

MINUTES OF THE REGULAR MEETING OF THE LAW AND ORDINANCES COMMITTEE OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, MARCH 9, 2020 AT 5:30 PM AT THE WILLOWBROOK VILLAGE HALL, LOWER LEVEL CONFERENCE ROOM, 835 MIDWAY DRIVE, VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS.

1. CALL TO ORDER

Chairman Trustee Kelly called the meeting to order at the hour of 5:30 pm.

2. ROLL CALL

Those present at roll call were: Chairman Trustee Terry Kelly, Trustee Gayle Neal, Trustee Umberto Davi.

Also present were Assistant Village Administrator Michael Mertens, Building Official Roy Giuntoli, and Village Attorney Thomas Bastian.

3. APPROVAL OF MINUTES

Minutes – Regular Meeting February 10, 2020

Chairman Trustee Kelly requested several Scribner changes to the draft meeting minutes.

MOTION: Motion Made by Trustee Davi to approve the minutes with Scribner changes from the February 10, 2020 second by Trustee Neal, and all in favor.

MOTION DECLARED CARRIED

4. DISCUSSION – An Ordinance Amending Section 4-2-21 Entitled “Building Code Adopted” and Section 4-2-28 Entitled “Fire Code Adopted” of Chapter 2 Entitled “Building Code” of Title 4 Entitled “Municipal Services” of the Village Code of Ordinances of the Village of Willowbrook, DuPage County, Illinois (Code Amendment Regarding Commercial Building Material Standards -Recommend to the Village Board for Consideration on March 9, 2020)

Assistant Village Administrator Mertens provided an overview of the Building Code Amendments. He then passed the item to Building Official Giuntoli for a review of the specific changes made to the proposed Building Code Amendments. The first matter that needed additional attention was that there were sections that did not include punctuation, a period, at the end of each new sentence, and that the affected sections were revised accordingly. Secondly, Building Official Giuntoli stated that it was brought to his attention that portions of the Fire code section, as initially proposed, possibly afforded Tri-State Fire Protection District (TSFPD) ultimate approval authority. Building Official Giuntoli reviewed the issue with Larry Link, Director of Fire Protection at TSFPD. Mr. Link agreed to

alterations to reduce the ultimate approval authority. The section was revised to reflect the proposed changes. Village Attorney Bastian stated that with this updated code language, TSFPD's code cannot supersede the Village's Code. Staff was looking to the Law & Ordinance committee members for recommendation to forward this matter to the Village Board following this Committee.

MOTION: Motion Made by Trustee Davi to approve as presented, second by Trustee Neal, all in favor.

MOTION DECLARED CARRIED

5. DISCUSSION – An Ordinance Amending Title 3 Entitled “Business Regulations” of the Village Code of Ordinances by Adding Chapter 22 Entitled “Retail Sale of Dogs, Cats and Rabbits” (Provide feedback to Staff)

Assistant Village Administrator Mertens stated that this was a matter that many Municipalities and Counties have been contemplating. Commonly referred to as the “Puppy Mill Ordinance,” producing animals for the purpose of selling the animals, with little or no concern for the well-being of the animal. The proposed ordinance included other animals subject to this cruel behavior, including cats and rabbits. DuPage County and Downers Grove have recently passed similar ordinances. Currently there are no Willowbrook businesses that this would affect. The Willowbrook Petco only adopts rescue animals. This ordinance is not intended to prohibit amateur home hobbyist from breeding their pets. The draft ordinance includes definitions, restrictions, and fine structures.

Trustee Davi stated since Willowbrook currently has no pet stores selling dogs, cats, or rabbits, he is in favor of the proposed changes. Trustee Neal stated that people had initially thought that the Willowbrook Petco would be selling puppy mill dogs, but it does not. Village Attorney Tom Bastian stated that State Bill 2280 died in session and this ordinance is the Willowbrook version of what the state did not pass. The Committee questioned if a person was doing this in a residence, is a Business License required? Building Official Giuntoli stated, Yes, the current ordinance defines what is allowed in any home business operation. For example, a home-based business cannot increase the traffic to a neighborhood. Village Attorney Bastian stated that there is a current Village ordinance that limits the number of pets to three (3) per residence.

Trustee Neal stated, this a feelgood ordinance and we should proceed with the proposal. If negative feedback occurs, the ordinance can be amended. Trustee Davi agreed that this required little added thought, it was acceptable as proposed and can be amended later if needed.

Assistant Village Administrator Mertens asked if it was okay to bring this matter to a future Village Board meeting for final consideration. The Committee Board concurred with that request.

6. COMMITTEE REPORTS

Extension and Expiration of Building Permits: Assistant Village Administrator Mertens asked Building Official Giuntoli for an update. Building Official Giuntoli stated that there were no updates. We had received responses from only two other Villages. Staff shall follow up with the other Villages.

A Topic from a past meeting was brought up by Trustee Kelly regarding Buffalo Boxes (B-Boxes) tampering. Trustee Kelly stated staff should look at current ordinances to see what can be done to tighten them up and to hold all parties responsible for tampering with the b-boxes. Assistant Village Administrator Mertens stated currently citations can only be issued to contractor. Staff researched a B-Box lock option, however, none are available that truly meet the challenge. Trustee Neal stated a form should be created to provide to a violator, so that they become the person responsible for this matter. Village Attorney Bastian discussed what could be on the document. Building Official Giuntoli stated Public Works does that shut off service. This matter should be discussed at the Municipal Services Committee meeting. Typically, a Public Works employee receives the shut off order from Public Works coordinator, they perform the work, and leave – making no contact with anyone.

Trustee Davi stated he did not have a report.

Trustee Neal provided a report on Village Code Chapter 9, Hotel/Rooming Houses. She also used Burr Ridge as a comparison and added that we can possibly insert some of the best practices into our Village code. She highlighted that other villages were using other ordinances (sanitation, licensing, repair) to writes up violations.

Trustee Neal asked if timelines are provided to hotels during site inspections for violation repairs. Building Official Giuntoli advised yes, but a space is not actually provided on the form, but it could be altered to indicate that information.

Village Attorney Bastian asked, if a Notice of Violation (NOV) is provided to a violator, do we give them a timeline for repairs and if not completed, do we issue a citation? Building Official Giuntoli stated that the timeline depends on the severity of the violation, anywhere from hours to a month. Typically, a citation is not issued until multiple unaddressed violations occur. Currently the Village does inspections reactively not proactively. The Village does not perform annual property maintenance inspections at this time. The Committee was advised that tickets can be issued for non-compliance. Building Official Giuntoli asked Trustee Neal if there was an interest in considering annual or bi-annual inspections of all the hotels? Trustee Neal would like to consider annual inspections along

with the Tri-State Fire Protection District and possibly including the fees as part of their annual license. Building Official Giuntoli stated there are costs to inspecting all these facilities, approximately \$400.00 (amount includes 1-first inspection and 2-re-inspections), additional re-inspections are \$100.00 per inspection. Karyn Byrne, our current Code Enforcement Officer, is usually included in these inspections as she can write the ticket and go to court as the witness for the violations.

7. VISITOR'S BUSINESS

NONE

8. ADJOURNMENT

Trustee Davi made a motion to adjourn, seconded by Trustee Neal. All in favor. The meeting adjourned at 6:15 pm

PRESENTED, READ and APPROVED

\_\_\_\_\_, 2020

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CHAIRMAN

Minutes transcribed by  
Roy A. Giuntoli, Building Official