legal non-conforming projecting and hanging signs destroyed or damaged in any manner, to the extent that the cost of restoration to the condition in which it was before the occurrence of damage shall exceed fifty percent of the replacement cost of the entire sign, shall not be restored unless the sign shall conform to all of the regulations of this Code and all other applicable regulations of the City.

(2) In the event the cost of restoration of such damage is less than fifty percent of the cost of the entire sign, no repairs or reconstruction shall be made unless such restoration is started within thirty days from the date of such damage, and provided further, that completion is accomplished within ninety days from the date of such damage.

(3) If the restoration is not started within thirty days from the date of the damage, and diligently prosecuted to completion, the sign shall be removed.

#### **1476.12 Signs on Ogden Avenue.**

Pennants and decorative flags are permitted on Ogden Avenue, from Harlem Avenue to Lombard Avenue.

#### **1476.13 Severability.**

If any section, subsection, paragraph, section, clause or phrase of the Chapter should be declared invalid by a court of competent jurisdiction for any reason whatsoever, such decision shall not affect the remaining portions of this Chapter, which shall remain in full force and effect. And to this end the provisions of this Chapter are hereby declared to be severable.

#### **1476.99 Violations and Penalties.**

Whoever violates, fails to comply with, or resists the enforcement of any of the provisions of this Chapter shall, upon conviction, be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense. A separate

offense shall be deemed committed each day during or on which a violation, failure to comply or resisting of enforcement occurs or continues.

**Section 2.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provisions of this Ordinance.

**Section 3.** All Ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 4.** This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

**ADOPTED** by the Mayor and City Council of the City of Berwyn, Cook County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2008, pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Chapman				
Ramos				
Weiner				
Skryd				
Day				
Phelan				
Lovero				
Erickson				
(Mayor O'Connor)				
<b>TOTAL</b>				

**APPROVED** by the Mayor of the City of Berwyn, Cook County, Illinois on this \_\_\_\_\_ day of \_\_\_\_\_ 2008.

\_\_\_\_\_  
 Michael A. O'Connor  
 MAYOR

ATTEST:

\_\_\_\_\_  
 Thomas J. Pavlik  
 CITY CLERK



J-6

3318 WEST 95TH STREET  
EVERGREEN PARK, IL. 60805  
(708) 424-5678  
FAX (708) 425-1898  
www.odelsonsterk.com

May 23, 2008

Thomas J. Pavlik  
City Clerk  
City of Berwyn  
6400 W. 26<sup>th</sup> St.  
Berwyn, IL 60402

**Re: Acquisition of 7128 W. Cermak**

Dear Mr. Pavlik:

Please put the attached ordinance on the May 27, 2008 agenda for consideration by Council.  
Thank you.

Very truly yours,

A handwritten signature in cursive script that reads "Richard F. Bruen, Jr."

Richard F. Bruen, Jr.

RFB/jt

THE CITY OF BERWYN  
COOK COUNTY, ILLINOIS

ORDINANCE  
NUMBER- \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE EXECUTION OF A REAL ESTATE  
CONTRACT FOR THE PURCHASE OF REAL PROPERTY AT 7128 WEST  
CERMAK ROAD AND BETWEEN THE CITY OF BERWYN, COOK COUNTY,  
ILLINOIS AND PERLA SANTIAGO AND RENATO E. SANTIAGO, HER  
HUSBAND

Michael A. O'Connor, Mayor  
Thomas J. Pavlik, City Clerk

Nona Chapman  
Santiago "Jim" Ramos  
Mark Weiner  
Michele Skrvd  
Thomas Day  
Michael Phelan  
Robert Lovero  
Joel Erickson  
Aldermen

O R D I N A N C E No. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING THE EXECUTION OF A REAL ESTATE CONTRACT FOR THE PURCHASE OF REAL PROPERTY AT 7128 WEST CERMAK ROAD AND BETWEEN THE CITY OF BERWYN, COOK COUNTY, ILLINOIS AND PERLA R. SANTIAGO AND RENATO E. SANTIAGO, HER HUSBAND**

WHEREAS, the City of Berwyn (the "*City*"), is a home rule municipality within the purview of Article VII, Section 6(a) of the Illinois Constitution (1970), and, as such, may exercise any power and perform any function pertaining to its government and affairs; and,

WHEREAS, the City has adopted Ordinance No 08-22 Authorizing the Acquisition of Property and the Exercise of the Power of Eminent Domain to Acquire Certain Properties within the Amended Berwyn Theater Tax Increment Financing District; and,

WHEREAS, Perla R. Santiago and Renato E. Santiago, her husband are the owners of a certain parcel of real property identified by permanent index number (PIN) 16-19-324-031-0000 and commonly known as 7128 W. Cermak Road, Berwyn, Illinois (hereinafter the "*Subject Property*"); and,

WHEREAS, the Subject Property is located within the subject area of Ordinance No. 08-22; and,

WHEREAS, the City has determined that acquisition of the Subject Property will further the type of development contemplated in the Amended Berwyn Theater Redevelopment Project and Plan as specified by Ordinance No. 08-22; and,

WHEREAS, it is in the best interest of the City to acquire ownership of the Subject Property, upon satisfaction of all terms and conditions hereinafter set forth in its offer to purchase the Subject Property and in accordance with its endeavor to further economic development.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Berwyn, Cook County, Illinois, by and through its home rule powers, as follows:

*Section 1.* That the above recitals are incorporated herein and made a part hereof.

*Section 2.* That the Agreement for Purchase and Sale of Real Estate (the "*Contract*"), a copy of which is attached hereto and made a part hereof, to convey the real property identified therein by and between the City, as Purchaser, and Perla R. Santiago and Renato E. Santiago, her husband, Sellers, are hereby approved substantially in the form presented.

*Section 3.* That the Mayor is hereby authorized to execute said Contract and any and all documents required to implement the provisions stated therein.

*Section 4.* That the City's special counsel Neal and Leroy, LLC is hereby authorized to negotiate and undertake any and all actions on the part of the City as contained in said Contract and complete such documentation to satisfy any and all conditions stated therein.

**ADOPTED** by the City Council of the City of Berwyn, Cook County, Illinois on this \_\_\_\_ day of \_\_\_\_\_, 2008, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Chapman				
Ramos				
Weiner				
Skryd				
Day				

Phelan				
Lovero				
Erickson				
(Mayor O'Connor)				
<b>TOTAL</b>				

**APPROVED** by the Mayor on \_\_\_\_\_, 2008.

\_\_\_\_\_  
Michael A. O'Connor  
MAYOR

ATTEST:

\_\_\_\_\_  
Thomas J. Pavlik  
CITY CLERK



J-7

3318 WEST 95TH STREET  
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(708) 424-5678  
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May 23, 2008

Thomas J. Pavlik  
City Clerk  
City of Berwyn  
6400 W. 26<sup>th</sup> St.  
Berwyn, IL 60402

**Re: Zoning Code – Change in Definition of “Single Housekeeping Unit”**

Dear Mr. Pavlik:

Per the request of the Mayor, please put an item on the May 27, 2008 City Council agenda to approve a public hearing on the attached text change to the Zoning Code pursuant to the Berwyn Codified Ordinances and the Illinois Municipal Code. Thank you.

Very truly yours,

A handwritten signature in cursive script that reads "Richard F. Bruen, Jr.".

Richard F. Bruen, Jr.

RFB/jt

**THE CITY OF BERWYN**  
COOK COUNTY, ILLINOIS

**ORDINANCE**  
NUMBER

**AN ORDINANCE AMENDING THE ZONING CODE OF THE CITY OF  
BERWYN , COOK COUNTY, ILLINOIS REGARDING SINGLE  
HOUSEKEEPING UNITS**

**MICHAEL A. O'CONNOR, Mayor**  
**THOMAS J. PAVLIK, City Clerk**

**NONA N. CHAPMAN**  
**SANTIAGO "JIM" RAMOS**  
**MARK WEINER**  
**MICHELE D. SKRYD**  
**THOMAS J. DAY**  
**MICHAEL J. PHELAN**  
**ROBERT J. LOVERO**  
**JOEL ERICKSON**  
**Aldermen**

Published in pamphlet form by authority of the Mayor and City Clerk of the City of Berwyn on --/--/08  
Odelson & Sterk, Ltd. - City Attorneys - 3318 West 95<sup>th</sup> Street - Evergreen Park, Illinois 60805

ORDINANCE NO.: \_\_\_\_\_

**AN ORDINANCE AMENDING THE ZONING CODE OF THE CITY OF  
BERWYN , COOK COUNTY, ILLINOIS REGARDING SINGLE  
HOUSEKEEPING UNITS**

**WHEREAS**, the City of Berwyn, Cook County, Illinois (the "*City*") is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the "*Home Rule Powers*"); and

**WHEREAS**, the City of Berwyn, Cook County, Illinois (the "*City*") has adopted a Zoning Code, which has been amended from time to time; and

**WHEREAS**, the Zoning Code limits "Single Houskeeping Units" to not more than one full or partial kitchen; and

**WHEREAS**, the City Council has further decided to eliminate this restriction on Single Housing Units in the Zoning Code; and

**WHEREAS**, the Mayor and the City Council (the "*Corporate Authorities*") of the City of Berwyn determine that it is in the best interests of the residents of the City to amend the Zoning Code in this way.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Berwyn, Cook County, Illinois, by and through its home rule powers, as follows:

**Section 1:** That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

**Section 2:** Section 1240.04(54) of the Zoning Code shall henceforth read as follows:

**1240.04 Definitions**

(54) Family

A. "Family" means two or more individuals related by blood, marriage or law, or two or more nonrelated persons, living together as a single housekeeping unit in a dwelling unit. "Family" does not include sororities, fraternities or other similar organizations.

B. "Single housekeeping unit," as used in paragraph (54)A. hereof, means occupants who commonly and equally share the use of an entire dwelling unit on a regular basis, and such dwelling unit shall not have more than one full or partial bathroom in the basement and one full or partial bathroom on each story or half story above the basement, with an additional full or partial bathroom on one of the stories above the basement, as further regulated in Chapter 1278 of this Zoning Code.

C. "Nonrelated persons," as used in paragraph (54)A. hereof, means any group of individuals living together in a dwelling unit. Nonrelated persons shall be subject to the same conditions and restrictions set forth in paragraphs (54)A. and B. hereof and shall be considered as a family for purposes of this and any other applicable section of this Zoning Code.

**Section 3:** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance.

**Section 4:** All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 5:** This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

**Adopted** by the City Council of the City of Berwyn, Cook County, Illinois on this \_\_\_\_\_ day of \_\_\_\_\_ 2008, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Chapman				
Ramos				
Weiner				
Skryd				
Day				
Phelan				
Lovero				
Erickson				
(Mayor O'Connor)				

TOTAL				
-------	--	--	--	--

APPROVED by the Mayor on \_\_\_\_\_, 2008.

\_\_\_\_\_  
Michael A. O'Connor  
MAYOR

\_\_\_\_\_  
Thomas J. Pavlik  
CITY CLERK



J-8

3318 WEST 95TH STREET  
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(708) 424-5678  
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May 23, 2008

Thomas J. Pavlik  
City Clerk  
City of Berwyn  
6400 W. 26<sup>th</sup> St.  
Berwyn, IL 60402

**Re: Pending Litigation**

Dear Mr. Pavlik:

Per the request of the Mayor, please put an item on the May 27, 2008 City Council agenda regarding a pending litigation matter which will be discussed in closed Committee of the Whole. Council's guidance on this matter will be appreciated.

Very truly yours,

Richard F. Bruen, Jr.

RFB/jt



J-9

3318 WEST 95TH STREET  
EVERGREEN PARK, IL 60805  
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May 23, 2008

Thomas J. Pavlik  
City Clerk  
City of Berwyn  
6400 W. 26<sup>th</sup> St.  
Berwyn, IL 60402

**Re: Community Relations Ordinance**

Dear Mr. Pavlik:

Please put an item on the May 27, 2008 City Council agenda regarding the Amended Community Relations Ordinance for consideration by Council. Thank you.

Very truly yours,

A handwritten signature in cursive script that reads "Richard F. Bruen, Jr."

Richard F. Bruen, Jr.

RFB/jt

**THE CITY OF BERWYN  
COOK COUNTY, ILLINOIS**

ORDINANCE  
NUMBER 08-\_\_\_

**AN ORDINANCE AMENDING CHAPTER 620 OF THE MUNICIPAL CODE OF  
THE CITY OF BERWYN, ILLINOIS REGARDING COMMUNITY RELATIONS**

Michael A. O'Connor, Mayor  
Thomas J. Pavlik, City Clerk

Nona Chapman  
Santiago "Jim" Ramos  
Mark Weiner  
Michele Skryd  
Michael Phelan  
Thomas Day  
Robert Lovero  
Joel Erickson  
Aldermen

Published in pamphlet form by authority of the Mayor and City Council of the City of Berwyn on  
\_\_\_\_\_ 2008

ODELSON & STERK, LTD - 3318 West 95th Street - Evergreen Park, Illinois 60805

ORDINANCE NO. 08 - \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 620 OF THE MUNICIPAL CODE OF THE CITY OF BERWYN, ILLINOIS REGARDING COMMUNITY RELATIONS**

WHEREAS, the City of Berwyn, Cook County, Illinois (the "*City*") is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the "*Home Rule Powers*"); and

WHEREAS, the Mayor and City Council believe that the City of Berwyn's diversity is one of its strongest assets; and,

WHEREAS, the Mayor and City Council believe that the City of Berwyn is and should always endeavor to be a community welcoming to all individuals, regardless of race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability; and,

WHEREAS, the Mayor and City Council find that discrimination based on any of the above characteristics is intolerable and detrimental to the overall public good.

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Berwyn, Cook County, Illinois, in the exercise of the City's home rule powers as follows:

**SECTION 1:** That the above recitals are incorporated herein and made a part hereof.

**SECTION 2:** Chapter 620 of the Codified Ordinances of the City of Berwyn, Illinois, is amended by striking Chapter 620 in its entirety and replacing it with the following:

## **Chapter 620 HUMAN RIGHTS**

### **620.01 DECLARATION OF POLICY: PURPOSES**

(a) It is hereby declared to be the policy of the City and the purpose of this chapter, in the exercise by the City of its police and regulatory powers, for the protection of the public health, safety and welfare and for the maintenance and promotion of commerce, industry and good government in the City, to secure to all persons living or desiring to live in the City a fair opportunity to purchase, lease, rent or occupy housing or other real estate, to provide all persons desiring employment in the City fair and equal employment opportunities, and to provide all persons full and equal access to all public places of accommodation, regardless of race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability.

(b) This chapter complies with regulations and standards promulgated by the City of Berwyn, the State of Illinois and the Federal Government.

### **620.02 CONSTRUCTION**

This chapter shall be construed according to the fair import of its terms and shall be liberally construed to further the policy and purposes stated in Section 620.01 and the special purposes of the particular provisions involved.

### **620.03 DEFINITIONS**

As used in this chapter:

(1) "Accessible" means, when used with respect to public and common use areas of a building containing covered multifamily dwellings, that the public or common use areas of the building can be approached, entered and used by individuals with physical disabilities.

(2) "Accessible route" means a continuous unobstructed path connecting accessible elements and spaces in a building or within a site that can be negotiated by a person with a severe disability using a wheelchair and that is also safe for and usable by people with other disabilities. A route that complies with the appropriate requirements of the American National Standards Institute's ANSI A117.1-1986 or a comparable standard is an "accessible route".

(3) "Adjudicative agency" means the agency designated by the corporate authorities of the Municipality to conduct hearings and adjudicate charges of violations of this chapter.

(4) "Administering agency" means the agency designated by the corporate authorities of the Municipality to investigate, conciliate, receive and initiate complaints pertaining to violations of this chapter.

(5) "Age" means a chronological age of not less than forty years.

(6) "Aggrieved party or person" means a person who is alleged or proved to have been injured, or in good faith believes he or she will be injured, by a violation of any of the provisions contained in this chapter.

(7) "Aiding and abetting" and "coercion" mean to aid, abet, compel or coerce a person to commit any violation of this chapter.

(8) "ANSI A117.1-1986" means the 1986 edition of the American National Standard for buildings and facilities providing accessibility and usability for physically disabled people.

(9) "Broker" means any person authorized to perform an action on behalf of another person regarding any matter related to the sale or rental of dwellings, including offers, solicitations or contracts and the administration of matters regarding such offers, solicitations or contracts, or any residential real estate related transactions.

(10) "Building" means a structure, facility or portion thereof that contains or serves one or more dwelling units.

(11) "Building entrance on an accessible route" means an accessible entrance to a building that is connected by an accessible route to public transportation stops, to accessible parking and passenger loading zones or to public streets or sidewalks, if available.

(12) "Charges" means an allegation contained in a complaint.

(13) "Civil rights violations" includes and shall be limited to only those specific acts set forth in this chapter.

(14) "Commission" means the Community Relations Commission established by this chapter.

(15) "Common use area" means rooms, spaces or elements inside or outside of a building that are made available for the use of residents of a building or the guests thereof. These areas include hallways, lounges, lobbies, laundry rooms, refuse rooms, mail rooms, recreational areas and passageways among and between buildings.

(16) "Community residence" means a group home or specialized residential care home serving unrelated persons with disabilities.

(17) "Complainant" means a party/person, including the administering agency, who files a complaint.

(18) "Complaint" means the document filed by a complainant with the administering agency.

(19) "Conciliation" means the attempted resolution of issues raised by a complaint, or the investigation of such charge, through informal negotiations involving the aggrieved party, the respondent and the Community Relations Commission. Conciliatory meetings shall be held in closed session.

(20) "Conciliation agreement" means a written agreement setting forth the resolution of the issues in conciliation.

(21) "Controlled substance" means any drug or other substance, or immediate precursor, included in the definition in Section 102 of the Controlled Substance Act (21 USC 802).

(22) "Covered multifamily dwelling" means a building consisting of four or more units, if such building has one or more elevators, and ground floor units in other buildings consisting of four or more units.

(23) "Director" means the person designated by the corporate authorities of the Municipality to administer the provisions of this chapter.

(24) "Disability" means, with respect to a person, a determinable physical or mental impairment which substantially limits one or more major life activities, a record of such an impairment or being regarded as having such an impairment.

(25) "Discriminate" means to treat any person differently from others because of race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability.

(26) "Dwelling" means any building, structure or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families or unrelated individuals, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure or portion thereof.

(27) "Elderly person" means a person fifty-five years of age or older.

(28) "Employee".

A. "Employee" includes:

I. Any individual performing services for remuneration within the City;

2. An apprentice; and
3. An applicant for any apprenticeship.

B. "Employee" does not include:

1. Domestic servants in private homes;
2. Individuals employed by persons who are not employers;
3. Elected public officials or the members of their immediate personal staff;
4. Principal administrative officers of the State or any political subdivision, municipal corporation or other governmental unit or agency; and
5. A person in a vocational rehabilitation facility certified under Federal law who has been designated an evaluatee, trainee or work activity client.

(29) "Employer".

A. "Employer" includes:

1. Any person employing fifteen or more employees within the State of Illinois twenty or more calendar weeks during the calendar year of or preceding the alleged violation;
2. Any person employing one or more employees when a complainant alleges a civil rights violation due to unlawful discrimination based upon his or her physical or mental disability unrelated to his or her ability or to sexual harassment;
3. The State and any political subdivision, municipal corporation or other governmental unit or agency, without regard to the number of employees;
4. Any party to a public contract, without regard to the number of employees; and
5. A joint apprenticeship or training committee, without regard to the number of employees.

B. "Employer" does not include any religious corporation, association, educational institution society or nonprofit nursing institution conducted

by and for those who rely upon treatment by prayer through spiritual means, in accordance with the tenets of a recognized church or religious denomination, with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, society or nonprofit nursing institution of its activities.

(30) "Employment" means the performance of services for an employer for remuneration, as a volunteer or as a participant in a training or apprenticeship program.

(31) "Employment agency" means a person who undertakes to procure employees, or opportunities to work for potential employees, through interviews, referrals or advertising, or any combination thereof.

(32) "Entrance" means any access point to a building or portion thereof used by residents for the purpose of entering.

(33) "Exterior" means all areas of the premises outside of an individual dwelling unit.

(34) "Familial status" means one or more individuals who have not attained the age of eighteen years, being domiciled with:

- A. A parent or a person having legal custody of such individual or individuals;
- B. The designee of such parent or other person having such custody, with the written permission of such parent or other person; or
- C. Persons who are pregnant or in the process of securing legal custody of any individual who has not attained the age of eighteen years.

(35) "Financial institution" means any bank, credit union, insurance company, mortgage banking company, savings and loan association or other entity or organization which makes or purchases loans or provides other financial assistance and which operates or has a place of business in the State of Illinois.

(36) "Hearing" means that part of an adjudicative proceeding that involves the submission of evidence, either by oral presentation or written submission, and includes the submission of briefs and oral arguments on the evidence and applicable law.

(37) "Hearing agency" means the agency designated by the corporate authorities of the Municipality to conduct hearings on, and adjudicate the question of, ordinance violations.

(38) "Housing accommodation" means any improved or unimproved real property, or part thereof, which is used or occupied, or is intended, arranged or designed to be used or occupied, as the home or residence of one or more individuals.

(39) "Housing for older persons" means:

- A. All housing that is provided under State and Federal programs for elderly persons, as defined by the specific programs, provided that U.S. HUD approval has been secured;
- B. Housing that is intended for and solely occupied by persons sixty-two years of age or older; and
- C. Communities in which at least eighty percent of all units are occupied by one person fifty-five years of age or older, if the existence of significant facilities and services specifically designed to meet the physical and social need of older persons can be documented.

(40) "Housing status" means the type of housing in which an individual resides, whether publicly or privately owned; an individual's ownership status with respect to the individual's residence; or the status of having or not having a fixed residence.

(41) "Interference" means to willfully interfere with the performance of a duty of, or the exercise of a power by, the Commission or one of its members, or representatives.

(42) "Interior" means the spaces, parts, components or elements of an individual dwelling unit.

(43) "Lease" includes any sublease, assignment or rental and any contract to enter into any of the foregoing.

(44) "Loan" includes, but is not limited to, the providing of funds, for consideration, which are:

- A. Sought for the purpose of purchasing, constructing, improving, repairing or maintaining a housing accommodation;
- B. Sought for any commercial or industrial purpose; or
- C. Secured by residential real estate.

(45) "Marital status" means the status of being single, married, divorced, separated or widowed.

(46) "Modification" means any change to the public or common use areas of a building or any change to a dwelling unit.

(47) "National origin" means the place in which a person or one of his or her ancestors was born.

(48) "Offer" means and includes every attempt, by means of written or oral communications to present for acceptance or rejection, to hold out or proffer, to make a proposal to or to exhibit real estate that may be taken or received with the intention of ultimately entering into a real estate transaction.

(49) "Operator" means any owner, lessee, proprietor, manager, superintendent, agent or occupant of a place of public accommodation or an employee of any such person or persons.

(50) "Owner" means any person who holds legal or equitable title to, who owns any beneficial interest in, or who holds legal or equitable title to shares of, any real estate.

(51) "Panic peddling" means, for profit, to induce or attempt to induce a person to sell or rent a dwelling by representation regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability.

(52) "Person" includes individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint stock companies, trusts, unincorporated organizations, trustees, or trustees in cases under Title 11 of the United States Code.

(53) "Persons in the business of selling or renting dwellings" means any person who:

- A. Within the preceding twelve months has participated as a principal in three or more transactions involving the sale or rental of any dwelling or any interest therein;
- B. Within the preceding twelve months, has participated as an agent, other than in the sale of his or her own personal residence, in providing sales or rental facilities, or sales or rental services, in two or more transactions involving the sale or rental of any dwelling or interest therein; or
- C. Is the owner of any dwelling designed or intended for occupancy by, or occupied by, five or more families.

(54) "Physical or mental impairment" means:

- A. Any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organ; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or
- B. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

(55) "Premises" means the interior or exterior spaces, parts, components or elements of a building, including individual dwelling units and the public and common use areas of a building.

(56) "Protected classes" includes, but is not limited to, race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability.

(57) "Public contract" means every contract to which the City of Berwyn, any of its political subdivisions or any municipal corporation is a party.

(58) "Public use areas" means interior or exterior rooms or spaces of a building that are made available to the general public. Public use may be provided at a building that is privately or publicly owned.

(59) "Real estate transaction" means the purchase or sale of the fee simple interest in, the equitable title to, or a beneficial interest in, or the rental or lease of, any real property, or an option to do any of the foregoing, or any negotiation, listing, contract or agreement in connection therewith. "Real estate transaction" also includes the brokering or appraising of residential real property and the making or purchasing of loans, or providing other financial assistance, for purchasing, constructing, improving, repairing or maintaining a dwelling.

(60) "Real property" means buildings, structures, real estate, lands, tenements, leaseholds, interests in real estate cooperatives, condominiums and hereditaments, corporeal and incorporeal, or any interest therein.

(61) "Religion" means all aspects of religious observance and practice, as well as belief, and all aspects of religious nonobservance, nonpractice and nonbelief.

(62) "Religion with respect to employers" means all aspects of religious observance and practice, as well as belief, unless an employer demonstrates that he or she is unable to reasonably accommodate an employee's or prospective employee's religious observance or practice without undue hardship on the conduct of the employer's business.

(63) "Respondent" means:

- A. The person or other entity against whom a discriminatory practice has been alleged in a complaint; and
- B. Any other person or entity identified in the course of an investigation and notified as required by Section 288.11.

(64) "Retaliation" means to retaliate against a person because he or she has opposed that which he or she reasonably and in good faith believes to be unlawful discrimination, sexual harassment in employment or sexual harassment in higher education, or discrimination in employment based on citizenship status, or because he or she has made a charge, filed a complaint, testified, assisted or participated in an investigation, proceeding, or hearing under this chapter.

(65) "Sex" means the status of being male or female.

(66) "Sexual Orientation" means actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity, whether or not traditionally associated with the person's designated sex at birth. "Sexual Orientation" does not include a physical or sexual attraction to a minor by an adult.

(67) "Solicit" or "solicitation" means any communication by or on behalf of a real estate agent with the owner or occupant of a dwelling:

- A. Which is intended to induce the sale or rental of such dwelling;
- B. Which is intended to offer or promote services in connection with the sale, rental or listing of such dwelling; and
- C. Which is carried out by means of:
  - 1. In-person contacts at the dwelling;
  - 2. Written material mailed or delivered directly to the dwelling, such as direct mail, leaflets or pamphlets; or
  - 3. Telephone contacts with the owners or occupants of the dwelling.

The term "solicit" or "solicitation" shall not include communications carried out by means of print or electronic media of general circulation, such as a newspaper, radio, television or the yellow pages.

(68) "Source of income" means the lawful manner by which an individual supports himself or herself and his or her dependents.

(69) "Steering" means influencing or attempting to influence, by words or acts, the choice or location of housing of a prospective purchaser, occupant or tenant, in connection with viewing, buying, leasing or occupying real estate based on race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability so as to limit choice or to promote or maintain segregation.

(70) "To rent" includes to lease, to sublease, to let and to otherwise grant for consideration the right to occupy premises not owned by the occupant.

(71) "Varying terms" includes, but is not limited to, the following practices:

- A. Requiring a greater down payment than is usual for the particular type of a loan involved;
- B. Requiring a shorter period of amortization than is usual for the particular type of loan involved;
- C. Charging a higher interest rate than is usual for the particular type of loan involved; and
- D. Under-appraising real estate or other items of property offered as security.

#### **620.04 PROHIBITED ACTS IN GENERAL**

No person shall:

(a) **Discriminatory Terms.** Discriminate against any person in the terms, conditions or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability.

(b) **Refusal to Negotiate, Deal, Sell or Rent.** Refuse to sell or rent, after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny a dwelling to any person because of race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability.

(c) **Withholding Dwellings.** Represent to any person because of race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability that any dwelling is not available for inspection, sale or rental when such dwelling is in fact available.

(d) **Discriminatory Notices, Statements and Advertisements.** Make, print, circulate or publish, or cause to be made, printed, circulated or published, any written or oral notice, statement or advertisement, with respect to the sale or rental of a dwelling, that indicates any preference, limitation or discrimination based on race, color, sex,

sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability , or that indicates an intention to make such preference, limitation or discrimination. Discriminatory notices, statements and advertisements include, but are not limited to:

(1) Using words, phrases, photographs, illustrations, symbols or forms which convey that dwellings are available or not available to a particular group of persons because of race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability.

(2) Expressing to agents, brokers, employees, prospective sellers or renters or any other persons a preference for or limitation on any purchaser or renter because of the race, color, religion, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability.

(3) Selecting media or locations for advertising the sale or rental of dwellings which deny particular segments of the housing market information about housing opportunities because of race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability.

(4) Refusing to publish advertising for the sale or rental of dwellings, or requiring different charges or terms for such advertising, because of race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability.

(e) Panic Peddling. For profit, to induce or attempt to induce a person to sell or rent a dwelling by representation regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability.

Prohibited actions under this subsection include, but are not limited to:

(1) Engaging, for profit, in conduct (including uninvited solicitations for listings) which conveys to a person that a neighborhood is undergoing or is about to undergo a change in the race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability of persons residing in it, in order to encourage persons to offer a dwelling for sale or rent.

(2) Encouraging or discouraging, for profit, any person to sell or rent a dwelling through assertions that the entry or prospective entry of persons of a particular race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability can or will result in undesirable consequences for the community, such as a lowering of property values, an

increase in criminal or antisocial behavior or a decline in the quality of schools or other services or facilities.

(f) Lending. Discriminate in connection with borrowing or lending money, guaranteeing loans, accepting mortgages, or otherwise financing a real estate transaction, on the grounds of race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability.

(g) Lending Terms. Deny or delay the processing of a loan or other financial assistance to a person applying therefore for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling, or discriminate in the fixing of that amount, interest rate, duration or other terms or conditions of such loan or other financial assistance, because of the race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability of such person.

(h) Appraising; Insurance. Discriminate in the appraisal of the value of real estate or in the sale of insurance in connection with a real estate transaction because of the race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability of such person.

(i) Varying Rents; Sale Price. Impose different sale prices or rental charges for the sale or rental of a dwelling upon any person because of the race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability of such person.

(j) Qualification Criteria. Use different qualification criteria or applications, or different sale or rental standards or procedures, such as income standards, application requirements, application fees, credit analyses or sale or rental approval procedures or other requirements, because of the race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability of such person.

(k) Evictions. Evict tenants because of their race, color, sex, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability, or because of the race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability of a tenant's guest.

(l) Listings. Enter into a listing agreement which discriminates against any person because of the race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability of such person.

(m) Discrimination in Membership or Service. Deny any person access to, or membership or participation in, any multiple-listing service, real estate broker's

organization or other service, organization or facility relating to the business of selling or renting dwellings, or discriminate against any person in the terms or conditions of such access, membership or participation, on account of the race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability of such person.

(n) Steering (Restriction of Choice). Restrict or attempt to restrict, because of race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or, disability the choices of a person, by words or acts, in connection with buying or renting a dwelling so as to perpetuate, or tend to perpetuate, segregated housing patterns, or to discourage or obstruct integrated housing. Prohibited actions under this subsection, which are generally referred to as unlawful steering practices, include, but are not limited to, the following:

(1) Discouraging any person from inspecting, purchasing or renting a dwelling because of the race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability of persons in a community, neighborhood or development so as to perpetuate, or tend to perpetuate, segregate housing patterns, or to discourage or obstruct integrated housing.

(2) Discouraging or encouraging the purchase or rental of a dwelling because of race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or, by disability exaggerating drawbacks or failing to inform any person of desirable features of a dwelling or of a community, neighborhood or development, so as to perpetuate, or tend to perpetuate, segregated housing patterns, or to discourage or obstruct integrated housing.

(3) Communicating to any prospective purchaser that he or she would not be comfortable or compatible with existing residents of a community, neighborhood or development because of race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability, so as to perpetuate, or tend to perpetuate, segregated housing patterns, or to discourage or obstruct integrated housing.

(4) Assigning any person to a particular section of a community, neighborhood or development, or to a particular floor of a building, because of race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability.

(5) Failing to inform any person of available housing opportunities in a particular section of a community, neighborhood or development, or in a particular building or particular floor of a building, because of race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or, disability so as to perpetuate, or tend to perpetuate, segregated housing patterns, or to discourage or obstruct integrated housing.

(o) Solicitation. Solicit any owner to sell, rent or list residential property at any time after such person has notice that such owner does not desire to sell, rent or list such residential property. For the purpose of this subsection, notice must be provided as follows:

(1) The notice may be given by the owner personally or by a third party in the owner's name, either in the form of an individual notice or a list, provided that it complies with paragraph (o)(2) hereof.

(2) Such notice shall be explicit as to whether each owner on the notice seeks to avoid both solicitation for listing and sale, or only for listing, or only for sale, as well as the period of time for which any avoidance is desired. The notice shall be dated and either of the following shall apply:

A. Each owner shall have signed the notice; or

B. The person or other entity preparing the notice shall provide an accompanying affidavit to the effect that all the names on the notice are, in fact, genuine as to the identity of the persons listed and that such persons have requested not to be solicited as indicated.

(3) The individual notice or notice in the form of a list with the accompanying affidavit shall be served personally or by certified or registered mail, return receipt requested.

(4) The Community Relations Commission shall publish and make available, without charge, appropriate forms which may be executed by any owner or occupant of a dwelling to provide such notice. The Commission shall prepare a list of names and addresses of such owners and occupants and shall update such list no less than annually during the month of January and shall publish the same as follows:

A. By maintaining a copy of said list in the office of the Commission and making it available for inspection.

B. By furnishing a copy of said list annually to every real estate firm belonging to the local multiple-listing service.

C. By furnishing a copy of said list upon request and payment of reproduction costs to any person having an interest in the sale or rental of any dwelling in the City.

This paragraph (o) (4) is drawn from Ill. R.S. Chapter 38, "Criminal Law and Procedure", Sections 70-51, 70-52 and 70-53.

(p) Participation in Discrimination. Act or undertake to act as a real estate broker, salesman or agent with respect to any dwelling the disposition of which requires said person to participate in discrimination.

(q) Restrictions. Perform any act of discrimination with the intention or effect of restricting or limiting the housing choice of any person.

(r) Aiding and Abetting. Aid or abet acts performed in violation of this chapter.

(s) Interference, Coercion or Intimidation. Coerce, intimidate, threaten or interfere with any person in the exercise or enjoyment of, on account of such person having exercised or enjoyed, or on account of such person having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by this chapter.

#### **620.05 PROHIBITED ACTS AGAINST DISABLED PERSONS**

In addition to the prohibited acts identified in Sections 620.04 and 620.06, no person shall:

(a) Discrimination Against the Disabled.

(1) Discriminate against any person in the terms, conditions or privileges of the sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a disability of:

- A. The buyer or renter;
- B. A person residing in or intending to reside in such dwelling after it is sold, rented or made available; or
- C. Any person associated with that person.

(2) Make an inquiry to determine whether an applicant for a dwelling, a person intending to reside in that dwelling after it is sold, rented or made available, or any person associated with that person, has a disability, or make an inquiry as to the nature or severity of a disability of such a person. However, this paragraph does not prohibit the following inquiries, provided that these inquiries are made of all applicants, whether or not they have disabilities:

- A. An inquiry into the applicant's ability to meet the requirements of ownership or tenancy.
- B. An inquiry to determine whether an applicant is qualified for a dwelling available only to persons with a particular type of disability.

- C. An inquiry to determine whether an applicant for a dwelling is qualified for a priority available to persons with disabilities or to persons with a particular type of disability.
- D. An inquiry to determine whether an applicant for a dwelling is a current illegal abuser or addict of a controlled substance.
- E. An inquiry to determine whether an applicant has been convicted of the illegal manufacture or distribution of a controlled substance.

(3) Nothing in this section requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.

(b) Unit Modifications. Refuse to permit, at the expense of the disabled person, reasonable modifications of existing premises, occupied or to be occupied by such person, if such modifications may be necessary to afford such person full enjoyment of the premises, except that, in the case of rental, the landlord may, where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modifications, reasonable wear and tear excepted.

(c) Rules and Policies. Refuse to make reasonable accommodations in rules, policies, practices or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy the dwelling, including public and common use areas.

(d) New Construction. Fail to design and construct dwellings, after March 13, 1991, in such a manner that:

(1) The public use and common use portions of such dwelling are readily accessible to and usable by a disabled person;

(2) All the doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by disabled persons in wheelchairs; and

(3) All premises within such dwellings contain the following features of adaptive design:

- A. An accessible route into and through the dwelling;
- B. Light switches, electrical outlets, thermostats and other environmental controls in accessible locations;
- C. Reinforcement of bathroom walls to allow later installation of grab bars; and

D. Usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space.

(e) Guide and Support Dogs. Refuse to sell or rent because a person has a guide, hearing or support dog. It is a civil rights violation for the owner or agent of any housing accommodation to:

(1) Refuse to sell or rent, after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or to otherwise make unavailable or deny property to any blind, hearing-impaired or physically disabled person because he or she has a guide, hearing or support dog;

(2) Discriminate against any blind, hearing impaired or physically disabled person in the terms, conditions or privileges of sale or rental property, or in the provision of services or facilities in connection therewith, because he or she has a guide, hearing or support dog; or

(3) Require, because a blind, hearing-impaired or physically disabled person has a guide, hearing or support dog, an extra charge in a lease, rental agreement or contract of purchase or sale, other than for actual damage done to the premises by the dog.

#### **620.06 PROHIBITED ACTS BY FINANCIAL INSTITUTIONS**

In addition to the prohibited acts identified in Sections 620.04 and 620.05, no financial institution shall:

(a) Deny any person any of the services normally offered by such an institution;

(b) Provide any person with any service which is different from, or provided in a different manner than, that which is provided to other persons similarly situated;

(c) Deny or vary the terms of a loan because of race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability;

(d) Deny or vary the terms of a loan on the basis that a specific parcel of real estate offered as security is located in a specific geographical area;

(e) Deny or vary the terms of a loan without having considered all of the regular and dependable income of each person who would be liable for repayment of the loan;

(f) Utilize lending standards that have no economic basis; or

(g) Refuse to purchase or impose different terms or conditions on loans or other debts or securities which support the purchase, construction, improvement, repair or maintenance of a dwelling, or which are secured by residential real estate, because of race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability.

## **620.07 APPLICATION OF CHAPTER**

Nothing in this chapter, other than the prohibition against discrimination in advertising, shall:

(a) Apply to the following:

(1) The rental, lease or occupancy of a room in an owner-occupied single-family dwelling, provided that the following conditions are met:

- A. The owner does not own or have any interest in more than three single-family houses at any one time; and
- B. The house is sold or rented without the use of a real estate broker, agent or salesperson or the facility of any person in the business of selling or renting dwellings.

(2) Rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his or her residence.

(b) Prohibit a religious organization, association or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates, for other than commercial purposes, to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability;

(c) Prohibit a private club that is not in fact open to the public, which, as an incident to its primary purpose or purposes, provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members and their guests or from giving preference to its members;

(d) Prohibit the rental or sale of a dwelling on the basis of age or disability when such dwelling is authorized, approved, financed or subsidized, in whole or in part, by a unit of State, local or Federal government;

(e) Limit the applicability of any reasonable local, State or Federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling;

(f) Require the rental or sale of a unit to any person convicted of the illegal manufacture or distribution of a controlled substance;

(g) With regard to discrimination based on familial status, apply with respect to housing for older persons;

(h) Apply to persons engaged in the business of furnishing appraisals of real property from taking into consideration factors other than those based on unlawful discrimination or familial status in furnishing appraisals;

(i) Prohibit financial institutions from considering sound underwriting practices in contemplation of any loan to any person. Such practices shall include the following:

(1) The willingness and the financial ability of the borrower to repay the loan;

(2) The market value of any real estate or other item of property proposed as security for any loan; and

(3) The diversification of the financial institution's investment portfolio;  
or

(j) Prohibit a person engaged in the business of furnishing appraisals of real property from taking into consideration factors other than race, color, sex, sexual orientation, religion, creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability.

## **620.08 COMMUNITY RELATIONS COMMISSION**

(a) Establishment; Membership; Terms; Appointments; Chairperson. There is hereby established a Community Relations Commission, consisting of eleven members who shall be residents of the Municipality and who shall serve for a term of three years. Each member shall be appointed by the Mayor with the advice and consent of the City Council. The Director shall be appointed annually by the Mayor with the advice and consent of the City Council. Five Commission members shall be a quorum for the transaction of all business.

(b) General Powers. The Commission shall have and exercise the power to:

(1) Act to eliminate discriminatory practices;

(2) Act to assure to persons living or desiring to live in the Municipality, or in any particular dwelling, the opportunity to purchase, lease or rent a dwelling without discrimination because of race, color, sex, sexual orientation, religion,

creed, ancestry, national origin, age, military discharge status, marital status, familial status or disability;

(3) Engage in such recruitment, research and public communication and create such advisory councils as may be authorized to effectuate the purpose of this chapter;

(4) Coordinate its activities with Federal and State agencies in conformity with this chapter; and

(5) Gather and provide for the exchange of information relative to the provisions of this chapter among real estate brokers and salespeople, lenders, developers, employers, Municipal officials and community groups, within and without the Municipality.

(c) Enforcement Powers. The administrative responsibilities for this chapter shall be with the Community Relations Commission. The Commission shall have and exercise, in addition to the general powers cited in subsection (b) hereof, with respect to all dwellings and persons subject to this chapter, the power to:

(1) Issue, receive, initiate and investigate complaints charging discrimination. Any complaint initiated by the Commission shall be in writing and signed by the Director of the Commission and shall state such details as to substantially apprise any properly concerned party as to the time, place and facts surrounding the charged violation of this chapter.

(2) Seek conciliation with respect to any such complaint, and, if conciliation fails, refer such complaint to the Community Relations Review Committee where the process will proceed as set forth in Section 620.09(b).

(3) Render, from time to time, but not less than every month, a written report to Municipal officials of its activities and recommendations, which written report shall be made public after submission to the Mayor and City Council.

(4) Adopt, after approval by the Mayor and the City Council, such rules and regulations as may be necessary or desirable to carry out the purpose of this chapter.

#### **620.09 COMMUNITY RELATIONS REVIEW COMMITTEE**

(a) Establishment; Membership; Appointments; Chairperson. There is hereby established a Community Relations Review Committee, consisting of three members of the Council. No person shall simultaneously serve as a member of the Community Relations Commission. Each member shall be appointed by the Mayor, with the advice and consent of the Council. The Chairperson shall be appointed annually by the Mayor, with the advice and consent of the Council.

(b) **Adjudicative Responsibilities.** The adjudicative responsibilities for this chapter shall be with the Community Relations Review Committee. The Community Relations Review Committee shall have and execute, with respect to all dwellings and persons, subject to this chapter, the power to:

- (1) Hold hearings and make findings of fact and conclusions of law with respect to any complaint;
- (2) Administer oaths, take sworn testimony and subpoena witnesses and pertinent documents;
- (3) Seek temporary relief (judicial enforcement) and enforce its orders in conformity with this chapter;
- (4) Publish its findings of fact and issue orders in accordance with the provisions of this chapter;
- (5) Render, from time to time, but not less often than every month, a written report to Municipal officials of its activities and recommendations, which written report shall be made public after submission to the Mayor and Council; and
- (6) Adopt, promulgate, amend and rescind, after approval of the Mayor and City Council, such rules and regulations as may be necessary and desirable to carry out the purpose of this chapter.

#### **620.10 DIRECTOR**

The Director shall have such duties, responsibilities and powers as are necessary for the implementation of this chapter and as may be provided by the Community Relations Commission, the Mayor and City Council, including the issuing, initiation, receipt and due processing of complaints.

#### **620.11 COMPLAINTS; CONCILIATION AND HEARING PROCEDURES**

(a) **Complaints.**

(1) Any person aggrieved in any manner by a violation of any provision of this chapter may file with the Community Relations Commission a written verified complaint setting forth his or her grievance within one year after the date of the alleged violation. The complaint shall state, on a printed form provided by the Commission, such detail as to substantially apprise any party properly concerned as to the time, place and facts surrounding the alleged violation of this chapter.

(2) A complaint may be filed against any person alleged to have engaged, or is about to engage, in a discriminatory practice.

(3) A complaint may also be filed against any person who directs or controls, or has the right to direct or control, the conduct of another person with respect to any aspect of the sale, rental, advertising or financing of dwellings or the provision of brokerage services relating to the sale or rental of dwellings if that other person, acting within the scope of his or her authority as employee or agent of the directing or controlling person, is engaged, has engaged or is about to engage in a discriminatory housing practice.

(b) Notice of Complaint.

(1) Within ten calendar days after a complaint has been received or initiated by the Community Relations Commission, the Commission shall serve or cause to be served, either in person or by certified mail, a copy of said complaint on the person alleged to be in violation of this chapter, hereinafter referred to as the respondent.

(2) The Director shall also, within ten days of the date on which the complaint was filed, send written notice to the complainant informing the complainant of his or her option to file a complaint with U.S. HUD, the Illinois Human Rights Department or Federal or State courts, including the dates within which the complainant may exercise such options.

(c) Injunctive Temporary Relief.

(1) At any time after a complaint is filed and determined to constitute a violation of this chapter, the Community Relations Commission may petition the appropriate court for temporary relief, pending final determination of the proceedings under this chapter, including an order or decree restraining the respondent from doing or causing any act which would render ineffective a recommendation with respect to the complaint. Such petition shall contain a certification by the Community Relations Commission that the particular matter presents exceptional circumstances in which irreparable injury will result from a violation of this chapter in the absence of temporary relief.

(2) The petition shall be filed in the Circuit Court of Cook County.

(3) When the petition is based upon a civil rights violation, any relief or restraining order entered by the court shall not exceed five days unless:

- A. A longer period is agreed to by the respondent; or
- B. The court finds that there is substantial evidence to demonstrate that the respondent has engaged in violations of this chapter.

(d) Respondent Response; Notice of Default.

(1) The respondent shall serve a verified copy of his or her response to all allegations contained in the complaint within ten calendar days of the date on which respondent was served a copy of the complaint.

(2) The Director shall issue a notice of default directed to any respondent who fails to file a verified response to a complaint within ten calendar days of the date on which the complainant was served, unless the respondent can demonstrate good cause as to why such notice should not be issued.

(e) Complainant Response. Within ten calendar days of the date the complainant receives the respondent's response, he or she may file a reply to said response. If he or she chooses to file a reply, the complainant shall serve a copy of said reply on the respondent or his or her representative. A party shall have the right to supplement his or her response or reply at any time that an investigation of the complaint is pending.

(f) Investigation of Complaint.

(1) The Community Relations Commission shall order a prompt investigation of the complaint, completing such investigation within 100 calendar days after the filing of the complaint.

(2) Unless it is impossible to do so, upon review of the report and within 100 calendar days after the filing of the complaint, the Director shall determine whether there is substantial evidence that the alleged violation of this chapter has been committed.

(3) If the Community Relation Commission is unable to make the determination within 100 calendar days after the filing of the complaint, the Director shall notify the complainant and the respondent, in writing, of the reasons for not doing so.

(4) If the Community Relations Commission determines that there is no substantial evidence, the complaint shall be dismissed and the complainant notified that he or she may seek review of the dismissal order before the Community Relations Review Committee. The complainant shall have thirty calendar days from receipt of notice to file a request for review by the Community Relations Review Committee. The Community Relations Review Committee shall:

- A. Uphold the finding of insubstantial evidence; or
- B. Reverse the finding of insubstantial evidence and remand the complaint to the Community Relations Commission for conciliation.

(5) If the Community Relations Commission determines that there is substantial evidence it shall immediately notify the parties and schedule a conciliation meeting.

(g) Conciliation.

(1) During the period beginning with the filing of a complaint and ending with a dismissal or a referral to the Community Relations Review Committee, the Community Relations Commission or the Director shall, to the extent feasible, engage in conciliation with respect to such complaint.

(2) If the Director determines that:

- A. Conciliation is feasible, then the complainant and the respondent shall be notified of the time and place of the conciliation meeting, by registered or certified mail, at least seven calendar days prior thereto and both parties shall appear at the meeting in person or represented by attorney; or
- B. Attempts at conciliation would not further the objectives of this chapter, or the complaint cannot be resolved by conciliation, then the Director shall report and transfer the complaint and filings to the Community Relations Review Committee.

(3) The Director shall attempt by all accepted methods of conciliation and lawful persuasion to resolve the grievance delineated in the complaint.

(4) Nothing occurring at the conciliation meeting shall be made public or used as evidence in a subsequent proceeding for the purpose of providing a violation under this chapter, unless a complainant and respondent agree in writing that such disclosure be made.

(5) An agreement arising out of such conciliation shall be treated as a settlement pursuant to subsection (j) hereof.

(6) A conciliation agreement may provide for binding arbitration of the dispute arising from the complaint. Any such arbitration that results from a conciliation agreement may award relief as provided for in this chapter.

(h) Hearing on Complaint.

(1) Within fifteen days of receiving a complaint from the Community Relations Commission, the Community Relations Review Committee shall, upon due and reasonable notice to all parties, schedule a public hearing on the complaint. The public

hearing shall be scheduled no sooner than thirty days, nor later than sixty days, from the date of the notice.

(2) All parties shall be entitled to be represented by legal counsel and shall have the right to call witnesses. All parties to the proceeding may apply to the Community Relations Review Committee to have subpoenas issued in the name of the Community Relations Review Committee. Testimony taken at the conference/hearing shall be under oath or affirmation and a transcript shall be made and filed in the office of the Community Relations Review Committee and with the Director.

(i) Reports on the Decision.

(1) The Community Relations Review Committee shall issue a written report within thirty days of the conclusion of the public hearing. The report/decision shall include a summary of the testimony and a finding of whether a violation of this chapter was proven by a preponderance of the evidence. The report/decision shall also contain a recommendation/order of the relief that may include one or more of the elements provided for in Sections 620.12 and 620.99.

(2) If the Community Relations Commission determines that a respondent has not complied in a timely manner with the decision, the Commission shall refer the matter to the City Attorney who shall seek judicial enforcement of the decision.

(j) Settlement.

(1) Circumstances. A settlement of any complaint may be effected at any time prior to a report/decision by the Community Relations Review Committee upon agreement of the parties and the approval of the Community Relations Review Committee.

(2) Publicity. Each settlement agreement shall be made public unless the complainant and respondent agree and the Director determines that disclosure is not required to further the purpose of this chapter.

(3) Form. Settlements of complaints prior to the issuing of a report/decision shall be issued in writing by the Director, signed by the parties, and submitted by the Director to the Community Relations Review Committee.

(4) Settlement violation. When either party alleges that a settlement order has been violated, the Director shall conduct an investigation into the matter. If substantial evidence demonstrates that a settlement has been violated, the Director shall refer the matter to the City Attorney for enforcement in the Circuit Court of Cook County.

## 620.12 REMEDIES

(a) In addition to the penalties and fines delineated in Section 620.99, the Community Relations Review Committee may undertake additional actions, including, but not limited to, the following:

(1) Directing the respondent to pay compensatory/actual damages (including damages to compensate for mental anguish), punitive damages and attorneys' fees and costs;

(2) Directing the respondent to provide other equitable relief, including, but not limited to, access to the dwelling at issue or to a comparable dwelling, the provision of services or facilities in connection with a dwelling or other specific relief;

(3) Directing the respondent to provide other injunctive relief appropriate to the elimination of discriminatory practices affecting the aggrieved person or other persons; or

(4) Directing the Director to send copies of the report/decision to the Department of Professional Registration of the State and recommend appropriate disciplinary action, including, where appropriate, the suspension or revocation of the license of the respondent.

(b) Further, any persons violating any provision of this chapter may also be required to undertake actions to prevent further discriminatory practices, to undertake remedial affirmative activities to overcome discriminatory practices or to undertake various report requirements, including, but not limited to:

(1) Requiring the respondent and all of the respondent's brokers, associate brokers, salespeople and agents, and employees who are employed as sales or rental agents or who have a contractual relationship with the respondent and who are responsible for the sale and/or rental of any residential properties, to attend a fair housing training session conducted by U.S. HUD or an agency acceptable to the Mayor and Council. Such training session shall cover Federal, State and local fair housing laws, applicable case law and real-life or role-playing situations. Costs of such training session shall be borne by the respondent.

(2) Requiring all agents and employees of any respondent, owner and/or management company to utilize the fair housing logo and slogan in all advertising and telephone directories and on all company stationery, forms, pamphlets and brochures;

(3) Requiring all agents and employees of any respondent, owner and/or management company to post and maintain in a manner conspicuous to tenants, prospective tenants, buyers and prospective buyers, the fair housing poster and logo; or

(4) Requiring any respondent owner and/or management company to provide quarterly reports in writing, for a period of five years, of the names, addresses, race and sex of each prospective buyer/renter who seeks the respondent's aid in locating housing, the subsequent showings to each prospective buyer/renter and the final disposition.

### **620.13 APPEALS**

Any persons aggrieved by a decision of the Community Relations Review Committee shall have the right to appeal in accordance with the following procedure:

(a) First, the appellant shall request initial reconsideration by the full membership of the Community Relations Review Committee. This appeal shall be made within seven calendar days of the decision by filing with the Committee, a written statement setting forth specifically the grounds for reconsideration. These grounds shall be supported by argument and served on all parties at the time they are filed with the Committee. The Community Relations Review Committee, after reviewing the statement, shall:

- (1) Render a revised decision notifying all parties within fourteen calendar days of the filing of the statement for initial reconsideration; or
- (2) Issue and serve on all parties a written order for rehearing the case, citing the cause and additional evidence; or
- (3) Uphold the decision.

(b) Second, the appellant shall appeal to the Mayor and Council in cases where the Community Relations Review Committee's decision has been upheld. The appeal shall be initiated within seven calendar days of the initial decision or the upholding of the initial decision by filing with the Community Relations Review Committee a written statement as delineated in subsection (a) hereof. After reviewing the statement and hearing record, the Mayor and Council shall:

- (1) Render a revised decision notifying all parties within thirty calendar days of the filing of the appeal statement;
- (2) Issue and serve on all parties a written order for rehearing the case, citing the cause and additional evidence; or
- (3) Uphold the decision of the Community Relations Review Committee.

The decision of the Mayor and Council on such appeals shall be final.

(c) After a decision by the Mayor and Council, the aggrieved person may apply for judicial review under a writ of certiorari.

#### **620.99 PENALTY**

In addition to the remedies set forth in Section 620.12, any person violating any provision of this chapter may be directed to:

- (a) Cease and desist from such violation; and
- (b) Pay a civil penalty to vindicate the public interest:

(1) In an amount not exceeding ten thousand dollars (\$10,000) if the respondent has not been adjudged to have committed any prior violations of any provision of this chapter;

(2) In an amount not exceeding twenty-five thousand dollars (\$25,000) if the respondent has been adjudged to have committed one other violation of this chapter during the five-year period prior to the filing date of the current complaint; or

(3) In an amount not exceeding fifty thousand dollars (\$50,000) if the respondent has been adjudged to have committed two or more violations of this chapter during the seven-year period prior to the filing date of the current complaint.

**SECTION 3:** If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not effect any of the other provisions of this ordinance.

**SECTION 4:** All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 5:** This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2008, pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Chapman				
Ramos				
Weiner				
Skryd				
Day				
Phelan				
Lovero				
Erickson				
(Mayor O'Connor)				
<b>TOTAL</b>				

Michael A. O'Connor  
MAYOR

ATTEST:

Thomas J. Pavlik  
CITY CLERK

The City of Berwyn

J-10



Michael A. O'Connor  
Mayor

A Century of Progress with Pride

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2567  
www.berwyn-il.gov

May 27, 2008

Honorable Mayor Michael A. O'Connor  
And Members of the Berwyn City Council

Re: Ordinance amending Section 242.03, Chapter 242  
Appointed Officers; Appointment Procedure.

Dear Ladies and Gentlemen:

The above referenced Ordinance amends Section 242.03, Chapter 242, Appointed Officers; Appointment Procedure to eliminate the following Appointed Officers:

Chief Building Inspector  
Chief Water Clerk  
City Planner  
City Sealer  
Corporation Counsel  
Director of Finance & Human Resources  
Deputy Liquor Commissioner;

And to add the following Appointed Officers:

Director of Community Development  
Director of Community Outreach  
Director of Finance  
Director of Human Resources  
Grants Administrator/Community Development

After review, your approval of the attached ordinance would be requested.

Respectfully submitted,

Anthony T. Bertuca  
Associate City  
ATB/lps

**ORDINANCE NO \_\_\_\_\_**

**AN ORDINANCE AMENDING THE BERWYN CODE TO ELIMINATE UNNECESSARY APPOINTED OFFICERS, AND ADD APPOINTED OFFICERS, IN THE CITY OF BERWYN, COOK COUNTY, ILLINOIS**

NOW, THEREFORE, BE IT ORDAINED BY the Mayor and City Council of the City of Berwyn, Cook County, Illinois, in the exercise of Berwyn's home rule powers as follows:

**SECTION 1:**

Section 242.03, Chapter 242, Appointed Officers; Appointment Procedure is hereby amended to read as follows: (with proposed additions underlined and proposed deletions ~~stricken~~):

**242.03 APPOINTED OFFICERS; APPOINTMENT PROCEDURE.**

(a) With the exception of the officers listed in Section 242.01, all City officers shall be appointed by the Mayor, by and with the advice and consent of Council. Whenever a vacancy occurs in any office provided for in subsection (b) hereof, the Mayor shall present to Council, within thirty days of the occurrence creating such vacancy, the name of the appointee to such office, or shall, within such thirty days, inform Council of a temporary appointment, if such is the case. No person may be appointed to or temporarily hold any office provided for in subsection (b) hereof unless and until such person:

- (1) Has earned a high school diploma or the equivalent;
- (2) Is not in arrears in the payment of any tax or other indebtedness due to the City; and
- (3) Is not indicted for nor has been convicted of, in any court located in the United States, and still serving the sentence for any infamous crime, bribery, perjury, or other felony involving the characteristics of dishonesty, falsehood or fraud.

Subsection (a) (1) shall not apply to a person who is being appointed to an office which he or she held with the City prior to January 1, 2004.

(b) Appointed City officers shall include the following:

Administrative Assistant (to the Mayor's Department);  
Assistant Fire Chief;  
Associate City Attorney;

Building Director;

Chaplain, Police and Fire Departments (two);  
~~Chief Building Inspector;~~  
~~Chief Water Clerk;~~  
City Attorney;  
City Collector;  
~~City Planner;~~  
City Prosecutor;  
~~City Sealer;~~  
Community Relations Commission Director;  
~~Corporation Council;~~

Director of Community Development;  
~~Director of Computer Operations;~~ Director of Information Technology  
Director of Community Outreach;  
Director of Finance;  
~~Director of Finance and Human Resources;~~  
Director of Human Resources;  
Director of Neighborhood Affairs;  
Director of Public Work;  
Deputy Fire Chiefs (four);  
~~Deputy Liquor Commissioner;~~

Fire Chief;

Grants Administrator/Community Development;

Police Chief;

Recreation Director, and

Any other officers that council may consider necessary and expedient and provide for by ordinance

**SECTION 2**

If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

**SECTION 3**

All ordinances in conflict herewith are hereby repealed to the extent of such conflict

**SECTION 4.**

This ordinance shall be in full force and effect on or after its passage, approval and publication as provided by law.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
City Clerk

VOTING AYE: \_\_\_\_\_

VOTING NAY: \_\_\_\_\_

EXCUSED: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

DEPOSITED in my office this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
City Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
MICHAEL A. O'CONNOR, MAYOR  
CITY OF BERWYN



The City of BERWYN, Illinois Fire Department

DENIS O'HALLORAN, Fire Chief

6700 West 26th Street \* Berwyn, Illinois 60402-0701 \* Telephone: 708.788.2660 ext 251  
Fax: 708.788.3990

May 16, 2008

City of Berwyn Clerk  
Mr. Thomas Pavlik

Re: Resolution of Governing Body Extract of Minutes  
For financing agreement for purchase of New Fire Engine

As part of the 7 year financing agreement with Leasing 2, Inc. 1720 W. Cass St. Tampa, FL. 33606-1230 for the new Crimson Fire Engine. Leasing 2 Inc. is requesting that the City of Berwyn adopt a Resolution of Governing Body Extract of Minutes. Attached is a Resolution. Please submit this for the Council to adopt on the May 27, 2008 City Council Meeting. Any questions feel free to contact me.

Respectfully submitted,

Fire Chief  
Denis O'Halloran



# The City of BERWYN, Illinois Fire Department

DENIS O'HALLORAN Fire Chief

6700 West 26th Street \* Berwyn, Illinois 60402-0701 \* Telephone: 708.788.2660 ext 251  
Fax: 708.788.3990

## EXHIBIT A

### RESOLUTION OF GOVERNING BODY EXTRACT OF MINUTES

**LESSEE (legal name):** City of Berwyn

At a duly called meeting of the governing body of Lessee (as defined in the Agreement) held on the 27 day of May, 2008 the following resolution was introduced and adopted.

**RESOLVED**, whereas the governing body of Lessee has determined that a true and very real need exists for the acquisition of the Equipment described in the Lease-Purchase Agreement presented to this meeting; and has further determined that the Equipment will be used solely for essential governmental functions and not for private business use.

**WHEREAS**, the governing body of Lessee has taken the necessary steps, including any legal bidding requirements, under applicable law to arrange for the acquisition of such equipment.

**BE IT RESOLVED**, by the governing body of Lessee that the terms of said Lease-Purchase Agreement are in the best interest of Lessee for the acquisition of such equipment, and the governing body of Lessee designates and confirms the following persons to execute and deliver, and to witness (or attest), respectively, **Leasing 2, Inc.** Lease-Purchase Agreement and any related documents necessary to the consummation of the transactions contemplated by the Lease-Purchase Agreement.

\_\_\_\_\_  
(Signature of Party to Execute  
Lease-Purchase Agreement)

Denis O'Halloran Fire Chief  
(Print Name and Title)

The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect and further certifies that the above and foregoing Lease-Purchase Agreement is the same as presented at said meeting of the governing body of Lessee.

(SEAL)

\_\_\_\_\_  
Secretary/Clerk

\_\_\_\_\_  
Date



# The City of BERWYN, Illinois Fire Department

DENIS O'HALLORAN, Fire Chief

6700 West 26th Street \* Berwyn, Illinois 60402-0701 \* Telephone: 708.788.2660 ext 251  
Fax: 708.788.3990

May 21, 2008

Mayor O'Connor  
Members of City Council

RE: Medical Reimbursement Services, INC.  
Contract Expiration July 31, 2008  
Increase of Base rate Fees charged for calls

Mayor & City Council Members,

This letter is to inform you that the Contract between the City of Berwyn and Medical Reimbursement Services Inc. will expire on July 31, 2008.

A recap of 2007 collection efforts by Medical Reimbursements Services Inc.

Call Run	3,544
Total Collected	\$880,554.00
Average Revenue per Call	\$248.46
Monthly Revenue	\$73,380.00

This is a significant increase in Ambulance revenues from 2006 when they collected \$793,814.00. In the last six years revenue has gone from \$454,479.00 (2002) to \$880,554 (2007). Our last increase for Ambulance rates was in July of 2005

I have asked Medical Reimbursements to propose a new contract. Attached to this communication is a 3 year proposal with No increases in the fees charged by them. The only changes in the contract would be the term dates from August 1, 2008 to July 31, 2011.

Medical Reimbursements Services Inc. is suggesting a raise in Base rates for all ambulance charges. See attached correspondence regarding details on rate changes. It has been three years since the last rate change. This would take advantage of the trend towards base rate payment only, and away from ancillary charges. The increase fees will not capture any more funds from Medicare or Public Aid, but from Private insurance sources.

It is my recommendation that you approve the contract and incorporate the base rate increase. This will add some much needed revenue for our City.

Respectfully submitted,

Denis O'Halloran  
Fire Chief

MEDICAL  
REIMBURSEMENT  
SERVICES, INC.



P.O. BOX 438495 • CHICAGO, ILLINOIS 60643-8495 • TELEPHONE (773) 233-1170 • FAX (773) 233-8146

May 2, 2008

SPECIALIZING IN E.M.S. REIMBURSEMENT

Chief Dennis O'Halloran, Fire Chief  
Berwyn Fire Department  
6700 W. 26<sup>th</sup>  
Berwyn, IL 60402

Dear Chief O'Halloran:

To recap our efforts for 2007, ambulance collections were as follows:

Calls Run		3,544
Total Collected	\$	880,554.00
Average Revenue per call	\$	248.46
Monthly Revenues	\$	73,380.00

This is a significant increase in Ambulance revenues from 2006 when we collected \$ 793,814. **This is an increase of \$ 86,740. This is after increases of \$ 100,006 in 2006 \$ 104,000 (18%) from 2004 to 2005. In the last six years your revenue has gone from \$ 454,479 (2002) to \$ 880,554 (2007).** Revenue per call was \$ 248 in 2007. Monthly revenue was \$ 73,380. These results represent a diligent effort on our part, as well as yours.

I am pleased at these results and the increase in revenues of @ \$ 100,000 / year for the last three years. However, it has been @ 3 years since you have revised rates charged for ambulance service. I believe it may be time to consider a slight increase in your base rates to take advantage of the trend toward base rate payment only, and away from ancillary charges. We want to continue to produce results as above, and I believe a mild increase will do so. I have addressed a rate increase under separate cover (enclosed).

However, while preparing this information, I noted that our contract expires on July 31, this year. We hope that the above results warrant approval of a new contract. I have enclosed 2 copies of a new contract, identical in all respects, with our previous contract. Our charges to the City remain the same, the only change are the dates of the contract. Please advise if you have concerns, or wish further clarification.

Respectfully,

A handwritten signature in black ink that reads "Thomas J. Cosgrove". The signature is written in a cursive style with a large, looping "T" and "C".

Thomas J. Cosgrove  
President

MEDICAL  
REIMBURSEMENT  
SERVICES, INC.



P.O. BOX 438495 • CHICAGO, ILLINOIS 60643-8495 • TELEPHONE (773) 233-1170 • FAX (773) 233-8146

*SPECIALIZING IN E.M.S. REIMBURSEMENT*

May 2, 2008

Mr. Dennis O'Halloran, Chief  
Berwyn Fire Department  
6700 W. 26<sup>th</sup> St.  
Berwyn, Illinois 60402

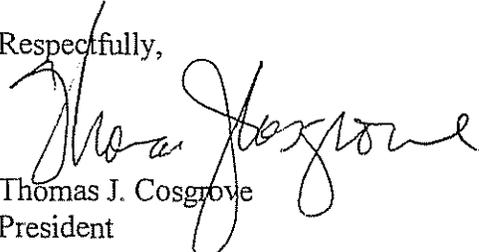
Dear Chief O'Halloran:

I have just done a review of client ambulance rates. Your last increase was in July 2005 and though your rates are still above the Medicare allowables, I believe you should consider a rate increase of \$ 50 to \$ 100 in your base rates. Last year (2007) we collected @ \$ 880,000. An increase should result in an additional \$ 40,000 to \$ 50,000 per year in ambulance collections. Increasing fees will not capture any more funds from Medicare or Public Aid, but I believe it will capture additional monies from Private insurance sources, (Blue Cross, Allstate, etc). I propose to raise rates as follows.

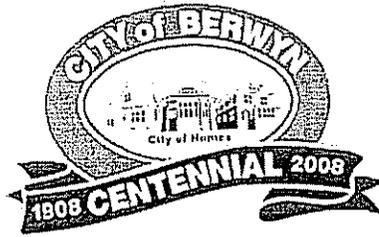
	Current	Proposed	M/Care Allow
BLS Base Rate, Resident	\$ 350.00	450.00	338.94
BLS Base Rate, Non-Resident	450.00	550.00	338.94
ALS Base Rate, Resident	450.00	550.00	402.50
ALS Base Rate, Non-Resident	500.00	600.00	402.50
Mileage	10.00	no change	6.25/Mile
Oxygen	35.00	50.00	-0-
EKG Telemetry	70.00	no change	-0-
I V Monitoring	45.00	no change	-0-
Immobilization	75.00	100.00	-0-
Car Fire, Extrication, Resident	250.00	no change	-0-
Car Fire, Extrication, Non-Res	500.00	no change	-0-
Response/Refusal	-0-	100.00	-0-

If after discussion, the board decides to institute higher rates, please advise.

Respectfully,

  
Thomas J. Cosgrove  
President

Michael A. O'Connor  
Mayor



James J. Frank  
IT Director

J-13

A Century of Progress with Pride

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-0285  
www.berwyn-il.gov

May 22, 2008

Honorable Mayor Michael A. O'Connor  
Members of the City Council

Re: *Retired Telephone Equipment*

Dear Ladies and Gentlemen:

With the completion of our implementation stage of the City-wide phone system, the City is now in possession of a significant quantity of aging telephone equipment. This equipment represents potential revenue for the City if sold or auctioned off to the highest bidder. It would be my request to ask the Finance Director to look into this matter and provide a recommendation to Council as far as how to proceed.

Please refer to Finance for study and report.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "James Frank".

James Frank  
Director, Information Technology



T-14  
THE CITY OF **BERWYN, ILLINOIS** *Building A New Berwyn*

MICHAEL A. O'CONNOR, *Mayor*

6700 West 26th Street • Berwyn, Illinois 60402-0701 • Telephone: (708) 788-2660 • Fax: (708) 788-2567  
www.berwyn-il.gov

May 22, 2008

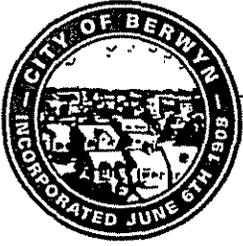
To: Mayor Michael O'Connor & City Council Members  
From: Patrick Ryan, Public Works Director  
Re: Request for Discussion of Water System Security Study

Representatives of CDM wish to present a plan for the evaluation of the water system pumping stations for discussion at the May 27, 2008 Committee of the Whole meeting. CDM will explain the complexities of the proposed studies and the financial benefits of following the federal grant procedures for acquiring funding assistance.

Attached is a letter from CDM giving a brief explanation of the evaluation and funding process.

**Recommended Actions:**

Staff recommends the City Council discuss the proposed Water System Security Study the May 27, 2008 Committee of the Whole meeting.



T-15  
~~THE~~ CITY OF **BERWYN, ILLINOIS** *Building A New Berwyn*

MICHAEL A. O'CONNOR, *Mayor*

6700 West 26th Street • Berwyn, Illinois 60402-0701 • Telephone: (708) 788-2660 • Fax: (708) 788-2567  
www.berwyn-il.gov

May 22, 2008

To: Mayor Michael O'Connor & City Council Members  
From: Patrick Ryan, Public Works Director  
Re: Service request from Morton West

Officials from School District 201 have requested the City's assistance in maintaining the leased parking lot behind Cermak Plaza. Concordia Realty is requesting the School District sweep this area and patch the potholes in order to maintain their lease. School District 201 does not have the equipment necessary to perform these tasks.

Public Works has estimated the costs to complete this work to be more man \$200-300 and 3-4 man hours. It should be noted that this lot is often used during City events at no cost. In fact, the Berwyn Centennial Fest will be held at this site in June.

**Recommended Actions:**

Staff recommends the City Council approve assisting School District 201 to patch potholes and sweep the back lot area of the Cermak Plaza.



J-16  
THE CITY OF **BERWYN, ILLINOIS** *Building A New Berwyn*

MICHAEL A. O'CONNOR, *Mayor*  
6700 West 26th Street • Berwyn, Illinois 60402-0701 • Telephone: (708) 788-2660 • Fax: (708) 788-2567  
www.berwyn-il.gov

May 23, 2008

Mayor Michael A O'Connor  
And members of the Berwyn City Council

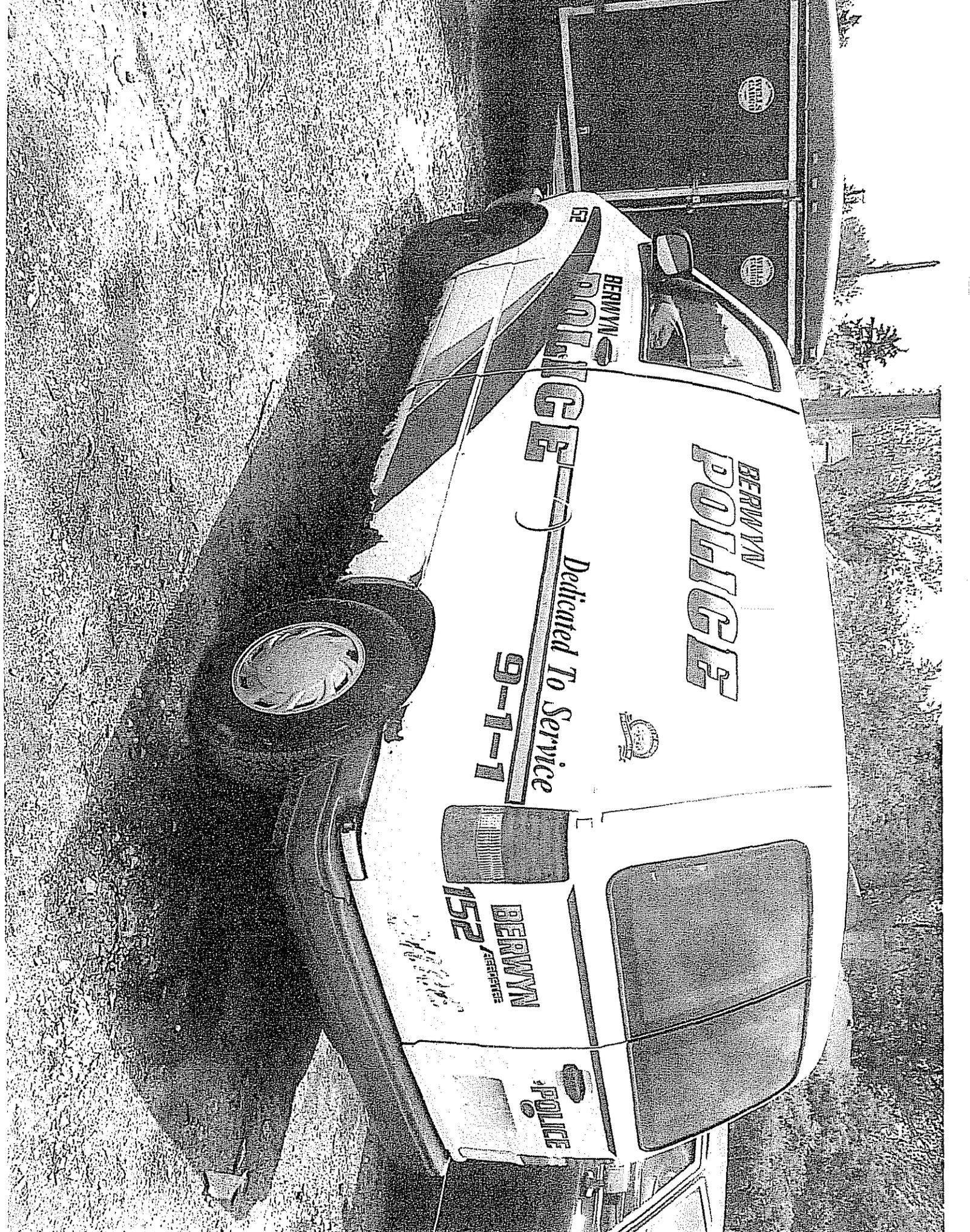
Dear Mayor and Council members

I am respectfully requesting to scrap Unit # 152 from the Police Department. This vehicle is a 1995 Ford Aerostar Vin # 1FTDA14V7SZA39278 which has been used by the Animal Control Division. The vehicle needs a transmission and the body is running out of metal to rust. There is currently a vehicle in the Police Department inventory that will be utilized as the new Animal Control Van .

Thank you for your cooperation in this matter.

Respectfully

  
\_\_\_\_\_  
Sam Canino / Fleet Maintenance



BERWYN  
POLICE

*Dedicated To Service*  
9-1-1

BERWYN  
152

POLICE

# Section K

## Consent Agenda

K-1

**CITY OF BERWYN**

**CITY COUNCIL MEETING** (Date) 05/27/08

**Deferred Communication**

Agenda Item K-1 is a Deferred Communication from C C Meeting dated 05/13/08 Agenda item #64

FROM ALDERMAN ERICKSON

Re: HANDICAP SIGN-J. RAMIREZ-1230 WESLEY

---

K 3

Berwyn City Council

ITEM NO. 64

DATE MAY 13 2008

DISPOSITION  
[Signature]  
April 28, 2008

From 8<sup>th</sup> Ward Alderman Joel Erickson  
To Mayor O'Connor and  
The Berwyn City Council

Regarding: **Handicap Sign**  
**1230 Wesley Ave.**

Ladies and Gentlemen:

I hereby concur with the Investigating Officer's recommendation to DENY the attached Handicap application.

Respectfully yours,

Joel Erickson  
8<sup>th</sup> Ward Alderman



We Serve and Protect

**BERWYN  
POLICE DEPARTMENT**



6401 West 31st Street  
Berwyn, Illinois 60402-0733  
Phone (708) 795-5600  
Fax (708) 795-5627    Emergency 9-1-1

**TO:            HONORABLE MAYOR MICHAEL A. O'CONNOR AND  
MEMBERS OF THE BERWYN CITY COUNCIL**

**FROM:        BERWYN POLICE DEPARTMENT  
LOCAL ORINANCE DIVISION**

**DATE:**      April 24, 2008

**RE:            HANDICAPPED SIGN FOR:     Jose O. Ramirez #550**

**ATTACHED IS A COPY OF REQUEST FOR A HANDICAPPED SIGN TO BE  
ERECTED IN THE CITY OF BERWYN PARKWAY IN FRONT OF:**

1230 S. Wesley Ave.

**PLEASE REVIEW THE ATTACHED PAPERWORK AND ADVISE.**

**cc:    ALDERMAN Joel Erickson**

# Berwyn Police Department

6401 West 31<sup>st</sup> Street  
Berwyn, Illinois 60402-0733  
Phone (708) 795-5600  
(Fax) 795-5627 Emergency 9-1-1

## HANDICAPPED PARKING SIGN REQUEST & REPORT

To: Mayor Michael O'Connor  
and Members of City Council

From: Berwyn Police Department  
Local Ordinance Division

Date: 04-11-2008

Application #: 550

Name of Applicant: Jose O. Ramirez

Address: 1230 S Wesley Ave. Berwyn, IL 60402

Telephone: 708-710-8039

Nature of Disability:  
back.

Information	YES	NO	Information	YES	NO
Doctor's Note/Affidavit:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Interviewed:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Owner's Support Letter:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Handicap Plates:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Garage:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wheelchair:	—	—
Driveway:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Walker:	—	—
Off Street:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cane:	—	—
On Street:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Oxygen:	—	—
Meets Requirements:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Report Number: 08-04754		

2008 APR 21 AM 10:38  
 1001 92 AM 10:38

**Recommendation:** APPROVE  DENY  Reporting Officer: M Schwanderlik #252

Comments:

Alderman:

Ward:

# Berwyn Police Department - Incident Report

(708) 795-5600 6401 West 31st Street Berwyn, IL 60402

Incident#: 08-04754

STATION COMPLAINT UCR 9041 (Applicant File)		DESCRIPTION Handicapped Application	INCIDENT # / DOT # 08-04754
WHEN REPORTED 04/11/2008 00:00	LOCATION OF OFFENSE (HOUSE NO., STREET NAME) 1320 S WESLEY AV # BERWYN, IL 60402		HOW RECEIVED Telephone
TIME OF OCCURRENCE 04/11/2008 00:00	STATUS CODE (09) Administratively Closed		STATUS DATE 04/11/2008

### INVOLVED ENTITIES

NAME RAMIREZ, JOSE O		DOB	AGE	ADDRESS 1230 S WESLEY AV 2ND FLR BERWYN, IL 60402		
SEX M	RACE	HGT	WGT	HAIR	EYES	PHONE
UCR 9041 (Applicant File) - 0 count(s)				TYPE Other		RELATED EVENT #

### INVOLVED VEHICLES

VEH/PLATE #	STATE IL	TYPE	INVOLVEMENT	VIN #
YEAR 2005	MAKE	MODEL	COLOR	COMMENTS

### NARRATIVES

#### PRIMARY NARRATIVE

In Summary:

Subject Jose O Ramirez of 1230 S Wesley Ave suffers from

As of the date of this report subject Jose does not meet the city requirements for a Handicapped Sign being that his vehicle registers out of 114 S Maple Ave #B1 Oak Park, IL 60302. A/o has made contact with subject Jose on three prior occasion being 03-12-2008, 03-20-2008 and 03-30-2008 advising him that said registration needs to be updated with the Secretary of States office before this application can be processed. Subject Jose advised A/o that he just has not had an opportunity to get to the Secretary of States Office yet.

A/o further found that subject Jose rents an apartment at the above location and is not the building owner. Subject Jose related that he has a letter from the owner of the property but was unable to provide a copy of said letter at the time of the interview. The above property has a 2 car garage (approx 20'X 20') which is not available for his use at this time. A/o observed on-street parking with numerous parking space available at the time of the interview. A/o counted 18 vehicles parked on the entire block.

For the above listed reason A/o feels that this application should be terminated (Denied) until which time subject Jose O Ramirez meets the city requirements at which time he can reapply.

Nothing further to report at this time.

REPORTING OFFICER SCHWANDERLIK, MARK	STAR # 252	REVIEWER	STAR #
---	---------------	----------	--------

Berwyn Police Department - Incident Report



THE CITY OF BERWYN, ILLINOIS

CITY OF BERWYN - AFFIDAVIT FOR HANDICAP SIGN

PLEASE PRINT

JOSE O RAMIREZ
(Name of Handicapped Person)

1230 Wesley AVE.
(Address of Handicapped Person)

JOSE O RAMIREZ
(Name of Applicant)

(Phone Number of Handicapped Person)

I hereby affirm that the information provided is true and correct, and it shall be prohibited and unlawful for any person to file a sworn affidavit which said person knows to be false or believes to be false.

Jose O. Ramirez
(Signature of Applicant)

MAR 05 2008
(Date)

PHYSICIANS STATEMENT
PLEASE PRINT NATURE OF PATIENT'S HANDICAP

I, HEREBY CERTIFY THAT THE PHYSICAL CONDITION OF THE ABOVE NAMED "HANDICAPPED PERSON" CONSTITUTES HIM/HER A HANDICAPPED PERSON AS DEFINED UNDER THE STATUTORY PROVISION PAR. 1-159 1 (Physically Handicapped Person - Every person who has permanently lost the use of a leg or both legs or an arm or both arms or any combination thereof, or any person who is so severely disabled as to be unable to move without the aid of crutches or a wheelchair).

(Print - Name of Physician)

(Print - Address of Physician)

(Signature of Physician)

(Physicians Phone #)

(Date)

Handicapped State Plate # PEPE 2

Vehicle Tag # 19311 Year 08

Regular State Plate #

Handicap State Card #

YOU MUST HAVE A HANDICAP STATE PLATE OR CARD TO PARK YOUR VEHICLE IN A HANDICAPPED PARKING SPACE.

3-12-08 VEHICLE REGISTERED TO OAK PARK - OWNER ADVISED
3-20-08 OWNER ADVISED TO CONTACT SOS. ABOUT PLATES.
3-30-08 " " " " " "
04-11-08 VEHICLE REG OUT OF TOWN DENIED

K-2

ALDERMAN MARK WEINER  
3132 Wenonah  
Berwyn, Illinois 60402  
MarkWeiner1@Hotmail.Com  
708-484-7512  
Www.ThirdWardAlderman.Com

May 21, 2008

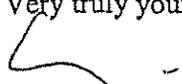
Re: Payroll

Council Members:

The current payroll has been prepared for review by the Finance Department and for approval at the May 27, 2008 Council meeting.

Payroll May 14, 2008 is \$876,490.40

Very truly yours,



Mark Weiner, Budget Committee Chairman

K-3

BUDGET CHAIRMAN MARK WEINER

3132 Wenonah

Berwyn, Illinois 60402

MarkWeiner1@Hotmail.Com

708-484-7512

Www.ThirdWardAlderman.Com

May 23, 2008

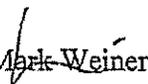
Re: Payables

Council Members:

The current payables have been prepared for review by the Finance Department and are ready for approval at the May 27, 2008 Council meeting.

Payables: \$ 353,594.35

Very truly yours,

  
Mark Weiner

CITY OF BERWYN  
 CHECK REGISTER  
 DATE RANGE: 05/20/08 - 05/22/08

BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
01	337289	\$843.09 843.09	05/21/08 23-5-00-5335	20173		0 3M A	OUTSTANDING
01	337246	\$873.00 873.00	05/21/08 80-5-00-5505	00464		0 A & F SEWER COMPANY, INC. A	OUTSTANDING
01	337179	\$1140.00 1140.00	05/20/08 11-5-23-5300	00652		0 A.S.A. SOFTBALL ASSOCIATION A	OUTSTANDING
01	337336	\$159.00 159.00	05/22/08 11-5-07-5500	01555		0 AAA ACCURATE APPLIANCE SERVICE INC. A	OUTSTANDING
01	337249	\$48.84 48.84	05/21/08 23-5-00-5215	00736		0 ABRAHAM LINCOLN PRESIDENTIAL LIBRARY A	OUTSTANDING
01	337354	\$1475.00 1475.00	05/22/08 11-2-00-2400	20338		0 ADOLFO MELENDEZ A	OUTSTANDING
01	337208	\$1470.47 1470.47	05/20/08 11-2-00-2244	10016		0 AFLAC WORLDWIDE HEADQUARTERS A	OUTSTANDING
01	337194	\$359.99 359.99	05/20/08 11-5-08-5300	01330		0 AIR ONE EQUIPMENT, INC. A	OUTSTANDING
01	337334	\$486.49 360.76 125.73	05/22/08 11-5-07-5600 11-5-07-5605	01330		0 AIR ONE EQUIPMENT, INC. BATTERY FRONT HELMETS	OUTSTANDING
01	337253	\$174.83 174.83	05/21/08 11-5-21-5500	00908		0 AIRGAS NORTH CENTRAL A	OUTSTANDING
01	337193	\$138.00 138.00	05/20/08 11-5-08-5500	01320		0 AL'S RADIATOR A	OUTSTANDING
01	337273	\$1537.20 1537.20	05/21/08 23-5-00-5220	01565		0 ALLIANCE ENTERTAINMENT, LLC A	OUTSTANDING
01	337270	\$1019.81 1019.81	05/21/08 80-5-00-5500	01506		0 ALLIED ASPHALT A	OUTSTANDING
01	337157	\$712.84 712.84	05/20/08 11-5-08-5500	00039		0 ANDERSON BROS FORD A	OUTSTANDING
01	337225	\$3930.97 3930.97	05/21/08 23-5-00-5500	00051		0 ANDERSON ELEVATOR CO. A	OUTSTANDING
01	337280	\$37.00 37.00	05/21/08 11-5-08-5335	01660		0 ANIMAL WELFARE LEAGUE A	OUTSTANDING

CITY OF BERWYN  
 CHECK REGISTER  
 DATE RANGE: 05/20/08 - 05/22/08

BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
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01	337348	\$15.48 15.48	05/22/08	20332		0 ANTON HARAMIJA A	OUTSTANDING
01	337166	\$2448.50 2448.50	05/20/08	00352		0 ARNSTEIN & LEHR LLP A	OUTSTANDING
01	337226	\$1120.89 749.71 371.18	05/21/08	00055		0 AT & T A A	OUTSTANDING
01	337314	\$195.86 195.86	05/22/08	00055		0 AT & T A	OUTSTANDING
01	337165	\$947.00 947.00	05/20/08	00351		0 AT&T INTERNET SERVICES A	OUTSTANDING
01	337235	\$496.89 496.89	05/21/08	00240		0 AVERY'S SERVICES A	OUTSTANDING
01	337286	\$345.45 345.45	05/21/08	01838		0 BAKER & TAYLOR ENTERTAINMENT A	OUTSTANDING
01	337248	\$1894.39 1894.39	05/21/08	00531		0 BAKER & TAYLOR, INC. A	OUTSTANDING
01	337233	\$19.96 19.96	05/21/08	00176		0 BARNES & NOBLE A	OUTSTANDING
01	337250	\$194.88 194.88	05/21/08	00737		0 BBC AUDIOBOOKS AMERICA A	OUTSTANDING
01	337189	\$21.93 21.93	05/20/08	01162		0 BEN SMOGLOLSKI A	OUTSTANDING
01	337333	\$6.99 6.99	05/22/08	01244		0 BERWYN ACE HARDWARE A	OUTSTANDING
01	337315	\$1200.00 1200.00	05/22/08	00078		0 BERWYN DEVELOPMENT CORP A	OUTSTANDING
01	337272	\$62.48 62.48	05/21/08	01539		0 BEST ACCESS SYSTEMS A	OUTSTANDING
01	337262	\$1595.00 1595.00	05/21/08	01300		0 BLACK HILLS AMMUNITION A	OUTSTANDING
01	337344	\$1835.00	05/22/08	01256		0 BUSY-BEE BOARD-UP & EMERGENCY SERVICE , INC.	OUTSTANDING

CITY OF BERWYN  
 CHECK REGISTER  
 DATE RANGE: 05/20/08 - 05/22/08

BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
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		1835.00	11-5-11-5500			A	
01	337184	\$1869.10	05/20/08	01043		0 CARDINAL CARTIDGE, INC.	OUTSTANDING
		1417.58	11-5-16-5300			A	
		347.95	11-5-16-5300			A	
		103.57	11-5-16-5300			A	
01	337358	\$36.44	05/22/08	37950		0 CARL REINA	OUTSTANDING
		36.44	11-5-14-5245			A	
01	337183	\$516.15	05/20/08	00996		0 CASE LOTS INC	OUTSTANDING
		516.15	11-5-08-5300			A	
01	337257	\$254.20	05/21/08	00996		0 CASE LOTS INC	OUTSTANDING
		254.20	23-5-00-5335			A	
01	337162	\$16.31	05/20/08	00236		0 CHICAGO OFFICE TECHNOLOGY GROUP	OUTSTANDING
		16.31	11-5-08-5505			A	
01	337331	\$346.50	05/22/08	01186		0 CICERO FIRE ACADEMY	OUTSTANDING
		346.50	11-5-07-5330			A	
01	337181	\$85.10	05/20/08	00976		0 CINTAS # 769	OUTSTANDING
		85.10	11-5-23-5500			A	
01	337255	\$246.35	05/21/08	00976		0 CINTAS # 769	OUTSTANDING
		72.00	80-5-00-5300			A	
		105.85	11-5-11-5500			A	
		68.50	23-5-00-5500			A	
01	337327	\$370.20	05/22/08	00976		0 CINTAS # 769	OUTSTANDING
		89.25	11-5-07-5500			A	
		89.25	11-5-07-5500			A	
		102.45	11-5-07-5500			A	
		89.25	11-5-07-5500			A	
01	337168	\$135.00	05/20/08	00390		0 CITADEL	OUTSTANDING
		135.00	11-5-08-5305			A	
01	337155	\$141913.20	05/20/08	00005		0 CITY OF CHICAGO	OUTSTANDING
		141913.20	80-5-00-5200			A	
01	337212	\$12.00	05/20/08	20326		0 CITY OF EVANSTON	OUTSTANDING
		12.00	11-5-12-5300			A	
01	337221	\$33.95	05/21/08	00009		0 COMM ED	OUTSTANDING
		33.95	79-5-00-5520			A	

CITY OF BERWYN  
 CHECK REGISTER  
 DATE RANGE: 05/20/08 - 05/22/08

BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
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01	337186	\$439.15 439.15	05/20/08 11-5-08-5310	01080		0 COMMUNICATIONS REVOLVING FUND A	OUTSTANDING
01	337325	\$150.00 150.00	05/22/08 40-5-00-5609	00412		0 CON GLOBAL INDUSTRIES, INC. A	OUTSTANDING
01	337244	\$1290.00 1290.00	05/21/08 80-5-00-5505	00444		0 CORRPRO COMPANIES, INC. A	OUTSTANDING
01	337297	\$57.69 57.69	05/21/08 23-5-00-5245	32832		0 DANIELLE TAYLOR CAPPELLETTI A	OUTSTANDING
01	337263	\$7617.79 791.37 626.27 732.75 626.27 2083.02 626.27 821.67 683.90 626.27	05/21/08 11-5-01-5505 11-5-02-5505 11-5-06-5505 11-5-07-5505 11-5-08-5505 11-5-11-5505 11-5-23-5505 32-5-00-5505 80-5-00-5505	01344		0 DELAGE LANDEN FINANCIAL SERVICES MO CC FIN FD PD BD REC CDBG WD	OUTSTANDING
01	337241	\$56.08 56.08	05/21/08 23-5-00-5335	00388		0 DEMCO EDUCATIONAL CORP A	OUTSTANDING
01	337343	\$835.00 835.00	05/22/08 12-5-00-5200	00465		0 DIAMOND GRAPHICS, INC. A	OUTSTANDING
01	337199	\$133.04 133.04	05/20/08 51-5-00-5661	01623		0 ELITE PROMOTIONS A	OUTSTANDING
01	337300	\$44.00 44.00	05/21/08 23-5-00-5245	33302		0 ELMHURST PUBLIC LIBRARY A	OUTSTANDING
01	337310	\$29.00 29.00	05/21/08 23-5-00-5245	37378		0 ELMWOOD PARK PUBLIC LIBRARY A	OUTSTANDING
01	337288	\$150.00 150.00	05/21/08 51-5-00-5660	20036		0 ERIK ESPY A	OUTSTANDING
01	337335	\$290.00 290.00	05/22/08 56-5-56-8100	01549		0 FEDERAL RENT-A-FENCE, INC. A	OUTSTANDING
01	337347	\$14.99 14.99	05/22/08 80-4-00-4305	20331		0 FIRST LUTHERN CHURCH A	OUTSTANDING
01	337205	\$2130.00	05/20/08	01760		0 FLASH ELECTRIC CO.	OUTSTANDING

CITY OF BERWYN  
 CHECK REGISTER  
 DATE RANGE: 05/20/08 - 05/22/08

BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
		2130.00	11-5-11-5210			A	
01	337301	\$62.21 62.21	05/21/08 32-5-00-5300	33503		0 FRANK PADUCH A	OUTSTANDING
01	337160	\$189.86 189.86	05/20/08 11-5-20-5500	00182		0 FREEWAY FORD TRUCK SALES INC A	OUTSTANDING
01	337176	\$245.25 245.25	05/20/08 11-5-08-5500	00492		0 FULLMER LOCKSMITH SERVICE INC A	OUTSTANDING
01	337191	\$140.83 83.30 49.97 7.56	05/20/08 11-5-20-5200 11-5-20-5500 11-5-08-5500	01246		0 GABRIEL SALES PW STREETS PD	OUTSTANDING
01	337284	\$1442.12 1442.12	05/21/08 23-5-00-5210	01786		0 GALE A	OUTSTANDING
01	337228	\$259.60 259.60	05/21/08 32-5-00-5300	00093		0 GATEHOUSE MEDIA SUBURBAN NEWSPAPERS A	OUTSTANDING
01	337229	\$537.66 537.66	05/21/08 23-5-00-5335	00124		0 GAYLORD BROS INC A	OUTSTANDING
01	337308	\$30.70 30.70	05/21/08 23-5-00-5305	35930		0 GEMA HERNANDEZ A	OUTSTANDING
01	337278	\$750.00 450.00 300.00	05/21/08 11-5-01-5300 11-5-01-5300	01648		0 GRAND AVENUE BIG BAND A A	OUTSTANDING
01	337357	\$4110.00 4110.00	05/22/08 11-5-08-5150	34107		0 GREGORY CATENA A	OUTSTANDING
01	337230	\$1300.00 1300.00	05/21/08 80-5-00-5505	00144		0 H J MOHR & SONS CO A	OUTSTANDING
01	337258	\$122.00 122.00	05/21/08 23-5-00-5335	01050		0 HALLAGAN BUSINESS MACHINES A	OUTSTANDING
01	337309	\$29.00 29.00	05/21/08 23-5-00-5215	37089		0 HARVARD HEALTH LETTER A	OUTSTANDING
01	337222	\$814.18 814.18	05/21/08 80-5-00-5300	00012		0 HD SUPPLY WATERWORKS, LTD A	OUTSTANDING
01	337223	\$78.64	05/21/08	00033		0 HIGHSMITH COMPANY	OUTSTANDING

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BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
		78.64	23-5-00-5335			A	
01	337268	\$109.32 109.32	05/21/08 11-5-08-5500	01498		0 HOME DEPOT CREDIT SERVICES A	OUTSTANDING
01	337269	\$591.53 591.53	05/21/08 11-5-20-5300	01498		0 HOME DEPOT CREDIT SERVICES A	OUTSTANDING
01	337198	\$250.00 250.00	05/20/08 11-5-12-5210	01556		0 IGFOA A	OUTSTANDING
01	337170	\$913.61 913.61	05/20/08 11-5-08-5500	00397		0 ILLINOIS HARLEY-DAVIDSON SALES INC, A	OUTSTANDING
01	337264	\$18.50 18.50	05/21/08 23-5-00-5335	01366		0 ILLINOIS PAPER COMPANY A	OUTSTANDING
01	337243	\$472.72 472.72	05/21/08 23-5-00-5210	00398		0 INGRAM LIBRARY SERVICES A	OUTSTANDING
01	337306	\$137.00 137.00	05/21/08 23-5-00-5210	34675		0 INTERNATIONAL READING ASSOC. A	OUTSTANDING
01	337216	\$669.65 81.95 171.90 163.90 251.90	05/20/08 11-5-20-5200 11-5-20-5500 11-5-08-5500 11-5-07-5500	31638		0 INTERSTATE BATTERY SYSTEM OF CENTRAL CHGO. PW ST PD A	OUTSTANDING
01	337159	\$133.95 133.95	05/20/08 11-5-23-5500	00162		0 JACK'S RENTAL INC A	OUTSTANDING
01	337317	\$885.00 885.00	05/22/08 11-5-14-5245	00129		0 JAKE THE STRIPER A	OUTSTANDING
01	337337	\$2952.60 2952.60	05/22/08 57-5-57-8130	01618		0 JAMES DUNCAN & ASSOCIATES, INC. A	OUTSTANDING
01	337290	\$100.00 100.00	05/21/08 23-5-00-5240	20297		0 JANET TADEY A	OUTSTANDING
01	337158	\$55.95 55.95	05/20/08 11-5-16-5300	00067		0 JIM FRANK A	OUTSTANDING
01	337227	\$116.14 116.14	05/21/08 11-5-16-5300	00067		0 JIM FRANK A	OUTSTANDING
01	337259	\$1000.00	05/21/08	01144		0 JOHN E.REID AND ASSOCIATES INC.	OUTSTANDING

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BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
		1000.00	11-5-08-5330			A	
01	337351	\$63.09 63.09	05/22/08 80-4-00-4305	20335		0 JOHN SCHROEDER A	OUTSTANDING
01	337305	\$2055.00 2055.00	05/21/08 11-5-08-5150	33877		0 JOSEPH DRURY A	OUTSTANDING
01	337192	\$240.00 240.00	05/20/08 11-5-11-5210	01273		0 JOSEPH M.CRISCIONE A	OUTSTANDING
01	337261	\$180.00 180.00	05/21/08 11-5-11-5210	01273		0 JOSEPH M.CRISCIONE A	OUTSTANDING
01	337252	\$325.40 325.40	05/21/08 80-5-00-5505	00880		0 JULIE, INC. A	OUTSTANDING
01	337217	\$252.84 252.84	05/20/08 11-5-08-5500	32052		0 JUST TIRES A	OUTSTANDING
01	337209	\$50.00 50.00	05/20/08 11-4-00-4230	20323		0 KAREN ARNDT A	OUTSTANDING
01	337207	\$429.06 429.06	05/20/08 11-5-08-5500	01933		0 KDD OF ILLINOIS,LTD. A	OUTSTANDING
01	337267	\$4843.76 4843.76	05/21/08 23-5-00-5500	01460		0 KEY EQUIPMENT FINANCE A	OUTSTANDING
01	337295	\$10.60 10.60	05/21/08 23-5-00-5230	32681		0 KRISTY GILBERT A	OUTSTANDING
01	337318	\$6788.79 6788.79	05/22/08 11-5-16-5220	00174		0 KRONOS INCORPORATED A	OUTSTANDING
01	337279	\$1274.61 1274.61	05/21/08 11-5-08-5500	01651		0 LAURENS RESTORANTION, INC. A	OUTSTANDING
01	337294	\$65.65 65.65	05/21/08 23-5-00-5210	32555		0 LEXISNEXIS A	OUTSTANDING
01	337292	\$450.00 450.00	05/21/08 23-5-00-5240	20299		0 LINDA GORHAM A	OUTSTANDING
01	337171	\$580.00 580.00	05/20/08 11-5-08-5305	00407		0 LITTLE VILLAGE PRINTING A	OUTSTANDING
01	337172	\$831.00	05/20/08	00407		0 LITTLE VILLAGE PRINTING	OUTSTANDING

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		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
		831.00	11-5-08-5305			A	
01	337202	\$93.00 93.00	05/20/08 11-5-08-5330	01689		0 LLINOIS ASSOC.OF SCHOOL BOARDS A	OUTSTANDING
01	337352	\$17.45 17.45	05/22/08 80-4-00-4305	20336		0 LOREL SIEBERT A	OUTSTANDING
01	337349	\$39.68 39.68	05/22/08 80-4-00-4305	20333		0 LORRANIE JANCIK A	OUTSTANDING
01	337203	\$2970.00 2970.00	05/20/08 11-5-23-5300	01692		0 M.K. SPORTS A	OUTSTANDING
01	337282	\$450.00 450.00	05/21/08 11-5-23-5300	01692		0 M.K. SPORTS A	OUTSTANDING
01	337187	\$140.74 140.74	05/20/08 11-5-04-5203	01093		0 MARK WEINER A	OUTSTANDING
01	337304	\$82.49 43.98 38.51	05/21/08 23-5-00-5335 23-5-00-5250	33871		0 MARY FRANK SUPP EQUIPT	OUTSTANDING
01	337260	\$569.00 569.00	05/21/08 11-5-08-5335	01272		0 MEGGITT DEFENSE SYSTEMS CASWELL A	OUTSTANDING
01	337302	\$26.99 26.99	05/21/08 23-5-00-5335	33560		0 MENARD'S HODGKINS A	OUTSTANDING
01	337224	\$9699.83 151.70 9548.13	05/21/08 23-5-00-5305 23-5-00-5225	00040		0 METROPOLITAN LIBRARY SYSTEM POSTAGE SERVICE	OUTSTANDING
01	337247	\$4946.09 4946.09	05/21/08 23-5-00-5210	00520		0 METROPOLITAN LIBRARY SYSTEM A	OUTSTANDING
01	337350	\$15.48 15.48	05/22/08 80-4-00-4305	20334		0 MICHAEL PILEGGI A	OUTSTANDING
01	337298	\$190.90 190.90	05/21/08 23-5-00-5220	33116		0 MICRO MARKETING, LLC A	OUTSTANDING
01	337326	\$200.00 200.00	05/22/08 11-5-14-5245	00647		0 MORTON WEST MUSIC A	OUTSTANDING
01	337293	\$74.00 74.00	05/21/08 23-5-00-5250	20300		0 MULTNOMAH COUNTY LIBRARY A	OUTSTANDING

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BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
01	337210	\$80.00 80.00	05/20/08 11-5-14-5245	20324		0 MY FIRST "A" REGION A	OUTSTANDING
01	337256	\$4710.00 4710.00	05/21/08 11-5-20-5510	00992		0 McADAM NURSERY & GARDEN CENTER A	OUTSTANDING
01	337180	\$1664.42 1664.42	05/20/08 11-5-08-5500	00929		0 McDONOUGH MECHANICAL SERVICES, INC. A	OUTSTANDING
01	337161	\$850.00 850.00	05/20/08 11-5-08-5330	00226		0 N.E. MULTI REGIONAL TRAINING A	OUTSTANDING
01	337287	\$234.07 234.07	05/21/08 23-5-00-5250	01928		0 NAEIR A	OUTSTANDING
01	337328	\$52.30 52.30	05/22/08 11-5-06-5300	01017		0 NATIONAL RUBBER STAMP CO., INC A	OUTSTANDING
01	337164	\$54.59 54.59	05/20/08 11-5-16-5300	00301		0 NEXTEL COMMUNICATIONS A	OUTSTANDING
01	337200	\$3086.82 2271.16 815.66	05/20/08 11-5-08-5320 11-5-23-5325	01632		0 NICOR GAS A A	OUTSTANDING
01	337276	\$12436.02 10488.22 1947.80	05/21/08 80-5-00-5320 23-5-00-5325	01632		0 NICOR GAS A A	OUTSTANDING
01	337188	\$1605.00 1605.00	05/20/08 11-5-23-5500	01133		0 NORTH SHORE NETTING A	OUTSTANDING
01	337237	\$100.00 100.00	05/21/08 11-5-08-5330	00265		0 NORTHEAST MULTI REGIONAL TRAINING A	OUTSTANDING
01	337299	\$510.36 510.36	05/21/08 23-5-00-5335	33183		0 OFFICE DEPOT A	OUTSTANDING
01	337234	\$33.96 33.96	05/21/08 11-5-08-5335	00195		0 OFFICE EQUIPMENT SALES A	OUTSTANDING
01	337236	\$393.90 316.20 77.70	05/21/08 23-5-00-5250 23-5-00-5240	00263		0 ORIENTAL TRADING CO. A A	OUTSTANDING
01	337291	\$10.60 10.60	05/21/08 23-5-00-5230	20298		0 PAMELA LLOYD A	OUTSTANDING

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BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
01	337342	\$67.32 67.32	05/22/08 11-5-07-5300	34494		0 PAUL GARDNER A	OUTSTANDING
01	337175	\$211.99 211.99	05/20/08 11-5-20-5500	00488		0 PEP BOYS A	OUTSTANDING
01	337254	\$3068.59 3068.59	05/21/08 23-5-00-5500	00913		0 PETAR DUMANOVIC,LLC A	OUTSTANDING
01	337341	\$2500.00 2500.00	05/22/08 11-5-14-5245	20330		0 PIONEER DRUM & BUGLE CORP. A	OUTSTANDING
01	337156	\$4119.00 4119.00	05/20/08 80-5-00-5650	00029		0 PITNEY BOWES A	OUTSTANDING
01	337177	\$350.00 350.00	05/20/08 11-5-23-5300	00519		0 PONY BASEBALL A	OUTSTANDING
01	337266	\$259.00 259.00	05/21/08 23-5-00-5335	01419		0 POSGuys.com A	OUTSTANDING
01	337239	\$1463.68 1463.68	05/21/08 80-5-00-5500	00286		0 QUARRY MATERIALS, INC. A	OUTSTANDING
01	337211	\$10.00 10.00	05/20/08 11-5-14-5245	20325		0 R.QUITSCH FLORIST, INC. A	OUTSTANDING
01	337281	\$7292.83 7292.83	05/21/08 23-5-00-5210	01683		0 RAINBOW BOOK COMOPANY A	OUTSTANDING
01	337277	\$342.40 342.40	05/21/08 23-5-00-5220	01647		0 RANDOM HOUSE, INC. A	OUTSTANDING
01	337322	\$717.91 717.91	05/22/08 11-5-07-5300	00347		0 RDJ SPECIALTIES, INC. A	OUTSTANDING
01	337303	\$50.00 50.00	05/21/08 51-5-00-5660	33830		0 REANNA HERSICK A	OUTSTANDING
01	337265	\$49.95 49.95	05/21/08 23-5-00-5335	01384		0 RESEARCH TECHNOLOGY INT'L A	OUTSTANDING
01	337345	\$1710.00 1555.00 155.00	05/22/08 11-5-11-5500 11-5-11-5500	01304		0 RESTORE BOARD-UP A A	OUTSTANDING
01	337338	\$61.00	05/22/08	01832		0 RESURRECTION HEALTH CARE	OUTSTANDING

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		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
		61.00	11-5-07-5330			A	
01	337219	\$108.90 108.90	05/20/08 11-5-08-5300	33992		0 RICKEY SMITH A	OUTSTANDING
01	337356	\$3390.00 3390.00	05/22/08 11-5-08-5150	33992		0 RICKEY SMITH A	OUTSTANDING
01	337296	\$20.00 20.00	05/21/08 23-5-00-5245	32819		0 RIVERSIDE PUBLIC LIBRARY A	OUTSTANDING
01	337185	\$693.37 460.36 233.01	05/20/08 11-5-08-5500 11-5-20-5500	01055		0 RIZZA FORD PD PW	OUTSTANDING
01	337285	\$342.89 342.89	05/21/08 11-5-04-5207	01810		0 ROBERT J. LOVERO A	OUTSTANDING
01	337174	\$2000.00 2000.00	05/20/08 11-5-05-5210	00470		0 ROBERT S. MOLARO & ASSOCIATES A	OUTSTANDING
01	337316	\$410.00 410.00	05/22/08 11-5-07-5330	00117		0 ROMEOVILLE FIRE ACADEMY A	OUTSTANDING
01	337353	\$15.48 15.48	05/22/08 80-4-00-4305	20337		0 RONALD ARMAGOST A	OUTSTANDING
01	337213	\$1475.00 1475.00	05/20/08 11-2-00-2400	20327		0 ROSALINDA & RUEBEN LOPEZ A	OUTSTANDING
01	337163	\$602.51 602.51	05/20/08 11-5-08-5500	00280		0 ROSCOE COMPANY A	OUTSTANDING
01	337238	\$157.86 97.75 60.11	05/21/08 11-5-11-5500 15-5-00-5500	00280		0 ROSCOE COMPANY A A	OUTSTANDING
01	337321	\$228.78 228.78	05/22/08 11-5-07-5500	00280		0 ROSCOE COMPANY A	OUTSTANDING
01	337340	\$1000.00 1000.00	05/22/08 11-5-14-5245	20329		0 ROYAL AIRS A	OUTSTANDING
01	337231	\$4196.64 4196.64	05/21/08 11-5-20-5500	00158		0 RUSSO POWER EQUIPMENT A	OUTSTANDING
01	337355	\$2492.78 2492.78	05/22/08 11-5-07-5150	31650		0 SALVATORE MOLINARO A	OUTSTANDING

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BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
01	337215	\$211.78 211.78	05/20/08 11-5-08-5300	30617		0 SAM'S CLUB A	OUTSTANDING
01	337173	\$1375.42 1375.42	05/20/08 11-5-23-5335	00415		0 SANTO SPORT STORE A	OUTSTANDING
01	337271	\$16200.00 16200.00	05/21/08 32-5-00-5215	01522		0 SEGUIN SERVICES, INC. A	OUTSTANDING
01	337275	\$16.74 16.74	05/21/08 23-5-00-5335	01629		0 SHANE'S OFFICE SUPPLY CO. A	OUTSTANDING
01	337339	\$1900.00 1900.00	05/22/08 11-5-14-5245	20328		0 SICILIAN BAND OF CHICAGO A	OUTSTANDING
01	337178	\$4400.00 4400.00	05/20/08 11-5-25-5235	00618		0 SIKICH LLP A	OUTSTANDING
01	337346	\$44.52 44.52	05/22/08 80-4-00-4305	20230		0 SNL REALTY A	OUTSTANDING
01	337319	\$50.00 50.00	05/22/08 11-5-07-5330	00242		0 SOUTHERN KANE COUNTY TRAINING ASSOCIATION A	OUTSTANDING
01	337197	\$683.55 683.55	05/20/08 11-5-08-5310	01479		0 SPRINT A	OUTSTANDING
01	337311	\$94.00 94.00	05/21/08 23-5-00-5245	37387		0 STICKNEY -FOREST VIEW PUBLIC LIBRARY DIST. A	OUTSTANDING
01	337214	\$72.56 72.56	05/20/08 11-5-05-5400	30378		0 SULLIVAN'S LAW DIRECTORY A	OUTSTANDING
01	337182	\$694.69 509.04 185.65	05/20/08 11-5-11-5300 15-5-00-5300	00989		0 T-MOBILE BLDG CO	OUTSTANDING
01	337206	\$2795.00 2795.00	05/20/08 11-5-25-5225	01857		0 T.A. CUMMINGS JR. CO. A	OUTSTANDING
01	337307	\$56.95 56.95	05/21/08 23-5-00-5240	34762		0 TAMMY CLAUSEN A	OUTSTANDING
01	337329	\$118.98 118.98	05/22/08 11-5-07-5300	01106		0 TARGET AUTO PARTS A	OUTSTANDING
01	337169	\$168.89	05/20/08	00391		0 TELE-TRON ACE HARDWARE	OUTSTANDING

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BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
		168.89	11-5-08-5500			A	
01	337242	\$50.91 50.91	05/21/08 11-5-20-5500	00391		0 TELE-TRON ACE HARDWARE A	OUTSTANDING
01	337324	\$213.95 213.95	05/22/08 11-5-07-5300	00391		0 TELE-TRON ACE HARDWARE A	OUTSTANDING
01	337283	\$169.10 169.10	05/21/08 11-5-08-5320	01706		0 TEXOR PETROLEUM COMPANY A	OUTSTANDING
01	337245	\$440.00 440.00	05/21/08 80-5-00-5305	00456		0 THE GAZETTE A	OUTSTANDING
01	337320	\$995.00 995.00	05/22/08 11-5-06-5210	00249		0 THIRD MILLENNIUM ASSOCIATES, INC. A	OUTSTANDING
01	337190	\$375.00 375.00	05/20/08 11-5-04-5205	01199		0 THOMAS J. DAY A	OUTSTANDING
01	337332	\$79.00 79.00	05/22/08 11-5-11-5300	01220		0 THOMPSON ELEVATOR INSPECTION SERVICE INC. A	OUTSTANDING
01	337251	\$874.64 874.64	05/21/08 11-5-08-5500	00790		0 THYSSENKRUPP ELEVATOR CORP. A	OUTSTANDING
01	337240	\$778.76 778.76	05/21/08 23-5-00-5335	00289		0 TIGER DIRECT A	OUTSTANDING
01	337196	\$823.39 12.95 164.12 310.23 336.09	05/20/08 11-5-20-5500 11-5-11-5500 11-5-20-5200 11-5-08-5500	01364		0 TRYAD AUTOMOTIVE PW BLDG ST PD	OUTSTANDING
01	337312	\$7521.32 7521.32	05/22/08 11-5-06-5305	00003		0 U S POSTMASTER A	OUTSTANDING
01	337313	\$180.00 180.00	05/22/08 11-5-06-5305	00003		0 U S POSTMASTER A	OUTSTANDING
01	337204	\$73.27 29.58 43.69	05/20/08 11-5-11-5305 11-5-08-5305	01750		0 UNITED PARCEL SERVICE A A	OUTSTANDING
01	337195	\$516.76 516.76	05/20/08 11-5-08-5500	01336		0 UNITED RADIO COMM, INC A	OUTSTANDING

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BANK	CHECK #	CHECK AMT	CHECK DATE	VENDOR #	ADDRS #	VENDOR NAME	CHECK STATUS
		AMOUNT	G/L ACCT #			DESCRIPTION	INVOICE #
01	337232	\$114.80 114.80	05/21/08 23-5-00-5250	00165		0 UPSTART INC A	OUTSTANDING
01	337330	\$114.80 114.80	05/22/08 11-5-07-5300	01171		0 US GAS A	OUTSTANDING
01	337220	\$141.75 141.75	05/21/08 11-5-08-5310	00004		0 USA MOBILITY WIRELESS, INC. A	OUTSTANDING
01	337218	\$32.82 32.82	05/20/08 11-5-20-5300	33428		0 VILLAGE OF RIVERSIDE A	OUTSTANDING
01	337274	\$3543.20 3543.20	05/21/08 80-5-00-5505	01582		0 VISU-SEWER OF ILLINOIS, LLC A	OUTSTANDING
01	337201	\$46.94 46.94	05/20/08 11-5-23-5335	01679		0 WALMART A	OUTSTANDING
01	337167	\$33.00 33.00	05/20/08 11-5-08-5335	00377		0 WATER ONE A	OUTSTANDING
01	337323	\$11.00 11.00	05/22/08 11-5-06-5300	00377		0 WATER ONE A	OUTSTANDING
TOTAL # OF ISSUED CHECKS:			204	TOTAL AMOUNT:		353594.35	
TOTAL # OF VOIDED/REISSUED CHECKS:			0	TOTAL AMOUNT:		0.00	
TOTAL # OF ACH CHECKS:			0	TOTAL AMOUNT:		0.00	
TOTAL # OF UNISSUED CHECKS:			0				

FUND TOTALS

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FUND	FUND NAME	ISSUED TOTAL	VOIDED/REISSUED TOTAL
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011	GENERAL FUND	113,029.96	0.00
012	HISTORICAL PRES COMMISSION	835.00	0.00
015	COMMUNITY OUTREACH FUND	245.76	0.00
023	LIBRARY FUND	48,804.20	0.00
032	CDBG PROJECT FUND	17,205.71	0.00
040	CAPITAL PROJECTS FUND	150.00	0.00
051	MISC GRANT FUND	333.04	0.00
056	CERMAK TIF DISTRICT	1,490.00	0.00
057	ROOSEVELT TIF FUND	2,952.60	0.00
079	MOTOR FUEL TAX	33.95	0.00
080	WATER AND SEWER	168,514.13	0.00
		=====	=====
	TOTAL -	353,594.35	0.00

Michael A. O'Connor  
Mayor



Mark Weiner  
Third Ward Alderman  
(708) 484-7512  
[3rdward@Berwyn-il.gov](mailto:3rdward@Berwyn-il.gov)

A Century of Progress with Pride

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2675  
[www.berwyn-il.gov](http://www.berwyn-il.gov)

May 16, 2008

Honorable Mayor Michael A. O'Connor and  
Members of the Berwyn City Council

RE: Handicap Request: Claudia Diaz-Restrepo, 6945 W. Riverside Dr.

Mayor and City Council Members:

I concur with the investigating officer's recommendation to approve the installation of handicap signs at the above referenced residence.

Very truly yours,

Mark Weiner



We Serve and Protect

# BERWYN POLICE DEPARTMENT



6401 West 31st Street  
Berwyn, Illinois 60402-0733  
Phone (708) 795-5600  
Fax (708) 795-5627    Emergency 9-1-1

**TO: HONORABLE MAYOR MICHAEL A. O'CONNOR AND  
MEMBERS OF THE BERWYN CITY COUNCIL**

**FROM: BERWYN POLICE DEPARTMENT  
LOCAL ORINANCE DIVISION**

**DATE:** May 8, 2008

**RE: HANDICAPPED SIGN FOR: Claudia Diaz-Restrepo # 554**

**ATTACHED IS A COPY OF REQUEST FOR A HANDICAPPED SIGN TO BE  
ERECTED IN THE CITY OF BERWYN PARKWAY IN FRONT OF:**

6945 W. Riverside Dr. , Berwyn

**PLEASE REVIEW THE ATTACHED PAPERWORK AND ADVISE.**

**cc: ALDERMAN Mark Weiner**

# Berwyn Police Department

6401 West 31<sup>st</sup> Street  
Berwyn, Illinois 60402-0733  
Phone (708) 795-5600  
(Fax) 795-5627 Emergency 9-1-1

## HANDICAPPED PARKING SIGN REQUEST & REPORT

To: Mayor Michael O'Connor  
and Members of City Council

From: Berwyn Police Department  
Local Ordinance Division

Date: 05-07-2008

Application #: 554

2008 MAY -8 PM 2:03

Name of Applicant: Claudia Diaz-Restrepo

Address: 6945 W Riverside Dr Berwyn, IL 60402

Telephone:

Nature of Disability: ! -----

Information	YES	NO	Information	YES	NO
Doctor's Note/Affidavit:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Interviewed:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Owner's Support Letter:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Handicap Plates:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Garage:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wheelchair:	—	
Driveway:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Walker:	—	
Off Street:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cane:	—	
On Street:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Oxygen:	—	
Meets Requirements:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Report Number: 08-06173		

**Recommendation:** APPROVE  DENY  Reporting Officer: M. Schwanderlik #252

Comments:

Alderman:

Ward:

# Berwyn Police Department - Incident Report

(708) 795-5600 6401 West 31st Street Berwyn, IL 60402

Incident#: 08-06173

STATION COMPLAINT UCR 9041 (Applicant File)		DESCRIPTION HANDICAPPED APPLICATION	INCIDENT # / DOT # 08-06173
WHEN REPORTED 05/07/2008 14:58	LOCATION OF OFFENSE (HOUSE NO., STREET NAME) 6954 W RIVERSIDE DR BERWYN, IL 60402		HOW RECEIVED
TIME OF OCCURRENCE 05/07/2008 14:58		STATUS CODE	STATUS DATE

INVOLVED ENTITIES						
NAME DIAZ-RESTREPO, CLAUDIA NMI		DOB	AGE	ADDRESS 6945 W RIVERSIDE DR BERWYN, IL 60402		
SEX F	RACE	HGT 5' 6"	WGT	HAIR Black	EYES Brown	PHONE ( )
UCR 9041 (Applicant File) - 0 count(s)				TYPE Other		RELATED EVENT #

INVOLVED VEHICLES					
VEHICLE #	STATE IL	TYPE		INVOLVEMENT	VIN #
YEAR	MAKE	MODEL (unknown)	COLOR	COMMENTS	

Berwyn Police Department - Incident Report

NARRATIVES				
<p>PRIMARY NARRATIVE</p> <p>In Summary:</p> <p style="text-align: center;">Subject Claudia Diaz-Restrepo who resides at 6945 W Riverside Dr Berwyn, IL 60402 suffers from Mrs. Diaz-Restrepo uses a</p> <p>The above address is a single family residence with a two car garage. Mrs. Diaz-Restrepo owns the property and resides there with her husband. The garage is used to house the family vehicle but is not accessible to Mrs. Diaz-Restrepo due to her medical condition. Mrs. Diaz-Restrepo has to leave the garage in her wheel chair and because of approximately 8 concrete narrow stairs leading from the garage to the rear of the residence she has to travel through the alley to Home Ave and make her way around to the side entrance of the residence. Mrs. Diaz-Restrepo wishes to have the handicapped signs placed in front of her residence for safety reasons allowing her a more direct access route into her residence.</p> <p>Mrs. Diaz-Restrepo meets the requirements for being handicapped and also meets the City requirements for handicapped parking signs.</p> <p>This officer feels that this application should be approved at this time.</p> <p>Nothing further to report at this time.</p>				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>REPORTING OFFICER SCHWANDERLIK, MARK</td> <td>STAR # 252</td> <td>REVIEWER</td> <td>STAR #</td> </tr> </table>	REPORTING OFFICER SCHWANDERLIK, MARK	STAR # 252	REVIEWER	STAR #
REPORTING OFFICER SCHWANDERLIK, MARK	STAR # 252	REVIEWER	STAR #	



THE CITY OF BERWYN, ILLINOIS

CITY OF BERWYN - AFFIDAVIT FOR HANDICAP SIGN

PLEASE PRINT

Claudia Diaz Restrepo
(Name of Handicapped Person)

6954 Riverside Drive
(Address of Handicapped Person)

Claudia Diaz Restrepo
(Name of Applicant)

(Phone Number of Handicapped Person)

I hereby affirm that the information provided is true and correct, and it shall be prohibited and unlawful for any person to file a sworn affidavit which said person knows to be false or believes to be false.

(Signature of Applicant)

4/29/06
(Date)

PHYSICIANS STATEMENT
PLEASE PRINT NATURE OF PATIENT'S HANDICAP

I, HEREBY CERTIFY THAT THE PHYSICAL CONDITION OF THE ABOVE NAMED "HANDICAPPED PERSON" CONSTITUTES HIM/HER A HANDICAPPED PERSON AS DEFINED UNDER THE STATUTORY PROVISION PAR. 1-159.1 (Physically Handicapped Person - Every person who has permanently lost the use of a leg or both legs or an arm or both arms or any combination thereof, or any person who is so severely disabled as to be unable to move without the aid of crutches or a wheelchair).

(Print Name of Physician)

(Print - Address of Physician)

(Signature of Physician)

(Physicians Phone #) (Date)

Handicapped State Plate #

Vehicle Tag # Year 94

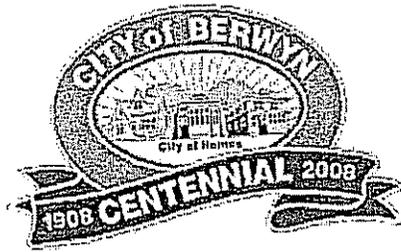
Regular State Plate #

Handicap State Card # AE91345

YOU MUST HAVE A HANDICAP STATE PLATE OR CARD TO PARK YOUR VEHICLE IN A HANDICAPPED PARKING SPACE.

Michael A. O'Connor  
Mayor

K-5



Mark Weiner  
Third Ward Alderman  
(708) 484-7512  
[3rdward@Berwyn-il.gov](mailto:3rdward@Berwyn-il.gov)

**A Century of Progress with Pride**

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2675  
[www.berwyn-il.gov](http://www.berwyn-il.gov)

May 16, 2008

Honorable Mayor Michael A. O'Connor and  
Members of the Berwyn City Council

RE: Handicap Request: Merle A. Suba, 2948 S. Wisconsin Ave.

Mayor and City Council Members:

I concur with the investigating officer's recommendation to approve the installation of handicap signs at the above referenced residence.

Very truly yours,

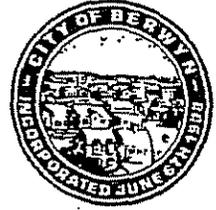
Mark Weiner



We Serve and Protect

# BERWYN POLICE DEPARTMENT

6401 West 31st Street  
Berwyn, Illinois 60402-0733  
Phone (708) 795-5600  
Fax (708) 795-5627    Emergency 9-1-1



**TO:            HONORABLE MAYOR MICHAEL A. O'CONNOR AND  
MEMBERS OF THE BERWYN CITY COUNCIL**

**FROM:        BERWYN POLICE DEPARTMENT  
LOCAL ORINANCE DIVISION**

**DATE:**        May 14, 2008

**RE:            HANDICAPPED SIGN FOR: Merle A. Suba    #552**

**ATTACHED IS A COPY OF REQUEST FOR A HANDICAPPED SIGN TO BE  
ERECTED IN THE CITY OF BERWYN PARKWAY IN FRONT OF:**

2948 S. Wisconsin Ave.

**PLEASE REVIEW THE ATTACHED PAPERWORK AND ADVISE.**

**cc:    ALDERMAN Mark Weiner**

# Berwyn Police Department

6401 West 31<sup>st</sup> Street  
Berwyn, Illinois 60402-0733  
Phone (708) 795-5600  
(Fax) 795-5627    Emergency 9-1-1

## HANDICAPPED PARKING SIGN REQUEST & REPORT

To: Mayor Michael O'Connor  
and Members of City Council

From: Berwyn Police Department  
Local Ordinance Division

Date: 05-05-2008

Application #: 552

Name of Applicant: Merle A Suba

Address: 2948 S Wisconsin Ave Berwyn, IL 60402

Telephone: -----

Nature of Disability: -----

2008 MAY 14 PM 1:02

Information	YES	NO	Information	YES	NO
Doctor's Note/Affidavit:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Interviewed:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Owner's Support Letter:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Handicap Plates:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Garage:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wheelchair:	<input type="checkbox"/>	<input type="checkbox"/>
Driveway:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Walker:	<input type="checkbox"/>	<input type="checkbox"/>
Off Street:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Cane:	<input type="checkbox"/>	<input type="checkbox"/>
On Street:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Oxygen:	<input type="checkbox"/>	<input type="checkbox"/>
Meets Requirements:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Report Number: 08-06027		

**Recommendation:** APPROVE  DENY  Reporting Officer: M. Schwanderlik #252

Comments:

Alderman:

Ward:





THE CITY OF BERWYN, ILLINOIS

CITY OF BERWYN - AFFIDAVIT FOR HANDICAP SIGN

PLEASE PRINT

MERLE A SUBA
(Name of Handicapped Person)

2948-S-WISCONSINU, BERWYN
(Address of Handicapped Person)

JOHN R SUBA
(Name of Applicant)

(Phone Number of Handicapped Person)

I hereby affirm that the information provided is true and correct, and it shall be prohibited and unlawful for any person to file a sworn affidavit which said person knows to be false or believes to be false.

John R Suba
(Signature of Applicant)

4/7/08
(Date)

PHYSICIANS STATEMENT
PLEASE PRINT NATURE OF PATIENT'S HANDICAP

I, HEREBY CERTIFY THAT THE PHYSICAL CONDITION OF THE ABOVE NAMED "HANDICAPPED PERSON" CONSTITUTES HIM/HER A HANDICAPPED PERSON AS DEFINED UNDER THE STATUTORY PROVISION PAR. 1-159.1 (Physically Handicapped Person - Every person who has permanently lost the use of a leg or both legs or an arm or both arms or any combination thereof, or any person who is so severely disabled as to be unable to move without the aid of crutches or a wheelchair).

(Print - Name of Physician)

(Print - Address of Physician)

(Signature of Physician)

(Physicians Phone #) (Date)

Handicapped State Plate #

Vehicle Tag # 1556 Year 07-08

Regular State Plate #

Handicap State Card # AB 93189

YOU MUST HAVE A HANDICAP STATE PLATE OR CARD TO PARK YOUR VEHICLE IN A HANDICAPPED PARKING SPACE.

Michael A. O'Connor  
Mayor

Kib



**Thomas Day**  
Fifth Ward Alderman  
(708) 484-9092  
[Tomjday@sbcglobal.net](mailto:Tomjday@sbcglobal.net)

**A Century of Progress with Pride**

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2675  
[www.berwyn-il.gov](http://www.berwyn-il.gov)

May 16, 2008

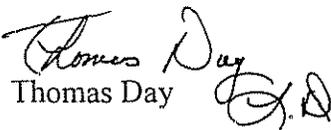
Honorable Mayor Michael A. O'Connor and  
Members of the Berwyn City Council

Re: Handicap Request: Carolann E. Turner, 1828 S. Cuyler Avenue

Mayor and City Council Members:

I would like to over turn the recommendations of the investigating officer, and  
approve the installation of handicap signs for the referenced residence.

Sincerely,

  
Thomas Day



We Serve and Protect

# BERWYN POLICE DEPARTMENT



6401 West 31st Street  
Berwyn, Illinois 60402-0733  
Phone (708) 795-5600  
Fax (708) 795-5627 Emergency 9-1-1

**TO: HONORABLE MAYOR MICHAEL A. O'CONNOR AND  
MEMBERS OF THE BERWYN CITY COUNCIL**

**FROM: BERWYN POLICE DEPARTMENT  
LOCAL ORINANCE DIVISION**

**DATE:** May 15, 2008

**RE: HANDICAPPED SIGN FOR:** Carolann E. Turner #559

**ATTACHED IS A COPY OF REQUEST FOR A HANDICAPPED SIGN TO BE  
ERECTED IN THE CITY OF BERWYN PARKWAY IN FRONT OF:**

1828 S. Cuyler Avenue

**PLEASE REVIEW THE ATTACHED PAPERWORK AND ADVISE.**

**cc: ALDERMAN** Thomas Day

2008 MAY 15 PM 2:14



5/13/08 *SP*



# THE CITY OF BERWYN, ILLINOIS

## CITY OF BERWYN - AFFIDAVIT FOR HANDICAP SIGN

PLEASE PRINT

CAROLANNE E. TURNER  
(Name of Handicapped Person)

1828 SO. CUYLER  
(Address of Handicapped Person)

CAROLANNE E. TURNER  
(Name of Applicant)

\_\_\_\_\_  
(Phone Number of Handicapped Person)

\*\*\*\*\*  
I hereby affirm that the information provided is true and correct, and it shall be prohibited and unlawful for any person to file a sworn affidavit which said person knows to be false or believes to be false.

*Carolanne E. Turner*  
(Signature of Applicant)

5-12-08  
(Date)

\*\*\*\*\*  
PHYSICIANS STATEMENT  
PLEASE PRINT NATURE OF PATIENT'S HANDICAP

I, HEREBY CERTIFY THAT THE PHYSICAL CONDITION OF THE ABOVE NAMED "HANDICAPPED PERSON" CONSTITUTES HIM/HER A HANDICAPPED PERSON AS DEFINED UNDER THE STATUTORY PROVISION PAR. 1-159.1 (Physically Handicapped Person - Every person who has permanently lost the use of a leg or both legs or an arm or both arms or any combination thereof, or any person who is so severely disabled as to be unable to move without the aid of crutches or a wheelchair).

\_\_\_\_\_  
(Print - Name of Physician)

\_\_\_\_\_  
(Print - Address of Physician)

\_\_\_\_\_  
(Signature of Physician)

\_\_\_\_\_  
(Physicians Phone #)      \_\_\_\_\_  
(Date)

\*\*\*\*\*  
Handicapped State Plate # \_\_\_\_\_

Vehicle Tag #: P 2738 Year 07-08

Regular State Plate # \_\_\_\_\_

Handicap State Card # AC 82865

\*\*\*\*\*  
YOU MUST HAVE A HANDICAP STATE PLATE OR CARD TO PARK YOUR VEHICLE IN A HANDICAPPED PARKING SPACE.

# Berwyn Police Department - Incident Report

(708) 795-5600 6401 West 31st Street Berwyn, IL 60402

Incident#: 08-06566

STATION COMPLAINT UCR 9041 (Applicant File)		DESCRIPTION Handicapped Application	INCIDENT # / DOT # 08-06566
WHEN REPORTED 05/15/2008 12:38	LOCATION OF OFFENSE (HOUSE NO. STREET NAME) 1828 S CUYLER AV BERWYN, IL 60402		HOW RECEIVED
TIME OF OCCURRENCE 05/15/2008 12:38	STATUS CODE		STATUS DATE

**INVOLVED ENTITIES**

NAME TURNER, CAROLANN		DOB	AGE	ADDRESS 1828 S CUYLER AV BERWYN, IL 60402			
SEX	RACE	HGT	WGT	HAIR	EYES	PHONE	
UCR 9041 (Applicant File) - 0 count(s)				TYPE		RELATED EVENT #	

**NARRATIVES**

**PRIMARY NARRATIVE**

**In Summary:**

Carolann E Turner resides at 1828 S Cuyler Ave and suffers from . Subject Carolann related that she owns the above property. Carol does not drive due to her condition. The vehicle listed on the handicapped application belongs to a friend Dorothy Davis who also resides at the above address and drives Carolann places that she needs to go.

There is a two car garage at the above listed address which is used for storage at this time. Carol related that on street parking is available and that her friend Dorothy has no problems parking her vehicle near the front of the residence. Assigned also observed a fire hydrant directly in front of the above address which would cause handicapped signs to be placed either North or South of the above address overlapping neighbors property.

Due to Carolann not driving and the availability of on street parking as well as a garage on the property this officer feels that this application should be denied at this time.

Nothing further to report at this time.

Berwyn Police Department - Incident Report

REPORTING OFFICER SCHWANDERLIK, MARK	STAR # 252	REVIEWER	STAR #
---	---------------	----------	--------

Michael A. O'Connor  
Mayor

K-9



Thomas Day  
Fifth Ward Alderman  
(708) 484-9092  
[Tomjdav@sbcglobal.net](mailto:Tomjdav@sbcglobal.net)

**A Century of Progress with Pride**

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2675  
[www.berwyn-il.gov](http://www.berwyn-il.gov)

May 16, 2008

Honorable Mayor Michael A. O'Connor and  
Members of the Berwyn City Council

Re: Handicap Request: Laura Hannigan, 1324 S. Harvey Avenue

Mayor and City Council Members:

I concur with the recommendations of the investigating officer, to approve the installation of handicap signs for the referenced residence.

Sincerely,

*Thomas Day*  
Thomas Day



We Serve and Protect

# BERWYN POLICE DEPARTMENT

6401 West 31st Street  
Berwyn, Illinois 60402-0733  
Phone (708) 795-5600  
Fax (708) 795-5627    Emergency 9-1-1



**TO: HONORABLE MAYOR MICHAEL A. O'CONNOR AND  
MEMBERS OF THE BERWYN CITY COUNCIL**

**FROM: BERWYN POLICE DEPARTMENT  
LOCAL ORINANCE DIVISION**

**DATE:** May 14, 2008

**RE: HANDICAPPED SIGN FOR:** Laura Hannigan #546

**ATTACHED IS A COPY OF REQUEST FOR A HANDICAPPED SIGN TO BE  
ERECTED IN THE CITY OF BERWYN PARKWAY IN FRONT OF:**

1324 S. Harvey Ave

**PLEASE REVIEW THE ATTACHED PAPERWORK AND ADVISE.**

**cc: ALDERMAN** Thomas Day

*Thomas Day approves  
for SIGN  
& Parking  
5-15-08*

# Berwyn Police Department

6401 West 31<sup>st</sup> Street  
Berwyn, Illinois 60402-0733  
Phone (708) 795-5600  
(Fax) 795-5627    Emergency 9-1-1

## HANDICAPPED PARKING SIGN REQUEST & REPORT

To: Mayor Michael O'Connor  
and Members of City Council

From: Berwyn Police Department  
Local Ordinance Division

Date: 03-20-2008

Application #: 546

Name of Applicant: Laura Hannigan

Address: 1324 S Harvey Ave

Telephone:

Nature of Disability:

Information	YES	NO	Information	YES	NO
Doctor's Note/Affidavit:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Interviewed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Owner's Support Letter:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Handicap Plates:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Garage:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wheelchair:	<input type="checkbox"/>	<input type="checkbox"/>
Driveway:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Walker:	<input type="checkbox"/>	<input type="checkbox"/>
Off Street:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cane:	<input type="checkbox"/>	<input type="checkbox"/>
On Street:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Oxygen:	<input type="checkbox"/>	<input type="checkbox"/>
Meets Requirements:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Report Number: 08-03715		

**Recommendation:** APPROVE  DENY  Reporting Officer: M. Schwanderlik #252

Comments:

Alderman:

Ward:

2008 MAR 24 PM 1:02

# Berwyn Police Department - Incident Report

(708) 795-5600 6401 West 31st Street Berwyn, IL 60402

Incident#: 08-03715

STATION COMPLAINT UCR 9039 (Other Public Service)		DESCRIPTION Applicant File	INCIDENT # / DOT # 08-03715
WHEN REPORTED 03/20/2008 21:03	LOCATION OF OFFENSE (HOUSE NO., STREET NAME) 1324 S HARVEY AV # BERWYN, IL 60402		HOW RECEIVED Telephone
TIME OF OCCURRENCE 03/20/2008 21:03		STATUS CODE	STATUS DATE

**ASSISTING OFFICERS**

OFFICERS	STAR #
SCHWANDERLIK, MARK	252

**INVOLVED ENTITIES**

NAME HANNIGAN, LAURA		DOB 1 - - - - -	AGE	ADDRESS 1324 S HARVEY AV BERWYN, IL 60402		
SEX F	RACE	HGT 5' 3"	WGT	HAIR	EYES E I	PHONE
UCR 9039 (Other Public Service) - 0 count(s)				TYPE Other		RELATED EVENT #

**INVOLVED VEHICLES**

VEH/PLATE #	STATE IL	TYPE	INVOLVEMENT Involved	VIN #
YEAR 1994	MAKE	MODEL	COLOR	COMMENTS

Berwyn Police Department - Incident Report

**NARRATIVES**

**PRIMARY NARRATIVE**

Assigned Officer: Schwanderlik

In Summary:

Mrs Laura Hannigan from 1324 S Harvey Ave Berwyn, IL 60402 ( ) suffers from . On the date of this report A/o spoke to a relative who was house sitting and related that the applicant Laura Hannigan was currently in the hospital recovering from a hip replacement surgery. A/o was unable to speak with the applicant at the time of this report.

The above address is a single family residence with no basement or attic storage. The 2 car garage at the location is currently used for storage. Mrs Hannigan would like a parking spot in front of her residence because of her above listed condition. Mrs Hannigan once recovered from surgery will use a cane when walking.

On street parking is available but limited due to a mix of single family homes and 2-flat apartments on the block. The afternoon of this report A/o observed 25-30 vehicles parked in the 1300 block of Harvey Ave.

Mrs Hannigan meets the requirements for being handicapped and also meets the requirements in the city ordinance.

A/o feels that this application should be approved.

A/o has nothing further to report at this time.

Page 1 of 1

REPORTING OFFICER SCHWANDERLIK, MARK	STAR # 252	REVIEWER	STAR #
---	---------------	----------	--------



K-8

**Santiago "Jim" Ramos**  
2<sup>nd</sup> Ward Alderman

708 - 484 - 4275

2<sup>nd</sup>ward@berwyn-il.gov

**Re: Handicap Signs For Honore Hillman**

**Mayor and Member of the City Council,**

**I have reviewed the request for a handicap sign at 3545 S. Harvey Avenue and I concur with the investigating officer.**

**I motion that the City Council approve the requested handicap parking signs at 3545 S. Harvey Avenue and direct Public Works to install all necessary signage needed.**

**Sincerely,**



**Santiago R. Ramos**  
2<sup>nd</sup> Ward Alderman



We Serve and Protect

# BERWYN POLICE DEPARTMENT

6401 West 31st Street  
Berwyn, Illinois 60402-0733  
Phone (708) 795-5600  
Fax (708) 795-5627    Emergency 9-1-1



**TO:            HONORABLE MAYOR MICHAEL A. O'CONNOR AND  
MEMBERS OF THE BERWYN CITY COUNCIL**

**FROM:        BERWYN POLICE DEPARTMENT  
LOCAL ORINANCE DIVISION**

**DATE:        May 14, 2008**

**RE:            HANDICAPPED SIGN FOR:    Honore Hillman    # 555**

**ATTACHED IS A COPY OF REQUEST FOR A HANDICAPPED SIGN TO BE  
ERECTED IN THE CITY OF BERWYN PARKWAY IN FRONT OF:**

3545 S. Harvey Ave.

**PLEASE REVIEW THE ATTACHED PAPERWORK AND ADVISE.**

**cc:    ALDERMAN Jim Ramos**

# Berwyn Police Department

6401 West 31<sup>st</sup> Street  
Berwyn, Illinois 60402-0733  
Phone (708) 795-5600  
(Fax) 795-5627 Emergency 9-1-1

## HANDICAPPED PARKING SIGN REQUEST & REPORT

To: Mayor Michael O'Connor  
and Members of City Council

From: Berwyn Police Department  
Local Ordinance Division

Date: 05-07-2008

Application #: 555

Name of Applicant: Honore Hillman

Address: 3545 S Harvey Ave Berwyn, IL 60402

Telephone: . . . . .

Nature of Disability: . . . . .

2008 MAY 14 PM 1:02

Information	YES	NO	Information	YES	NO
Doctor's Note/Affidavit:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Interviewed:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Owner's Support Letter:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Handicap Plates:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Garage:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wheelchair:	<input type="checkbox"/>	<input type="checkbox"/>
Driveway:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Walker:	<input type="checkbox"/>	<input type="checkbox"/>
Off Street:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cane:	<input type="checkbox"/>	<input type="checkbox"/>
On Street:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Oxygen:	<input type="checkbox"/>	<input type="checkbox"/>
Meets Requirements:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Report Number: 08-06154		

**Recommendation:** APPROVE  DENY  Reporting Officer: M. Schwanderlik #252

Comments:

Alderman:

Ward:

# Berwyn Police Department - Incident Report

(708) 795-5600 6401 West 31st Street Berwyn, IL 60402

Incident#: 08-06154

STATION COMPLAINT UCR 9041 (Applicant File)		DESCRIPTION Handicapped Application	INCIDENT # / DDT # 08-06154
WHEN REPORTED 05/07/2008 10:55	LOCATION OF OFFENSE (HOUSE NO., STREET NAME) 3545 S HARVEY AV BERWYN, IL 60402		HOW RECEIVED On View-Officer
TIME OF OCCURRENCE 05/07/2008 10:55		STATUS CODE	STATUS DATE

INVOLVED ENTITIES							
NAME HILLMAN, HONORE		DOB	AGE	ADDRESS 3545 S HARVEY AV BERWYN, IL 60402			
SEX F	RACE	HGT 5' 0"	WGT	HAIR	EYES	PHONE	
UCR 9041 (Applicant File) - 0 count(s)				TYPE Other		RELATED EVENT #	

NAME HILDWEIN, NANCY J		DOB	AGE	ADDRESS 3545 S HARVEY AV BERWYN, IL 60402			
SEX F	RACE	HGT	WGT	HAIR	EYES	PHONE	
UCR 9041 (Applicant File) - 0 count(s)				TYPE		RELATED EVENT #	

Berwyn Police Department - Incident Report

INVOLVED VEHICLES					
VEH/PLATE #	STATE IL	TYPE	INVOLVEMENT	VIN #	
YEAR 2002	MAKE	MODEL (unknown)	COLOR	COMMENTS	

NARRATIVES
<p>PRIMARY NARRATIVE</p> <p>In Summary:</p> <p>A/o spoke with Nancy Hildein who is the daughter of the applicant Honore Hillman both of which reside at 3545 S Harvey Ave Berwyn, IL 60402. Mrs. Hildein related that her mother suffers from . Mrs Hillman uses a when in the residence and can walk a short distance . Mrs. Hildein related that her mother is uncooperative and does not want the handicapped signs placed in front of the residence. Mrs. Hildein related that she requested the handicapped signs because it would be easier for her when she has to take her mother to doctor / therapy appointments. Mrs. Hildein related that on street parking in front of the residence is very limited in the evening hours and over night. Mrs. Hillman was not home at the time of this interview.</p> <p>The above residence is a single family residence owned by Mrs. Hillman. There is a two car garage that has a disabled vehicle housed inside. At the time of this report A/o observed only 12 vehicles parked on the entire block. There is no off street parking available at this residence. Mrs. Hillman has Handicapped plaque #AF53527 issued to her by The Secretary of States Office (exp. 09/10).</p> <p>Mrs. Hillman meets the requirements for being handicapped as well as meets the requirements for the City Ordinance.</p> <p>A/o feels that this application should be approved at this time.</p> <p>Nothing further to report.</p>

Page 1 of 2

REPORTING OFFICER SCHWANDERLIK, MARK	STAR # 252	REVIEWER	STAR #
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Michele D. Skryd  
ALDERMAN FOURTH WARD  
BERWYN, ILLINOIS

K-9

May 23, 2008

Hon. Michael A. O'Connor, Mayor  
Alderman of the Berwyn City Council  
6700 W. 26<sup>th</sup> Street  
Berwyn, IL 60402

RE: Handicap Sign for Stefano F. Caputo, 2717 S. Cuyler Avenue

Ladies and Gentlemen:

I am at this time concurring with the investigating officer to approve the request and erect the appropriate handicap signage.

Respectfully,

*Michele D. Skryd*

Michele D. Skryd  
4<sup>th</sup> Ward Alderman



We Serve and Protect

# BERWYN POLICE DEPARTMENT



6401 West 31st Street  
Berwyn, Illinois 60402-0733  
Phone (708) 795-5600  
Fax (708) 795-5627 Emergency 9-1-1

**TO: HONORABLE MAYOR MICHAEL A. O'CONNOR AND  
MEMBERS OF THE BERWYN CITY COUNCIL**

**FROM: BERWYN POLICE DEPARTMENT  
LOCAL ORINANCE DIVISION**

**DATE:** May 8, 2008

**RE: HANDICAPPED SIGN FOR:** Stefano F. Caputo # 551

**ATTACHED IS A COPY OF REQUEST FOR A HANDICAPPED SIGN TO BE  
ERECTED IN THE CITY OF BERWYN PARKWAY IN FRONT OF:**

2717 S. Cuyler Ave

**PLEASE REVIEW THE ATTACHED PAPERWORK AND ADVISE.**

**cc: ALDERMAN Michelle Skryd**

# Berwyn Police Department

6401 West 31<sup>st</sup> Street  
Berwyn, Illinois 60402-0733  
Phone (708) 795-5600  
(Fax) 795-5627 Emergency 9-1-1

## HANDICAPPED PARKING SIGN REQUEST & REPORT

To: Mayor Michael O'Connor  
and Members of City Council

From: Berwyn Police Department  
Local Ordinance Division

Date: 04-11-2008

Application #: 551

Name of Applicant: Stefano F Caputo

Address: 2717 S Cuyler Ave Berwyn, IL 60402

Telephone: '

Nature of Disability:

2008 MAY -8 PM 2:03

Information	YES	NO	Information	YES	NO
Doctor's Note/Affidavit:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Interviewed:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Owner's Support Letter:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Handicap Plates:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Garage:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wheelchair:	<input type="checkbox"/>	<input type="checkbox"/>
Driveway:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Walker:	<input type="checkbox"/>	<input type="checkbox"/>
Off Street:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cane:	<input type="checkbox"/>	<input type="checkbox"/>
On Street:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Oxygen:	<input type="checkbox"/>	<input type="checkbox"/>
Meets Requirements:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Report Number: 08-04766		

**Recommendation:** APPROVE  DENY  Reporting Officer: M Schwanderlik #252

Comments:

Alderman:

Ward:

# Berwyn Police Department - Incident Report

(708) 795-5600 6401 West 31st Street Berwyn, IL 60402

Incident#: 08-04766

STATION COMPLAINT UCR 9041 (Applicant File)		DESCRIPTION Applicant File	INCIDENT # / DOT # 08-04766
WHEN REPORTED 04/11/2008 12:20	LOCATION OF OFFENSE (HOUSE NO., STREET NAME) 2717 S CUYLER AV # BERWYN, IL 60402		HOW RECEIVED Telephone
TIME OF OCCURRENCE 04/11/2008 12:20		STATUS CODE (09) Administratively Closed	STATUS DATE 04/11/2008

INVOLVED ENTITIES						
NAME CAPUTO, STEFANO F		DOB (	AGE	ADDRESS 2717 S CUYLER AV BERWYN, IL 60402		
SEX M	RACE	HGT 6' 0"	WGT	HAIR Brown	EYES Brown	PHONE
UCR 9041 (Applicant File) - 0 count(s)				TYPE Other		RELATED EVENT #

INVOLVED VEHICLES						
VEH/PLATE # )	STATE IL	TYPE		INVOLVEMENT	VIN #	
YEAR 1998	MAKE :	MODEL	COLOR Brown	COMMENTS		

Berwyn Police Department - Incident Report

**NARRATIVES**

**PRIMARY NARRATIVE**

In Summary:

Subject Stefano F Caputo

Subject Stefano on occasion has to use a

The above address is a single family residence that has a two car garage in the rear of the residence accessed by use of the alley. There is no off street parking available and the on street parking was limited. A/o spoke to subject Stefano who related that the garage is used for his wife's vehicle because he has a hard time getting in and out of the garage due to his condition. Subject Stefano related that in the evening hours on street parking is very limited due to residents in the area having multiple vehicles. Mr Caputo owns the residence and has provided A/o with all the necessary paperwork reference this application. Mr Caputo has handicapped plates on his vehicle as well as a current Handicapped plaque issued by the State of Illinois DMV.

Mr Caputo meets the requirements for being handicapped and also meets the requirements in the city ordinance.

A/o feels that this application should be approved at this time.

Nothing further to report at this time.

REPORTING OFFICER SCHWANDERLIK, MARK	STAR # 252	REVIEWER	STAR #
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K-10



May 20, 2008

The Honorable Mayor Michael O'Connor  
and Members of the Berwyn City Council  
City of Berwyn  
6700 West 26th Street  
Berwyn, Illinois 60402

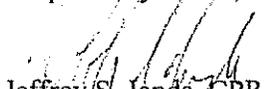
Dear Mayor and City Council Members,

The Berwyn Park District after consulting with Centennial Chairman Mr. Carl Reina, would like to request permission to shut down the 2300 Block of Grove Avenue adjacent to Mraz Park on Sunday, June 8, 2008 from 11:00 am to approximately 3:30 pm as part of the rededication ceremony and free concert being held at Mraz Park.

I would also like to invite all of the City of Berwyn officials to attend the dedication event.

Should you have any questions, please contact me at 708-788-1701.

Respectfully Yours,

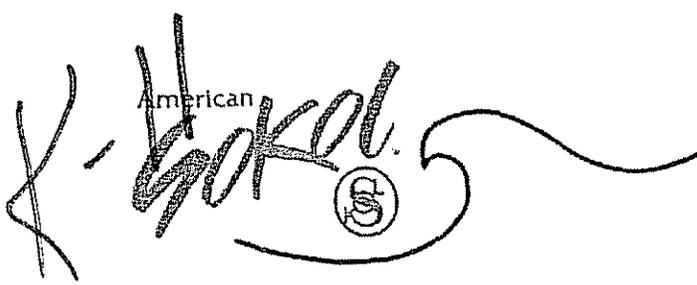


Jeffrey S. Janda, CPRP  
Executive Director

3701 S. Scoville Avenue  
Berwyn, Illinois 60402

Phone: 708-788-1701  
Fax: 708-788-1345

[www.berwynparks.org](http://www.berwynparks.org)



Sokol Stickney  
4131 S. Home Avenue  
Stickney, IL 60402

---

May 12, 2008

City of Berywn  
Dawn Rinehart  
6700 W 26<sup>th</sup> St  
Berwyn, IL 60402

Dear Ms. Rinehart:

Sokol Stickney is a non-profit organization that provides a variety of programs to promote a healthy and productive lifestyle. Our mission is to guide individuals throughout life, from early youth through maturity, to physical and moral health, good citizenship, and responsible patriotism. This goal is accomplished through a variety of physical fitness, gymnastic, sport and cultural programs and activities.

Sokol Stickney is holding its Tag and Candy Days fundraiser on May 30 and 31, 2008. On these dates volunteers will be soliciting on street corners and by storefronts from 6:00 a.m. until dusk. Proceeds from this event will enable Sokol Stickney to continue to provide excellent programs that benefit the children and adults in our community.

We are requesting permission to hold this activity in the City of Berwyn. Please mail the attached form to my attention as soon as possible. If you have questions, please contact me at 630-327-8202. Thank you.

Sincerely,

Barbara Vondra  
Sokol Stickney Instructor  
Tag Day Volunteer

---

Permission is hereby granted to Sokol Stickney to tag in the City of Berwyn on Friday and Saturday, May 30 and 31, 2008. Volunteers will begin tagging at 6:00 a.m. and conclude by dusk.

Signed

---

Dawn Rinehart

Please return to:  
Barbara Vondra  
7702 S. Cass Ave., Ste 135  
Darien, IL 60561-5532  
630-327-8202

K-12  
CBC SHOE CORPORATION

DBA Craig's Shoes

6548 W. Cermak Rd  
Berwyn, IL 60402  
(708) 795-8181  
(708) 484-0078 Fax

May 6<sup>th</sup>, 2008

Mayor Michael A. O'Connor  
The City of Berwyn  
6700 West 26<sup>th</sup> Street  
Berwyn, IL 60402

Dear Mr. Mayor,

The season is again upon us ... We have made it through our first year and look forward to many more to come!

Although the economy is difficult, we have been able to sustain growth and we are now looking to Berwyn to allow us the most gracious use of its sidewalks for our storefront sidewalk sales.

It is with sincere hope that we will given the opportunity to host our first "Sidewalk Sale" of the season from Thursday, May 29<sup>th</sup> thru Sunday, June 1<sup>st</sup>. Generating additional revenue through these unique events enables us to keep our aggressive growth goals in sight and maintain what has become a most viable tradition for our growing customer base.

If granted we will, of course, be courteous to our neighbors and run the sale in a professional format as well as make sure our storefront is cared for prior to the end of each business day.

Thank you for your consideration and we look forward to hearing for you and the Berwyn City Council as soon as time permits

Kind Regards,

Craig Cohen  
Craig's Shoes



13  
THE CITY OF BERWYN, ILLINOIS

Building A New Berwyn

MICHAEL A. O'CONNOR, Mayor

6700 West 26th Street • Berwyn, Illinois 60402-0701

Telephone: (708) 788-2660 • Fax: (708) 788-2675 • www.berwyn-il.gov

THOMAS J. PAVLIK  
CITY CLERK

Date: 5/12/08

Mayor O'Connor & Members  
of the Berwyn City Council

Re: Block Party 6600-6800 block of ROOSEVELT RD.

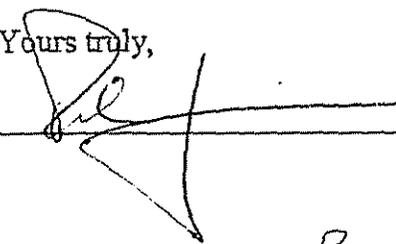
Honorable Mayor O'Connor & Members of Council:

Attached, please find a petition for a block party on the 6600-6800 block  
of ROOSEVELT RD.

The residents request permission to hold the event on 8/23/08  
with a rain date of 8/24/08. We are aware of the ordinance  
regarding block parties and will abide by all of them.

Thank you for your consideration.

Yours truly,

  
PAUL ZIMMERMANN, PRESIDENT, ROOS. RD. BUS. ASSOC

Contact person is: PAUL ZIMMERMANN

Address is: P.O. Box 1393, OAK PARK 60304

Phone number is: \_\_\_\_\_

\*\*\*\*PLEASE RETURN 3-4 WEEKS PRIOR TO DATE REQUESTED\*\*\*\*





The Village of Oak Park  
Village Hall  
123 Madison Street  
Oak Park Illinois 60302-4272

708 383 6400  
Fax 708 383 9584  
TTY 708 383 0048  
village@vil oak-park il us

May 5, 2008

To Whom It May Concern:

This letter serves to inform you of the request by the Roosevelt Road Business Association (RRBA) to host the first annual Roosevelt Road Summer Street Festival on Saturday, August 23, 2008.

The festival would require closing Roosevelt Rd. for three blocks between Oak Park Ave. and East Ave. It would also require the side streets of Euclid, Wesley and Clarence to be closed at the north and south alleys. The festival would run from 10am to 6pm, essentially closing the road from 8am to 7pm to facilitate the set up and tear down of food booths and stages. Traffic can be detoured either north or south on Oak Park and East Aves., north to Fillmore and south to 16<sup>th</sup> St. Detour signs will be posted so as to reroute traffic safely around the road closures.

The festival's organizer, RRBA president Paul Zimmermann, has already communicated with the Director of Oak Park Public Works as well as the IL Department of Transportation and most of the businesses within the 3 block stretch. The application processes for both Oak Park and Berwyn are underway.

As Village Manager of Oak Park, I support this festival. My hope is that we can work together as a Village alongside the City of Berwyn to ensure the safety and success of this venture for the citizens of both municipalities. I believe this is a great opportunity to showcase the diversity and vitality of Roosevelt Road.

Sincerely,

Tom Barwin  
Village Manager



May 13, 2008

The Honorable Michael A. O'Connor  
Mayor  
City of Berwyn  
6700 W. 26<sup>th</sup> St.  
Berwyn, IL

Dear Mayor O'Connor,

The attached papers are for the purpose of requesting permission from the Illinois Dept. of Transportation to close a portion of Roosevelt Rd. for the first annual Roosevelt Road Summer Spectacular Street Fair. As the state requested, I have enclosed a request in the form of a resolution and a map of the detour.

I have also enclosed a letter from Tom Barwin, the Village Manager of Oak Park, indicating his support for the Fair and street closing. This letter was sent to all affected departments in Oak Park's municipality. I have also spoken directly with the Oak Park Public Works Dept. about the fair. We would require a police presence for the detouring of traffic which would be at the expense of the Street Fair.

The next step appears to be sending the resolution to the State engineer for his approval. Your assistance will be appreciated. Please call me for whatever assistance I can provide.

Sincerely,

Paul Zimmermann, President  
Roosevelt Road Business Assoc.  
Ofc 708-763-0987  
Cell 708-774-8606

Proposed resolution regarding Roosevelt Road Street Fair  
on Roosevelt Road for August 23, 2008

**Whereas**, the Roosevelt Road Business Association desires to hold the first annual Roosevelt Road Summer Spectacular Street Fair on August 23, 2008 from 10am to 6pm and

**Whereas**, said fair will require the closing of Roosevelt Road completely between East Avenue and Oak Park Avenue from 8am to 7pm, and

**Whereas**, the State of Illinois requires the surrounding municipalities(Berwyn and Oak Park) assume all responsibility and liability involved in the closing of said highway.

**Now, therefore, Be it Resolved** by the City of Berwyn that said City of Berwyn(along with the Village of Oak Park) will assume full responsibility for the direction, protection and regulation of traffic during the time the detour is in effect, and all liabilities for damages of any kind occasioned by the closing of said State Route

It is further agreed that efficient, all weather detours will be maintained conspicuously marked and judiciously patrolled for the benefit of traffic deviated from the State Route.

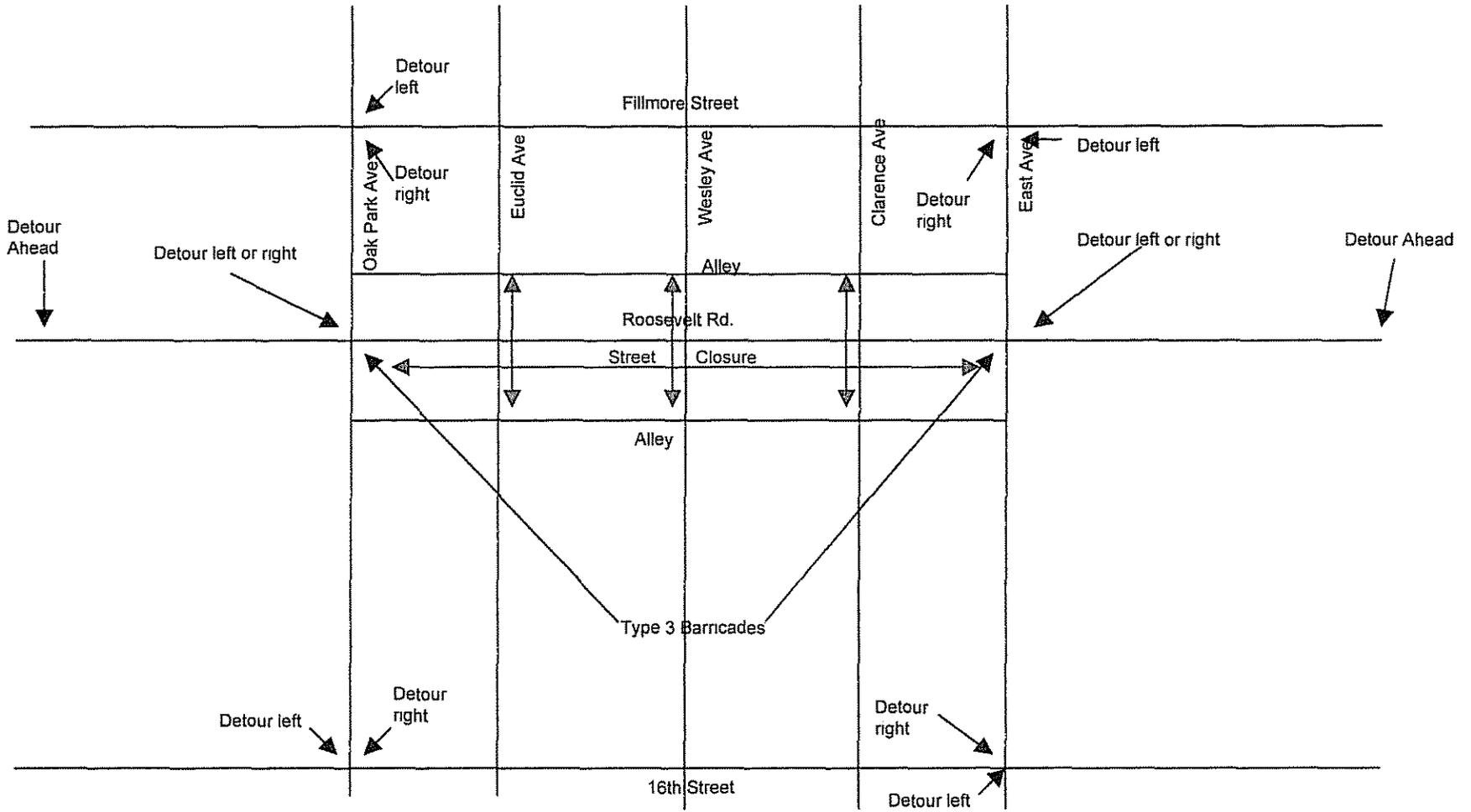
Adopted by the City Council of Berwyn this \_\_\_\_\_

Mayor \_\_\_\_\_

Attest \_\_\_\_\_, City Clerk

# Roosevelt Road Street Fair Detour sign placement

Euclid, Wesley & Clarence closed up to alleys north and south  
Car traffic to go north and truck traffic to go south



Michael A. O'Connor  
Mayor

K-14



A Century of Progress with Pride

6700 West 26th Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2675  
www.berwyn-il.gov

THOMAS J. PAVLIK  
CITY CLERK

Date: MAY 20, 2008

Mayor O'Connor & Members  
Of the Berwyn City Council

Re: Block Party 2900 block of MAPLE AVE

Honorable Mayor O'Connor & Members of Council:

Attached, please find a petition for a block party on the 2900 block  
OF MAPLE AVE

The residents request permission to hold the event on JULY 4, 2008

With a rain date of JULY 6, 2008. We are aware of the ordinance  
regarding block parties and will abide by all of them.

Thank you for your consideration.

Yours truly,

[Signature]

Contact person is: PAUL STOROZYNSKI

Address is: 2931 MAPLE

Phone number is: \_\_\_\_\_

\*\*\*\*PLEASE RETURN 3-4 WEEKS PRIOR TO DATE REQUESTED\*\*\*\*

WE THE UNDERSIGNED RESIDENTS OF THE 2900 BLOCK OF MAPLE Ave

DO HEREBY REQUEST PERMISSION TO CONDUCT A BLOCK PARTY ON JULY 4, 2008

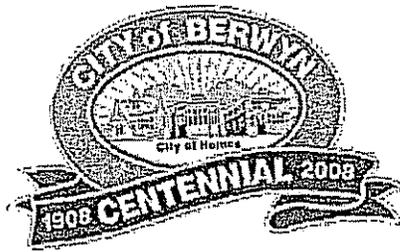
BETWEEN THE HOURS OF 9:00 AND 9:00. OUR RAIN DATE IS JULY 6, 2008

ALL REFUSE MUST BE PLACED IN PROPER CONTAINERS FOR PICKUP BY CLEARING DISPOSAL\*\*

NAME	ADDRESS
	2931 MAPLE
	2917 MAPLE
	2917 Maple.
	2917 Maple Ave
	2914 Maple.
	2914 Maple
	2914 Maple
	ii 2908 Maple
	ii 2908 Maple
	2911 Maple
	2911 Maple
	i 2921 S Maple
	2921 S Maple
	ii 2930 Maple.
	ii 2930 Maple-
	2943 MAPLE
	2943 MAPLE
	2941 MAPLE
	2942 MAPLE
	2927 Maple
	2927 Maple
	2917 MAPLE
	ii 2931 Maple

Michael A. O'Connor  
Mayor

K-15



A Century of Progress with Pride

6700 West 26<sup>th</sup> Street Berwyn, Illinois 60402-0701 Telephone: (708) 788-2660 Fax: (708) 788-2675  
www.berwyn-il.gov

THOMAS J. PAVLIK  
CITY CLERK

Date: 5/22/08

Mayor O'Connor & Members  
Of the Berwyn City Council

Re: Block Party 1900 block of Harvey Ave

Honorable Mayor O'Connor & Members of Council:

Attached, please find a petition for a block party on the 1900 block  
of Harvey Ave.

The residents request permission to hold the event on July 4, 2008

With a rain date of July 5, 2008. We are aware of the ordinance  
regarding block parties and will abide by all of them.

Thank you for your consideration.

Yours truly,

Contact person is: MARIA Beltran

Address is: 1901 Harvey

Phone number is: \_\_\_\_\_

\*\*\*\*PLEASE RETURN 3-4 WEEKS PRIOR TO DATE REQUESTED\*\*\*\*

WE THE UNDERSIGNED RESIDENTS OF THE 1900 BLOCK OF Harvey

DO HEREBY REQUEST PERMISSION TO CONDUCT A BLOCK PARTY ON July 4, 2008

BETWEEN THE HOURS OF 9:00 AND \_\_\_\_\_, OUR RAIN DATE IS July 5, 2008

ALL REFUSE MUST BE PLACED IN PROPER CONTAINERS FOR PICKUP BY CLEARING DISPOSAL\*\*

===== ADDRESS =====

- 1906 Harvey
- 1914 Harvey
- 1919 Harvey
- 1922 Harvey
- 1940 Harvey
- 1941 Harvey
- 1939 HARVEY
- 1932 - HARVEY
- 1904
- 1931
- 1929 HARVEY
- 1927 Harvey
- 1927 Harvey
- 1927 HARVEY
- 1927 Harvey
- 1921 S. Harvey
- 1920 S. Harvey

NAME

Address

1903 S. Harvey

1909 S. Harvey

1915 S. Harvey

1916 Harvey

1922 S. Harvey

1914 S. Harvey Ave

1919 S. Harvey Ave

1919 S. Harvey Ave

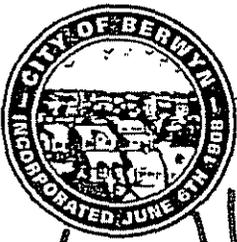
- 1918 S. Harvey Ave

1904 Harvey

1904 Harvey

1904 Harvey

Harvey



THE CITY OF **BERWYN, ILLINOIS**

*Building A New Berwyn*

MICHAEL A. O'CONNOR, Mayor

6700 West 26th Street • Berwyn, Illinois 60402-0701

Telephone: (708) 788-2660 • Fax: (708) 788-2675 • www.berwyn-il.gov

*Handwritten initials and date*

**THOMAS J. PAVLIK**  
CITY CLERK

Date: 5/12/08

Mayor O'Connor & Members  
of the Berwyn City Council

Re: Alley Garage Sale 3200 blocks of Maple Ave

Honorable Mayor O'Connor & Members of Council:

The residents of the 3200 block of Maple Ave  
Name of Street/Streets

wish to hold an Alley Garage Sale on May 31st 2008  
Date/Dates (Maximum 2)

We are aware of the ordinance regarding Alley Garage Sales and will abide by all of them.

Thank you for your consideration.

Yours truly,

Leticia Tefjel

Contact person is: Leticia Tefjel

Address is: 3214 Maple Ave

Phone number is: \_\_\_\_\_

TODAY'S DATE: 5/12/08

YEAR 2008

CITY OF BERWYN  
COUNTY OF COOK  
STATE OF ILLINOIS

APPLICATION FOR SPECIAL HOUSE AND GARAGE SALE PERMIT

The undersigned hereby applied for a Special House and Garage Permit in conjunction with the Ordinances of the City of Berwyn, entitled "HOUSE AND GARAGE SALES."

Name: Heticia Lettel

Address: 3214 Maple Ave

Address of Sale: 3214 Maple Ave

Phone No. \_\_\_\_\_

PLEASE READ THE FOLLOWING CAREFULLY!

Applicant for the license must be an owner of the premises where such sale is to be held.

The sale shall involve only personal property items owned by the applicant or members of his or her household.

No such similar sale shall have been conducted by the same applicant or from the same premises during the preceding twelve-month period.

No items for sale shall be located, and no sales activities shall be conducted, in the front yard area of any premises or on any public sidewalks, parkway area or other public property.

All signs advertising such sale shall be located in the front yard area of the premises, and no such sign, handbill or other advertising matter shall be permitted which is placed on any crosswalk, curb, curbstone, sidewalk, post, pole, stake, electrolier, hydrant, bridge, tree or other surface located on public property or over or across any street or public right of way, except as otherwise expressly authorized.... City of Berwyn Ordinance 1476.14, (f) (1)

  
\_\_\_\_\_  
Read & Initial

The sale shall be limited to a consecutive period of not more than two days and shall be conducted only between the hours of 9:00 a.m. and 5:00 p.m.

TODAY'S DATE: 5-15-08

YEAR \_\_\_\_\_

CITY OF BERWYN  
COUNTY OF COOK  
STATE OF ILLINOIS

APPLICATION FOR SPECIAL HOUSE AND GARAGE SALE PERMIT

The undersigned hereby applied for a Special House and Garage Permit in conjunction with the Ordinances of the City of Berwyn, entitled "HOUSE AND GARAGE SALES."

Name: CATHERINE McNAMMA-GATES

Address: ~~3244~~ 3244 Maple Ave

Address of Sale: same

Phone No. \_\_\_\_\_

PLEASE READ THE FOLLOWING CAREFULLY!

Applicant for the license must be an owner of the premises where such sale is to be held.

The sale shall involve only personal property items owned by the applicant or members of his or her household.

No such similar sale shall have been conducted by the same applicant or from the same premises during the preceding twelve-month period.

No items for sale shall be located, and no sales activities shall be conducted, in the front yard area of any premises or on any public sidewalks, parkway area or other public property.

All signs advertising such sale shall be located in the front yard area of the premises, and no such sign, handbill or other advertising matter shall be permitted which is placed on any crosswalk, curb, curbstone, sidewalk, post, pole, stake, electrolier, hydrant, bridge, tree or other surface located on public property or over or across any street or public right of way, except as otherwise expressly authorized.... City of Berwyn Ordinance 1476.14, (f) (1)

CM  
Read & Initial

The sale shall be limited to a consecutive period of not more than two days and shall be conducted only between the hours of 9:00 a.m. and 5:00 p.m.

TODAY'S DATE: 5-15-08

YEAR 2008

CITY OF BERWYN  
COUNTY OF COOK  
STATE OF ILLINOIS

**APPLICATION FOR SPECIAL HOUSE AND GARAGE SALE PERMIT**

The undersigned hereby applied for a Special House and Garage Permit in conjunction with the Ordinances of the City of Berwyn, entitled "HOUSE AND GARAGE SALES."

Name: Jose Alfredo Artega

Address: 3237 Maple

Address of Sale: 3237 S. Maple Ave

Phone No. \_\_\_\_\_

**PLEASE READ THE FOLLOWING CAREFULLY!**

Applicant for the license must be an owner of the premises where such sale is to be held.

The sale shall involve only personal property items owned by the applicant or members of his or her household.

No such similar sale shall have been conducted by the same applicant or from the same premises during the preceding twelve-month period.

No items for sale shall be located, and no sales activities shall be conducted, in the front yard area of any premises or on any public sidewalks, parkway area or other public property.

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JA  
Read & Initial

The sale shall be limited to a consecutive period of not more than two days and shall be conducted only between the hours of 9:00 a.m. and 5:00 p.m.

TODAY'S DATE: 5/14/08

YEAR 2008

CITY OF BERWYN  
COUNTY OF COOK  
STATE OF ILLINOIS

APPLICATION FOR SPECIAL HOUSE AND GARAGE SALE PERMIT

The undersigned hereby applied for a Special House and Garage Permit in conjunction with the Ordinances of the City of Berwyn, entitled "HOUSE AND GARAGE SALES."

Name: LAWRENCE GLASSER

Address: 3209 MAPLE AVE, BERWYN, IL 60402

Address of Sale: SAME

Phone No. \_\_\_\_\_

PLEASE READ THE FOLLOWING CAREFULLY!

Applicant for the license must be an owner of the premises where such sale is to be held.

The sale shall involve only personal property items owned by the applicant or members of his or her household.

No such similar sale shall have been conducted by the same applicant or from the same premises during the preceding twelve-month period.

No items for sale shall be located, and no sales activities shall be conducted, in the front yard area of any premises or on any public sidewalks, parkway area or other public property.

All signs advertising such sale shall be located in the front yard area of the premises, and no such sign, handbill or other advertising matter shall be permitted which is placed on any crosswalk, curb, curbstone, sidewalk, post, pole, stake, electrolier, hydrant, bridge, tree or other surface located on public property or over or across any street or public right of way, except as otherwise expressly authorized.... City of Berwyn Ordinance 1476.14, (f) (1)

LN  
Read & Initial

The sale shall be limited to a consecutive period of not more than two days and shall be conducted only between the hours of 9:00 a.m. and 5:00 p.m.

TODAY'S DATE: 05 - 14 - 08

YEAR 2008

CITY OF BERWYN  
COUNTY OF COOK  
STATE OF ILLINOIS

APPLICATION FOR SPECIAL HOUSE AND GARAGE SALE PERMIT

The undersigned hereby applied for a Special House and Garage Permit in conjunction with the Ordinances of the City of Berwyn, entitled "HOUSE AND GARAGE SALES."

Name: Raquel Castaneda

Address: 3207 Maple Ave.

Address of Sale: Same.

Phone No. \_\_\_\_\_

PLEASE READ THE FOLLOWING CAREFULLY!

Applicant for the license must be an owner of the premises where such sale is to be held.

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RC  
Read & Initial

The sale shall be limited to a consecutive period of not more than two days and shall be conducted only between the hours of 9:00 a.m. and 5:00 p.m.

TODAY'S DATE: May 14

YEAR 2008

CITY OF BERWYN  
COUNTY OF COOK  
STATE OF ILLINOIS

APPLICATION FOR SPECIAL HOUSE AND GARAGE SALE PERMIT

The undersigned hereby applied for a Special House and Garage Permit in conjunction with the Ordinances of the City of Berwyn, entitled "HOUSE AND GARAGE SALES."

Name: James Fath

Address: 3215 Maple Ave

Address of Sale: 3215 Maple Ave

Phone No. \_\_\_\_\_

PLEASE READ THE FOLLOWING CAREFULLY!

Applicant for the license must be an owner of the premises where such sale is to be held.

The sale shall involve only personal property items owned by the applicant or members of his or her household.

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J.F.  
Read & Initial

The sale shall be limited to a consecutive period of not more than two days and shall be conducted only between the hours of 9:00 a.m. and 5:00 p.m.

TODAY'S DATE: 5-15-08

YEAR 08

CITY OF BERWYN  
COUNTY OF COOK  
STATE OF ILLINOIS

**APPLICATION FOR SPECIAL HOUSE AND GARAGE SALE PERMIT**

The undersigned hereby applied for a Special House and Garage Permit in conjunction with the Ordinances of the City of Berwyn, entitled "HOUSE AND GARAGE SALES."

Name: Margarita Rodriguez

Address: 3205 Maple

Address of Sale: 3205 Maple

Phone No. \_\_\_\_\_

**PLEASE READ THE FOLLOWING CAREFULLY!**

Applicant for the license must be an owner of the premises where such sale is to be held.

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MAR  
Read & Initial

The sale shall be limited to a consecutive period of not more than two days and shall be conducted only between the hours of 9:00 a.m. and 5:00 p.m.

TODAY'S DATE: May 18, 08

YEAR 2008

CITY OF BERWYN  
COUNTY OF COOK  
STATE OF ILLINOIS

**APPLICATION FOR SPECIAL HOUSE AND GARAGE SALE PERMIT**

The undersigned hereby applied for a Special House and Garage Permit in conjunction with the Ordinances of the City of Berwyn, entitled "HOUSE AND GARAGE SALES."

Name: Carmen E. Beltran  
Address: 3218 S. Maple Ave.  
Address of Sale: 3218 S. Maple Ave.  
Phone No. \_\_\_\_\_

**PLEASE READ THE FOLLOWING CAREFULLY!**

Applicant for the license must be an owner of the premises where such sale is to be held.

The sale shall involve only personal property items owned by the applicant or members of his or her household.

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CEB

Read & Initial

The sale shall be limited to a consecutive period of not more than two days and shall be conducted only between the hours of 9:00 a.m. and 5:00 p.m.

TODAY'S DATE: May 17, 2008

YEAR 2008

CITY OF BERWYN  
COUNTY OF COOK  
STATE OF ILLINOIS

APPLICATION FOR SPECIAL HOUSE AND GARAGE SALE PERMIT

The undersigned hereby applied for a Special House and Garage Permit in conjunction with the Ordinances of the City of Berwyn, entitled "HOUSE AND GARAGE SALES."

Name: Robert J. Suliv  
Address: 3222 S. Maple Ave  
Address of Sale: 3222 S. Maple Ave  
Phone No. \_\_\_\_\_

PLEASE READ THE FOLLOWING CAREFULLY!

Applicant for the license must be an owner of the premises where such sale is to be held.

The sale shall involve only personal property items owned by the applicant or members of his or her household.

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RSJ  
Read & Initial

The sale shall be limited to a consecutive period of not more than two days and shall be conducted only between the hours of 9:00 a.m. and 5:00 p.m.