

**Resolution No. 2019-1**

**2019 Village Board**

A Resolution Authorizing the Transfer of Funds for Emergency Roof Repair on 3/18/19 for  
Beebe School

**RECITALS:**

- A. In March 2019, leakage in the Roof of Beebe School Building obligated the Village to do emergency repair on 3/18/19 for \$1,324.00.
- B. Total cost of \$1,324.00 is comprised of funds from the “3554 Taylor Ave – BB” Maintenance Line Item.

**RESOLUTION:**

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Elmwood Park authorizes the transfer of \$1,324.00 from “Grounds Maintenance” Maintenance Line Item to “3554 Taylor Ave – BB” Maintenance Line Item as detailed below.

TRANSFER FROM:	TO:	AMOUNT:
Ground Maintenance	3554 Taylor Ave – BB	\$1,324.00

Passed and Approved the April 12<sup>th</sup>, 2019

Introduced by Trustee \_\_\_\_\_

Attest: \_\_\_\_\_

Kathy Wells, President

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Christophe E. Jenkins, Village Administrator

**Resolution No. 2019-2**  
**2019 Village Board**

A Resolution Authorizing the Transfer of Funds for Emergency Street Lighting Repair on  
3/27/19 for Beebe School

**RECITALS:**

- A. In March 2019, a power outage of street lights obligated the Village to do emergency repair on 3/27/19 for \$1,686.33.
- B. Total cost of \$1,686.33 would be comprised of funds from the “Street Lighting” Public Works Line Item.
- C. While there are currently enough funds in this line item to support the expense, this expense itself was unforeseen and thus, not budgeted for when approving the amount of dollars for the line item in December of 2018.

**RESOLUTION:**

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Elmwood Park authorizes the transfer of \$1,686.33 from “Grounds Maintenance” Maintenance Line Item to “Street Lighting” Public Works Line Item as detailed below.

TRANSFER FROM:	TO:	AMOUNT:
Ground Maintenance	Street Lighting	\$1,686.33

Passed and Approved the April 12<sup>th</sup>, 2019

Introduced by Trustee \_\_\_\_\_

Attest: \_\_\_\_\_

Kathy Wells, President

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Christophe E. Jenkins, Village Administrator

**Resolution No. 2019-3**

**2019 Village Board**

A Resolution Authorizing the Transfer of Funds for Office Supplies

**RECITALS:**

- A. In March 2019, a bookkeeping discrepancy found that invoices for AT&T, Microsoft, and Transcendent Technology were being billed to an “Office Supplies & Postage – Other” Line Item.
- B. Administration found this discrepancy to cause our budgeted dollars for Office Supplies to be under the required levels in order to fulfill these invoices for the rest of the 2019 budget year.
- C. While there are currently enough funds in this line item to support the expense, this expense itself was unforeseen and thus, not budgeted for when approving the amount of dollars for the line item in December of 2018.

**RESOLUTION:**

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Elmwood Park authorizes the transfer of \$4,000.00 from “Elections Wages and Expenses” Line Item to “Office Supplies” Line Item as detailed below.

TRANSFER FROM:	TO:	AMOUNT:
Elections Wages and Expenses	Office Supplies	\$4,000.00

Passed and Approved the April 12<sup>th</sup>, 2019

Introduced by Trustee \_\_\_\_\_

Attest: \_\_\_\_\_

Kathy Wells, President

\_\_\_\_\_

Christophe E. Jenkins, Village Administrator

**Resolution No. 2019-4**

**2019 Village Board**

A Resolution Authorizing the Transfer of Funds for Village Administrator

**RECITALS:**

- A. At the May 9<sup>th</sup>, 2019 Village Board meeting, the Village Board of Trustees approved the appointment of Christophe E. Jenkins as the Village Administrator/Clerk/Treasurer for the Village of Elmwood Park.
- B. The Village Board renewed a 1-year contract until May or 2020 at an annual salary of \$40,000.

**RESOLUTION:**

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Elmwood Park authorizes the transfer of \$2,000.00 from “Attorney” Line Item to “Village Administrator” Payroll Line Item as detailed below.

TRANSFER FROM:	TO:	AMOUNT:
Attorney	Village Administrator	\$2,000.00

Passed and Approved the July 11<sup>th</sup>, 2019

Introduced by Trustee \_\_\_\_\_

Attest: \_\_\_\_\_

Ernie S. Rossi, President

\_\_\_\_\_

Christophe E. Jenkins, Village Administrator

**Resolution No. 2019-5**

**2019 Village Board**

A Resolution Authorizing the Transfer of Funds for Beebe School Roof Repair

**RECITALS:**

- A. At the May 30<sup>th</sup>, 2019 Village Board meeting, the Village Board of Trustees awarded a bid for the Beebe School Roof repair to Carlson Racine Roofing & Sheet Metal, Inc for an amount of no more than \$6,114.00
- B. The current budget line item for “Beebe School Maintenance” is not enough to allocate funds from this line item

**RESOLUTION:**

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Elmwood Park authorizes the transfer of \$6,114.00 from “Taylor Complex” Maintenance Line Item to “3554 Taylor Ave – BB” Maintenance Line Item as detailed below.

TRANSFER FROM:	TO:	AMOUNT:
Taylor Complex	3554 Taylor Ave -BB	\$6,114.00

Passed and Approved the July 11<sup>th</sup>, 2019

Introduced by Trustee \_\_\_\_\_

Attest: \_\_\_\_\_

Ernie S. Rossi, President

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Christophe E. Jenkins, Village Administrator

**Resolution No. 2019-6**  
**2019 Village Board**

A Resolution Authorizing the Transfer of Funds for LED Light Conversion

**RECITALS:**

- A. At the May 9<sup>th</sup>, 2019 Village Board meeting, the Village Board of Trustees unanimously adopted the 5-Year Strategic Plan for the Village. In this, one recommendation was to convert all Village Street Lights to LED for the long-term cost savings.
- B. At the June 13<sup>th</sup>, 2019 Village Board meeting, the Village Board of Trustees awarded a bid for the LED Light Conversion repair to Peiper Electric, Inc for an amount of no more than \$8,220.00
- C. The current budget line item for “Street Lighting” did not have this expenditure budgeted for, and thus requires additional funds to be placed.

**RESOLUTION:**

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Elmwood Park authorizes the transfer of \$8,220.00 from “Road Maintenance” Line Item to “Street Lighting” Line Item as detailed below.

TRANSFER FROM:	TO:	AMOUNT:
Road Maintenance	Street Lighting	\$8,220.00

Passed and Approved the July 11<sup>th</sup>, 2019

Introduced by Trustee \_\_\_\_\_

Attest: \_\_\_\_\_

Ernie S. Rossi, President

\_\_\_\_\_

Christophe E. Jenkins, Village Administrator

**Resolution No. 2019-9**

**2019 Village Board**

A Resolution Authorizing the Transfer of Funds for Election Wages & Expenses

**RECITALS:**

A. As final invoices came in from the Spring election season, the total expenses put the Village over budget in Election Wages & Expenses line item.

**RESOLUTION:**

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Elmwood Park authorizes the transfer of \$1,017.77 from “Special Assessments” Line Item to “Election Wages & Expenses” Line Item as detailed below.

TRANSFER FROM:	TO:	AMOUNT:
Special Assessments	Election Wages & Expenses	\$1,017.77

Passed and Approved the July 11<sup>th</sup>, 2019

Introduced by Trustee \_\_\_\_\_

Attest: \_\_\_\_\_

Ernie S. Rossi, President

\_\_\_\_\_

Christophe E. Jenkins, Village Administrator

**Resolution No. 2019-9**

**2019 Village Board**

A Resolution Authorizing the Transfer of Funds for Building 1A Water

**RECITALS:**

- A. A 6-month review of the 2019 budget has determined the budgeted funds for Building 1A Water is not enough to complete the year-end in a positive balance.

**RESOLUTION:**

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Elmwood Park authorizes the transfer of \$1,500.00 from “Road Maintenance” Line Item to “Building 1A Water” Payroll Line Item as detailed below.

TRANSFER FROM:	TO:	AMOUNT:
Road Maintenance	Building 1A Water	\$1,500.00

Passed and Approved the July 11<sup>th</sup>, 2019

Introduced by Trustee \_\_\_\_\_

Attest: \_\_\_\_\_

Ernie S. Rossi, President

\_\_\_\_\_

Christophe E. Jenkins, Village Administrator



**Resolution No. 2019-10**

**2019 Village Board**

A Resolution Authorizing the Transfer of Funds for Building 3 Gas/Electric

**RECITALS:**

- A. A 6-month review of the 2019 budget has determined the budgeted funds for Building 3 Gas/Electric is not enough to complete the year-end in a positive balance.

**RESOLUTION:**

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Elmwood Park authorizes the transfer of \$3,250.00 from “Road Maintenance” Line Item to “Building 3 Gas/Electric” Payroll Line Item as detailed below.

TRANSFER FROM:	TO:	AMOUNT:
Road Maintenance	Building 3 Gas/Electric	\$3,250.00

Passed and Approved the July 11<sup>th</sup>, 2019

Introduced by Trustee \_\_\_\_\_

Attest: \_\_\_\_\_

Ernie S. Rossi, President

\_\_\_\_\_

Christophe E. Jenkins, Village Administrator

**Resolution No. 2019-11**

**2019 Village Board**

A Resolution Authorizing the Transfer of Funds for Building 3 Water

**RECITALS:**

- A. A 6-month review of the 2019 budget has determined the budgeted funds for Building 3 Water is not enough to complete the year-end in a positive balance.

**RESOLUTION:**

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Elmwood Park authorizes the transfer of \$1,700.00 from “Road Maintenance” Line Item to “Building 3 Water” Payroll Line Item as detailed below.

TRANSFER FROM:	TO:	AMOUNT:
Road Maintenance	Building 3 Water	\$1,700.00

Passed and Approved the July 11<sup>th</sup>, 2019

Introduced by Trustee \_\_\_\_\_

Attest: \_\_\_\_\_

Ernie S. Rossi, President

\_\_\_\_\_

Christophe E. Jenkins, Village Administrator

**Resolution No. 2019-12**

**2019 Village Board**

A Resolution Authorizing the Transfer of Funds for Building 4A Gas/Electric

**RECITALS:**

- A. A 6-month review of the 2019 budget has determined the budgeted funds for Building 4A Gas/Electric is not enough to complete the year-end in a positive balance.

**RESOLUTION:**

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Elmwood Park authorizes the transfer of \$1,500.00 from “Road Maintenance” Line Item to “Building 4 Gas/Electric” Payroll Line Item as detailed below.

TRANSFER FROM:	TO:	AMOUNT:
Road Maintenance	Building 4 Gas/Electric	\$1,500.00

Passed and Approved the July 11<sup>th</sup>, 2019

Introduced by Trustee \_\_\_\_\_

Attest: \_\_\_\_\_

Ernie S. Rossi, President

\_\_\_\_\_

Christophe E. Jenkins, Village Administrator

**Resolution No. 2019-13**

**2019 Village Board**

A Resolution Authorizing the Transfer of Funds for Building 4A Water

**RECITALS:**

- A. A 6-month review of the 2019 budget has determined the budgeted funds for Building 4A Water is not enough to complete the year-end in a positive balance.

**RESOLUTION:**

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Elmwood Park authorizes the transfer of \$600.00 from “Road Maintenance” Line Item to “Building 4 Water” Payroll Line Item as detailed below.

TRANSFER FROM:	TO:	AMOUNT:
Road Maintenance	Building 4 Water	\$600.00

Passed and Approved the July 11<sup>th</sup>, 2019

Introduced by Trustee \_\_\_\_\_

Attest: \_\_\_\_\_

Ernie S. Rossi, President

\_\_\_\_\_

Christophe E. Jenkins, Village Administrator

**Resolution No. 2019-16**

**2019 Village Board**

A Resolution Amended Section 2.12 – Village Attorney

**RECITALS:**

- A. A request by a Trustee was made to communicate with the Village Attorney to consult a matter before the regularly scheduled Board meeting
- B. Our current Ordinances do not allow for this dialogue to take place between a Trustee and the Village Attorney without first getting full approval by the Village Board of Trustees
- C. The request to alter Chapter 2.12 was made by President Rossi to accommodate these requests

**RESOLUTION:**

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Elmwood Park amends Section 2.12 to state,

“Village Trustees may at any time use a period of up to 1 (one) billable hours per month to discuss municipal matters with the Village Attorney without notice or permission by the Village President.

No individual, except for the Village President and Village Administrator, shall meet with the village attorney beyond the aforementioned time limit; except by the majority vote of the Village Board or by special assignment from the Village President.

Pursuing legal action against any individual or entity shall be approved by a majority vote by the Village Board.”

Passed and Approved the August 15<sup>th</sup>, 2019

Introduced by Trustee \_\_\_\_\_

Attest: \_\_\_\_\_

Ernie S. Rossi, President

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Christophe E. Jenkins, Village Administrator

**Resolution No. 2019-17**

**2019 Village Board**

A Resolution Amended Section 2.03 – Hired Staff

**RECITALS:**

- A. Ordinance 2.03 was found to have incorrect salary amounts listed and was missing the Maintenance Supervisor position.
- B. Corrections have been made to this effect.

**RESOLUTION:**

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Elmwood Park amends Section 2.03 to state,

**“2.03 HIRED STAFF.**

(1) Village Maintenance Crew, Hall and Gym Openers and Closers, and the Hall and Gym Sales Representative shall be hired by and report to the Village Administrator for completion of their duties.

- (a) Maintenance Crew are paid bi-weekly at a rate of \$12.00/hour.
- (b) Maintenance Supervisor is paid \$14.00/hour.
- (c) Hall and Gym Openers and Closers are paid at a rate of \$25.00/hour.
- (d) Hall and Gym Sales Representative is paid a 10% stipend of rental income per rental sold.”

Passed and Approved the October 10<sup>th</sup>, 2019

Introduced by Trustee \_\_\_\_\_

Attest: \_\_\_\_\_

Ernie S. Rossi, President

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Christophe E. Jenkins, Village Administrator

**Resolution No. 2019-18**  
**2019 Village Board**

A Resolution Accepting the Submission of the 2018 CMAR Report

**RECITALS:**

- A. The annual submission to the DNR of the CMAR (Compliance Maintenance Annual Report) is required,
- B. This report also requires approval of the submission by the elected body as whole.

**RESOLUTION:**

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Elmwood Park approves the submission of the 2018 CMAR Report.

Passed and Approved the October 10<sup>th</sup>, 2019

Introduced by Trustee \_\_\_\_\_

Attest: \_\_\_\_\_

Ernie S. Rossi, President

\_\_\_\_\_

Christophe E. Jenkins, Village Administrator

**Resolution No. 2019-19**

**2019 Village Board**

A Resolution Authorizing the Transfer of Funds for Postage from Sewer Maintenance

**RECITALS:**

- A. As increased postage was necessary expenditures to send out the Fall 2019 Village Newsletter, the total expenses put the Village over budget in the Postage line item.

**RESOLUTION:**

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Elmwood Park authorizes the transfer of \$250.00 from “Sewer Maintenance” Line Item to “Postage” Line Item as detailed below.

TRANSFER FROM:	TO:	AMOUNT:
Sewer Maintenance	Postage	\$250.00

Passed and Approved the November 14<sup>th</sup>, 2019

Introduced by Trustee \_\_\_\_\_

Attest: \_\_\_\_\_

Ernie S. Rossi, President

\_\_\_\_\_

Christophe E. Jenkins, Village Administrator



**Resolution No. 2019-20**

**2019 Village Board**

A Resolution Authorizing the Transfer of Funds for Audit from Sewer Maintenance

**RECITALS:**

- A. As the final invoice for the 2019 Annual Audit came in \$353.38 higher than estimated, the total expenses put the Village over budget in the Audit line item.

**RESOLUTION:**

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Elmwood Park authorizes the transfer of \$353.38 from “Sewer Maintenance” Line Item to “Audit” Line Item as detailed below.

TRANSFER FROM:	TO:	AMOUNT:
Sewer Maintenance	Audit	\$353.38

Passed and Approved the November 14<sup>th</sup>, 2019

Introduced by Trustee \_\_\_\_\_

Attest: \_\_\_\_\_

Ernie S. Rossi, President

\_\_\_\_\_

Christophe E. Jenkins, Village Administrator

**Resolution No. 2019-21**

**2019 Village Board**

A Resolution Authorizing the Transfer of Funds for Building 1B Gas/Electric from Sewer Maintenance

**RECITALS:**

A. A 10-month review of the 2019 budget has determined the budgeted funds for Building 1B Gas/Electric is not enough to complete the year-end in a positive balance.

**RESOLUTION:**

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Elmwood Park authorizes the transfer of \$250.00 from “Sewer Maintenance” Line Item to “Building 1B Gas/Electric” Line Item as detailed below.

TRANSFER FROM:	TO:	AMOUNT:
Sewer Maintenance	Building 1B Gas/Electric	\$250.00

Passed and Approved the November 14<sup>th</sup>, 2019

Introduced by Trustee \_\_\_\_\_

Attest: \_\_\_\_\_

Ernie S. Rossi, President

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Christophe E. Jenkins, Village Administrator

**Resolution No. 2019-22**

**2019 Village Board**

A Resolution Authorizing the Transfer of Funds for Recycling Expense from Sewer Maintenance

**RECITALS:**

- A. A 10-month review of the 2019 budget has determined the budgeted funds for Recycling Expense is not enough to complete the year-end in a positive balance.

**RESOLUTION:**

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Elmwood Park authorizes the transfer of \$2,750.00 from “Sewer Maintenance” Line Item to “Recycling Expense” Line Item as detailed below.

TRANSFER FROM:	TO:	AMOUNT:
Sewer Maintenance	Recycling Expense	\$2,750.00

Passed and Approved the November 14<sup>th</sup>, 2019

Introduced by Trustee \_\_\_\_\_

Attest: \_\_\_\_\_

Ernie S. Rossi, President

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Christophe E. Jenkins, Village Administrator

**Resolution No. 2019-23**

**2019 Village Board**

A Resolution Authorizing the Transfer of Funds for Signs – Street & Village from Sewer Maintenance

**RECITALS:**

- A. As the final invoice for the Signs – Street & Village came in \$141.06 higher than estimated, the total expenses put the Village over budget in the Audit line item.

**RESOLUTION:**

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Elmwood Park authorizes the transfer of \$141.06 from “Sewer Maintenance” Line Item to “Audit” Line Item as detailed below.

TRANSFER FROM:	TO:	AMOUNT:
Sewer Maintenance	Signs	\$141.06

Passed and Approved the November 14<sup>th</sup>, 2019

Introduced by Trustee \_\_\_\_\_

Attest: \_\_\_\_\_

Ernie S. Rossi, President

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Christophe E. Jenkins, Village Administrator

**Resolution No. 2019-24**

**2019 Village Board**

A Resolution Authorizing the Transfer of Funds for Street Lighting – Street & Village from  
Sewer Maintenance

**RECITALS:**

- A. As the final invoices for 2019 roll in, the total expenses will put the Village over budget in the Audit line item.

**RESOLUTION:**

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Elmwood Park authorizes the transfer of \$1,000.00 from “Sewer Maintenance” Line Item to “Street Lighting” Line Item as detailed below.

TRANSFER FROM:	TO:	AMOUNT:
Sewer Maintenance	Street Lighting	\$1,000.00

Passed and Approved the November 14<sup>th</sup>, 2019

Introduced by Trustee \_\_\_\_\_

Attest: \_\_\_\_\_

Ernie S. Rossi, President

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Christophe E. Jenkins, Village Administrator

## Resolution No. 2019-25

### 2019 Village Board

#### A Resolution Approving Amending Ordinance 8.13 – Fences and Walls

#### RECITALS:

- A. On August 15<sup>th</sup>, 2019 the Village of Elmwood Park Board of Trustees assigned a task to review and make recommendations to Village of Elmwood Park Ordinance 8.13 on Fences and Walls,
- B. On November 5<sup>th</sup>, 2019 the Village of Elmwood Park Plan Commission approved the recommendation of a new Fence/Wall Permit along with changes to Ordinance 8.13,
- C. On November 12<sup>th</sup>, 2019 a Public Hearing was held in front of the Plan Commission on the recommended edits,

#### RESOLUTION:

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Elmwood Park adopts Ordinance 8.13 of the Village of Elmwood Park Code of Ordinances to read as follows:

#### “8.13 FENCES AND WALLS

(1) Materials. Fences shall be constructed of high-quality materials that resist weathering and deterioration. All wood fences shall be either cedar or pressure treated material. All steel, galvanized or aluminum fences shall be coated with an acrylic enamel paint or powdered finish to resist rust and corrosion. Walls shall be constructed of brick, masonry, architectural stone or similar materials, and must conform to the same height requirements as fences.

Chain link style fences are prohibited but may be permitted in the side or rear yards when the fence is consistent with an existing fence on an adjacent property. In the B-1 and P-1 Districts, chain link style fences may be permitted in all yards.

Temporary construction and/or erosion control fences require a permit.

All fences, unless further mentioned in this Ordinance to state otherwise, may not be less than 50% open to light.

(2) Prohibited Fences. No person shall construct or cause to be constructed, in whole or part, a fence with barbed wire, razor wire, agricultural fences, electrified wire, vinyl, snow fences, privacy slats, wood privacy, chain link fences, or any wire fabric within the Village. No fence shall have sharp edges or pointed pickets that could be dangerous to personal safety. No fence, wall or hedge shall be constructed or installed in the vision triangle specified in Section 9.09(1) of this Code.

a. Drainage. No fence shall be constructed so as to allow water to drain into any sanitary sewer nor to overflow upon or cause damage to any adjoining property.

(3) Exempt Fences. The following fences may be constructed in all districts and do not require a building permit or approval from the Village Board.

a. Underground fences for confinement of domestic animals.

b. Ornamental fences when less than 2.5 feet in height.

(4) Location.

a. Unless otherwise restricted in this Ordinance, fences or walls may be located on a lot line provided the owner has knowledge of the location and extent of their property line where the fence or wall will be constructed. By approving a fence or wall application, the Village assumes no responsibility for knowing the location of the owner's lot dimensions or knowledge of the property boundaries. This responsibility is placed solely on the owner of the property.

b. Within all zoning districts, fence posts, supporting framework and walls shall be located on the interior side of the lot facing the property being enclosed. The "finished" side of a fence shall face the neighboring or adjacent property.

c. Street Yards.

i. In the R-1 Single Family Residential District, on an interior lot, no fence or wall shall extend from the rear of the existing residence toward the street right-of-way line.

ii. On corner lots, a fence shall not extend beyond the exterior limits of the principal structure toward the street right-of-way line unless approved by the Village Board as part of the application for site plan approval. On corner lots, any fence that is approved to extend into a street yard shall not be less than 75% open to light and shall incorporate landscaping on the side of the fence facing the street. Walls shall not be permitted to extend into any street yard on corner lots in the R-1 District.

iii. In the B-1 and P-1 Districts, fences may extend into a street yard provided the fence is over 75% open to light and landscaping is incorporated on the side of the fence facing the street. Walls shall not be permitted within a street yard of a B-1 or P-1 Districts unless the wall is to serve as a buffer against a residential use or district. In this instance, an adequate landscape buffer placed adjacent to the residential property shall be incorporated in the design of the wall to soften the impact on the neighboring property. Unless approved by the Plan Commission, a fence or wall shall not be constructed parallel with the front lot line adjacent to a street.

d. Side and Rear Yards. In all districts, fences or walls may extend into the side or rear yard provided all other locational requirements of this Ordinance are met.

e. Alleys. For lots adjacent to an alley, fences or walls may be constructed not closer than 2 feet from the right-of-way of an alley to permit the ease of snow removal and maneuvering of vehicles.

f. Any fence located in an easement area that must be removed so as to facilitate utility access or repair shall be removed at the fence owner's expense, without recourse to the Village or Utility.

g. When an existing fence of an adjacent property owner is built prior to the construction of a new fence by the permit-applicant, new fence shall not be constructed within 3 feet of adjoining property owners' fence. Property owners must maintain the annular space on their property, with fence being constructed to allow access to said space via a gate unless access is available via a side yard.

(5) Height.

a. In the R-1 District, fences or walls shall not exceed the height of 4 feet within the side and rear yards unless adjacent to a nonresidential use or district (commercial, industrial, or institutional properties), or adjacent to the City of Racine boundaries (only applies for properties on Green Meadows Ln). Raising the finished grade by placing fill solely for the purpose of adding additional height to a Fence is prohibited.

b. In the B-1 and P-1 Districts, fences shall not exceed the height of 6 feet in any yard unless associated with a recreational use or for security purposes and 75% open to the air. In these instances, the fences shall not exceed the height of 10 feet. Walls shall not exceed the height of 6 feet in any yard.

c. When approved by the Village Board, on corner lots, fences located in the street yard shall not exceed the height of 4 feet and shall incorporate landscaping on the side of the fence adjacent to the street right-of-way.

d. Decorative fence post caps shall not extend more than eight (8) inches above the maximum allowed fence height.

(6) Permit Issuance.

a. All fences require a permit issued by the Village of Elmwood Park before construction except those exemptions made in 8.13(3) of this Ordinance.

b. As a condition of receiving a permit under this section, the owner agrees to defend, indemnify and hold harmless the Village of Elmwood Park from and against all claims, including without limitation boundary disputes, for injury or damage received or sustained by any person or entity in connection with the installation or construction of a permitted fence.



c. Any permit applicant requesting a variance from the Village of Elmwood Park Code of Ordinances, shall make a request through the Building Inspector to be placed for consideration of a variance by the Village Clerk to appear before the Village Board of Trustees.

d. The Building Permit Fee shall be \$12 per \$1,000 of construction cost, with a minimum of \$60. Plus, Village processing fee.

e. Failure to obtain a permit before construction shall result in the cost of double the Building Permit Fee. If after 7 days from notification by the Village Clerk, a permit has still not been applied for – this shall constitute the 1<sup>st</sup> Offense and be subject to a fine of \$200.50. If after 14 days, this shall constitute the 2<sup>nd</sup> Offense and be subject to a fine of \$389.50. The Building Inspector and any member of the Village Board of Trustees have the authority to recommend citations to the Village Clerk and contracted police service, and/or recommend removal of the fence in question with the contracted cost to be applied on the next year's property tax bill.

(7) Repair and Replacement.

a. Fences existing in any residential district prior to the effective date of this Ordinance are permitted to be:

i. Repaired for ordinary maintenance, including painting, staining, and cleaning. A fence shall be maintained in a structurally adequate condition as determined by the Building Inspector. Posts, supports, rails, boards, panels, etc. shall be repaired and replaced as reasonably required toward that purpose. No permit shall be required for such work.

ii. Replaced; provided, however, that a permit is obtained for the construction of the replacement fence.

(8) Penalty.

a. Any person or persons violating the provisions of this Ordinance shall upon conviction thereof, be assessed a fine of \$200.50 for the 1<sup>st</sup> Offense, \$389.50 for 2<sup>nd</sup> Offense, and \$641.50 for 3<sup>rd</sup> Offense with the cost of prosecution.

b. The Village Building Inspector, or by a majority vote of the Village Board of Trustees, shall have the power to order the emergency removal of a fence, or a portion thereof, where there is immediate danger to persons or property, or a significant maintenance concern by filing a notice with the Village Clerk.”

Passed and Approved the November 14<sup>th</sup>, 2019

Introduced by Trustee \_\_\_\_\_

Attest: \_\_\_\_\_

Ernie S. Rossi, President

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Christophe E. Jenkins, Village Administrator