



Village of Westmont VILLAGE BOARD

31 West Quincy Street, Westmont, Illinois 60559

villageboard@westmont.il.gov
westmont.illinois.gov | 630-981-6200

Village Board Meeting March 20, 2025 6:00 PM

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. OPEN FORUM

Public Comment is subject to the public comment rules and procedures adopted by the Village.

5. REPORTS

a. Board Reports

- i. Mayor
- ii. Clerk
- iii. Trustees

6. PUBLIC HEARING

- a. **A public hearing for the 1/1/2025-12/31/2025 Appropriations Ordinance for the Village of Westmont**

Board to conduct a public hearing for the 1/1/2025 - 12/31/2025 Fiscal Year Appropriation Ordinance.

Background of Subject Matter

In accordance with state statute, the Village must adopt an appropriation ordinance during the first quarter of the fiscal year. The appropriation ordinance is the legal limit of the maximum amount that can be spent if sufficient funds are available.

Additional Background

The appropriation ordinance should exceed the expected amount to be spent. The budget is the financial plan of what the Village intends to spend; this appropriation ordinance is the legal limit that can possibly be spent if changes are necessary.

Type Presentation

Budgeted

7. ITEMS TO BE REMOVED FROM CONSENT AGENDA

8. CONSENT AGENDA (OMNIBUS VOTE)

a. Village Board Minutes

Type

Budgeted

i. Board Meeting Minutes

Board to consider approving the minutes of the Village Board meeting held March 6, 2025.

Background of Subject Matter

Required Parliamentary Procedure

Type Motion

b. Finance Ordinance(s)

Type

Budgeted

i. Finance Ordinance #6 , total to be announced at the meeting

Type Motion

Budgeted

c. Purchase Order(s)

Type

Budgeted

i. Tyler Technologies \$34,728.75

EnerGov Assist Complete - Renewal of special support services for Enterprise Permitting and Licensing

Type Consent Item

Budgeted Yes

d. Total of Purchase Order(s) and Finance Ordinance(s)

Type

- i. **Total to be announced at the meeting.**

Type Motion

Budgeted

- e. **January 2025 Monthly Treasurer's Report**

Board to consider a motion to accept the monthly financial report submitted for the month of January 2025

Type Consent Item

- f. **2025 Resolution Supporting the Mayor's Monarch Pledge**

Board to accept a resolution to support the Mayor's Monarch Pledge

Background of Subject Matter

The National Wildlife Federation, The Conservation Foundation, and the DuPage Monarch Project are working to protect pollinators

Additional Background

Enter text here.

Type Consent Item

9. UNFINISHED BUSINESS

10. NEW BUSINESS

- a. **Mayor's Planning & Zoning Commissioner Appointment**

Board to consider a motion confirming the Mayor's appointment of Conor Donoghue to fill the open Planning & Zoning Commissioner position.

Background of Subject Matter

This appointment will fill the vacancy on the Commission.

Type Motion

- b. **Appropriation Ordinance for the Village's Fiscal Year 1/1/2025 - 12/31/2025**

Village Board to consider an ordinance adopting the 1/1/2025 - 12/31/2025 Fiscal Year Appropriation Ordinance.

Background of Subject Matter

In accordance with state statute, the Village must adopt an appropriation ordinance during the first quarter of the fiscal year. The appropriation ordinance is the legal limit of the maximum amount that can be spent if sufficient funds are available.

Additional Background

The appropriation ordinance should exceed the expected amount to be spent. The budget is the financial plan of what the Village intends to spend; this appropriation ordinance is the legal limit that can possibly be spent if changes are necessary.

Type Ordinance

Budgeted Yes

c. **Award of Bid Proposal - Washington and Traube Infrastructure Improvements**

Board to consider an ordinance awarding the bid to Performance Construction & Engineering LLC for the Washington and Traube Infrastructure Improvements project in the amount of \$6,568,713.00 and authorizing a construction contract consistent with the bid documents.

Background of Subject Matter

The Village accepted bids from three contractors for the project. The low bidder was Performance Construction & Engineering LLC with a low bid of \$6,568,713.00. The low bid is approximately 0.75% higher than the Engineer's Estimate of \$6,519,727.00.

Additional Background

This project includes watermain replacement on Washington St from Naperville Rd to Ogden Av, storm sewer installation on Traube Av and Grant St, combination curb and gutter, sidewalk, asphalt paving, thermoplastic pavement marking and landscape restoration.

Recommendation

Approve

Type Ordinance

Budgeted Yes

d. **Non-Home Rule Municipal Occupational Tax and a Non-Home Rule Municipal Service Tax**

Board to consider an ordinance imposing an additional Non-Home Rule Municipal Occupational Tax and a Non-Home Rule Municipal Service Tax.

Background of Subject Matter

Each additional tax in the amount of 1/2% is to be added to the Village's existing 1/2% tax for a combined total of 1%.

Additional Background

The proceeds of the tax shall be used for municipal operations, public

infrastructure, property tax relief, or any other purpose specifically allowed by state statute.

Recommendation

Approve

Type Ordinance

Budgeted

e. **Reapproval of Amended Tree Regulations**

Board to consider an ordinance reapproving comprehensive text amendments to Chapter 80 and Chapter 86 of the Westmont Code of Ordinances regarding trees and landscaping.

Background of Subject Matter

On 1/25/24, the Village Board approved comprehensive text amendments to Chapter 80 and 86 of the Village Code pertaining to tree regulations and landscaping requirements. The amendments were drafted by Interim Community Development Director Doug Pollock, with input from Village Forester Jon Yeater. However, the Village Attorney had difficulty placing these amendments into ordinance form due to formatting errors, tracking errors, word usage issues, and related issues.

Additional Background

These issues have been resolved, and these amendments are now being presented to the Board again for re-approval. The only substantive changes to the version approved on 1/25/24 involved the penalty provisions, which have now been revised to comply with legal requirements. The other changes are ministerial formatting and word usage changes.

Recommendation

Approve

Type Ordinance

Budgeted

11. MISCELLANEOUS

12. EXECUTIVE SESSION

This Board may adjourn to closed session to discuss matters so permitted and may act upon such matters upon returning to open session.

13. ADJOURN

Note: Any person who has a disability requiring a reasonable accommodation to participate in the meeting should contact the ADA Compliance Officer, 9:00 A.M. to 4:00

P.M. Monday through Friday, Village of Westmont, Illinois, 60559; or telephone (630) 981-6210 voice, within a reasonable time before the meeting. Listen Everywhere, an assistive listening, mobile app, is now available to visitors attending Board and Commission Meetings held in the Village Hall Board Room.

<https://westmont.illinois.gov/581/ADA-Listen-Everywhere>



Clerk's Office
Village of Westmont

MINUTES OF THE BOARD MEETING HELD Thursday, March 6, 2025.

Mayor Gunter called the meeting to order at **6:00 P.M.**

WESTMONT VILLAGE BOARD MEETING ROLL CALL:

PRESENT: Mayor Gunter P Clerk A. Szymiski P

TRUSTEES: Barker P Liddle P
Barry P Nero P
Guzzo P Scales P

STAFF:

May <u>P</u> (Village Manager)	Parker <u>P</u> (Assistant Manager)	Hennerfeind <u>P</u> (CDD Director)
Brainerd <u>P</u> (H.R. Director)	McIntyre <u>P</u> (Communications)	Liljeberg <u>A</u> (I.T.)
Chief Gunther <u>P</u> (Police Dept.)	D.C. Thompson <u>A</u> (Police Department)	Altic <u>P</u> (Finance Director)
Chief Riley <u>P</u> (Fire Dept.)	D.C. Fitzgerald <u>A</u> (Fire Department)	Mielcarski <u>P</u> (Gov't Services)
Berkowitz <u>P</u> (Fire Prevention Director)	D.C. Frank <u>P</u> (Deputy Fire Chief)	Ries <u>P</u> (Public Works Director)

ATTORNEY: Zemenak P Lampariello A

A QUORUM WAS PRESENT TO TRANSACT BUSINESS.

PRESS:

Bugle A

CHAMBER OF COMMERCE: Forssberg - A Harding - A

THOSE PRESENT RECITED THE PLEDGE OF ALLEGIANCE.

Mayor welcomed everyone to the meeting.

OPEN FORUM:

- No open forum requests

VOTING KEY: **A=ABSENT** **AB=ABSTAIN** **N=NO** **W=Withdrawn**
 P=PRESENT **Y=YES** **R=RECUSE**

Note: *The items listed in these minutes are summaries only and are not meant to be a direct transcript of the Mayor's, Manager's, Clerk's and Trustees' comments. For actual quotes of the referenced items please refer to the Archival video copy of this meeting.*

VOTING SUMMARY

	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
TRUSTEE BARKER	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE BARRY	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE GUZZO	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE LIDDLE	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE NERO	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE SCALES	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>

	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>
TRUSTEE BARKER	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE BARRY	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE GUZZO	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE LIDDLE	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE NERO	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
TRUSTEE SCALES	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>

REPORTS

Mayor Gunter

- Thank you Westmont Chamber for organizing Westmont Restaurant week. It was a successful event with 32 participating restaurants. The results of voting for dining favorites will be announced at the Westmont Community Awards Dinner on April 14th at the Hilton Hotel.

Village Clerk Szymski

- In person early voting begins Monday, March 17th for the April 1st Consolidated Election. More information can be found on both the Village of Westmont and the DuPage County website.

Trustee Guzzo

- Recapped the Fire Public Safety Committee meeting.
 - Options were discussed for the Fire Department headquarters station. Some of the possibilities were remodeling, adding on, or new construction.
 - A special meeting will be held on March 27 and the exact start time of the meeting is yet to be determined.
- There is still time to sign up for the Citizens Fire Academy. Information and sign up is on the Village website. Classes begin April 1st.
- Knights of Columbus Fish Fry is this Friday and it starts from 5:00pm - 8:00pm at 25 N Cass Avenue.

- Reminded everyone that we will be changing our clocks once again and we should also change the smoke detector and CO batteries when we spring forward with the clocks.

Trustee Barker

- Recapped the Environmental Improvement Committee meeting that was held on Monday evening at Village Hall.
 - There was a guest speaker from the conservation foundation that talked about native plant restoration.
- The 2025 recycling and more dates have been set. The first event will be April 5th from 8am - 12pm in the commuter lot. There is a small charge to recycle some items, but it is a good way to reuse things instead of throwing them in the landfill.
- April 7 - The EIC has guest speakers lined up for the next several months and on April 7 we will have another speaker on native plants. Everyone can attend and the meetings are held at the library.
- May 5 - The EIC will have a guest speaker on May 5th who will give a presentation about solar power. Everyone can attend and the meetings are held at the library.
- We have a Protect our Pollinators Program which encourages residents to take part of the lawn and turn it into pollinator friendly plants. More information can be found on the Village website.

Trustee Liddle

- The next Administration Finance Committee meeting will be April 3rd, 4:30pm, at Village Hall.
- March 15 - The Jig & Swig Pub Crawl will be March 15. There is still one route available for sign up, so please visit westmontevents.com website to sign up and join the pub crawl.
- Businesses are invited to sign up to have their windows painted by a local artist for the spring. If anyone is interested visit westmontevents.com for more information.

Trustee Nero

- The next Public Works Committee meeting will be March 20th, 4:30pm, at Village Hall.
- Residents can sign up for the tree seedling giveaways. You can select which seedling you want then pick it up on Arbor Day, April 25th, from 1pm - 5pm at the Library.
- Online sign up has begun for Adopt-a-Planter and that information is available on our website.
- A construction update for projects going on in the Village is on our website. There is a lot of good information on the website.
- Gave an update on the County stormwater meeting and a total of 8 grants are being offered. Westmont has 3 applications in and all 3 have been approved and that totals to about \$35,000 in grants, which is about 25% of those projects. Thanked Amy Ries and Public Works staff for getting those applications sent into the County.
 - North Adams Streets Detention Basin
 - 3927 N Lincoln
 - 328 South Wilmette Detention Basin

Trustee Barry

- The next Police Public Safety Committee meeting will be June 12th.
- April 19 - The Police Department has a paper shred event and the proceeds go to support the Special Olympics. This event will be on April 19, 2025 from 9am - 12pm. More information is on the website.
- Reminded everyone to set their clocks ahead this weekend.

Trustee Scales

- The next Community Development Committee meeting will be April 17, 2025.
- The March 12th Planning and Zoning Commission meeting has been cancelled due to a lack of items for the agenda.
- There will be some special meetings to be announced soon regarding the zoning ordinance update. The intent is to make the code more streamlined, modern, and user friendly.
- Some Community Development permits can be submitted online by visiting the permit division webpage and following the link to the Civic Access Portal.
- There is a news release posted on the website about the requirement to call JULIE before you dig for any type of project.
- The Westmont High School Girls Basketball team just won their second regional championship.

ITEMS TO BE REMOVED FROM CONSENT AGENDA:

- No items to be removed from the consent agenda.

(1) CONSENT AGENDA [Omnibus Vote]:

Manage May addressed the Board on this agenda item.

Motion by **Trustee Liddle** to approve the consent agenda.

(A) VILLAGE BOARD MINUTES

Board Meeting Minutes

- Board to consider approving the Village Board Meeting held on **February 20, 2025**.

(B) FINANCE ORDINANCE

Finance Ordinance # 5

\$ 1,496,221.46

(C) PURCHASE ORDERS:

EMS Management & Consultants	\$ 72,000.00
DuPage County, Illinois (DuJIS)	45,842.01
Total Purchase Orders	\$ 117,842.01

(D) TOTAL OF PURCHASE ORDERS & FINANCE ORDINANCE #5: \$ 1,614,063.47

Seconded by **Trustee Nero** and the motion passed.

VOTE ON MOTION #1

Ayes: Barker, Barry, Guzzo, Liddle, Nero, Scales

Nays: None

Absent: None

UNFINISHED BUSINESS

NEW BUSINESS

(2) REZONING - 4108 NORTH GRANT STREET

Community Development Hennerfiend Director & Vanessa Favia addressed the Village on this Board item.

Motion by **Trustee Nero** to consider an ordinance approving requests from K4K LLC, for the property at 4108 North Grant Street, Westmont, Illinois, 60559, for the following:

1. Map Amendment request to rezone from B-2 General Business District to R-3 Single-Family Detached Residence District.
2. A Zoning Ordinance Variance request to reduce the minimum required access easement width.

Seconded by **Trustee Scales** and the motion passed.

VOTE ON MOTION #2

Ayes: Barker, Barry, Guzzo, Liddle, Nero, Scales

Nays: None

Absent: None

(3) AWARD OF BID PROPOSAL - RESIDENTIAL ALLEY 10N RECONSTRUCTION

Public Works Director Ries addressed the Village Board on this item.

Motion by **Trustee Liddle** to consider an ordinance awarding the bid to Everlast Blacktop Inc. for the Residential Alley 10N Reconstruction project and authorizing a construction contract consistent with the bid documents.

Seconded by **Trustee Scales** and the motion passed.

VOTE ON MOTION #3

Ayes: Barker, Barry, Guzzo, Liddle, Nero, Scales

Nays: None

Absent: None

(4) ENGINEERING AGREEMENT - PHASE 3 CONSTRUCTION ENGINEERING FOR RESIDENTIAL ALLEY 10N RECONSTRUCTION

Public Works Director Ries addressed the Village Board on this item.

Motion by **Trustee Barker** to consider an ordinance authorizing an engineering services agreement with Thomas Engineering Group, LLC for Phase 3 construction engineering services for the Residential Alley 10N Reconstruction project.

Seconded by **Trustee Liddle** and the motion passed.

VOTE ON MOTION #4

Ayes: Barker, Barry, Guzzo, Liddle, Nero, Scales

Nays: None

Absent: None

(5) EXERCISE OF OPTION YEAR 2 - GASOLINE AND DIESEL FUEL

Public Works Director Ries addressed the Village Board on this item.

Motion by **Trustee Guzzo** to consider an ordinance exercising the second option year of the gasoline and diesel fuel contract with Al Warren Oil Company, Inc.

Seconded by **Trustee Nero** and the motion passed.

VOTE ON MOTION #5

Ayes: Barker, Barry, Guzzo, Liddle, Nero, Scales

Nays: None

Absent: None

(6) ENGINEERING SERVICES AGREEMENT - PARK, CHICAGO AND WILLARD

Public Works Director Ries addressed the Village Board on this item.

Motion by **Trustee Liddle** to consider an ordinance approving an engineering agreement with Baxter & Woodman, Inc. for Phase 2 design engineering for the Park, Chicago and Willard Watermain Improvements project.

Seconded by **Trustee Scales** and the motion passed.

VOTE ON MOTION #6

Ayes: Barker, Barry, Guzzo, Liddle, Nero, Scales

Nays: None

Absent: None

(7) ENGINEERING AGREEMENT - WATER TREATMENT PLANT REHABILITATION

Public Works Director Ries addressed the Village Board on this item.

Motion by **Trustee Nero** to consider an ordinance authorizing an engineering agreement with Baxter & Woodman, Inc. for Phase 2 design engineering for the Water Treatment Plant Rehabilitation project.

Seconded by **Trustee Liddle** and the motion passed.

VOTE ON MOTION #7

Ayes: Barker, Barry, Guzzo, Liddle, Nero, Scales

Nays: None

Absent: None

(8) INDEMNIFICATION TEXT AMENDMENT

Assistant Village Manager Parker addressed the Village Board on this item.

Motion by **Trustee Liddle** to consider an ordinance amending Chapter 2, Section 2-99 "Indemnification of certain officials" of the Westmont Municipal Code.

Seconded by **Trustee Scales** and the motion passed.

VOTE ON MOTION #8

Ayes: Barker, Barry, Guzzo, Liddle, Nero, Scales

Nays: None

Absent: None

(9) EMPLOYMENT AGREEMENT

Mayor Gunter addressed the Village Board on this item.

Motion by **Trustee Nero** to consider an ordinance appointing James Gunther as Village Manager and approving an employment agreement with James Gunther to serve as Village Manager, effective June 2, 2025.

Seconded by **Trustee Scales** and the motion passed.

VOTE ON MOTION #9

Ayes: Barker, Barry, Guzzo, Liddle, Nero, Scales

Nays: None

Absent: None

(10) CHANGE OF VILLAGE'S FISCAL YEAR

Finance Director Altic addressed the Village Board on this item.

Motion by **Trustee Barker** to consider an ordinance authorizing a change to the Village's Fiscal Year and amending Chapter 2, Section 2-511 of the Westmont Municipal Code to reflect such change.

Seconded by **Trustee Liddle** and the motion passed.

VOTE ON MOTION #10

Ayes: Barker, Barry, Guzzo, Liddle, Nero, Scales

Nays: None

Absent: None

(11) BUILDING AND FIRE CODE TEXT AMENDMENTS

Fire Prevention Director Berkowitz addressed the Village Board on this item.

Motion by **Trustee Scales** to consider an ordinance amending various sections of Chapter 18 and Chapter 42 of the Westmont Municipal Code related to fire safety requirements.

Seconded by **Trustee Liddle** and the motion passed.

VOTE ON MOTION #11

Ayes: Barker, Barry, Guzzo, Liddle, Nero, Scales

Nays: None

Absent: None

MISCELLANEOUS

- Nothing for miscellaneous

(12) ADJOURNMENT

Motion by **Trustee Nero** to adjourn the regular meeting.

Seconded by **Trustee Liddle** and the motion passed.

VOTE ON MOTION #12

Ayes: Barker, Barry, Guzzo, Liddle, Nero, Scales

Nays: None

Absent: None

MEETING ADJOURNED AT 6:33 P.M.

ATTEST:

APPROVED:

Amanda Szymiski, Village Clerk

Ronald J. Gunter, Mayor

Dated this 20th day of March, 2025



Village of Westmont

Purchase Order

PO Date: 2025-03-02

Page: 1 of: 1

Bill To:

INFORMATION TECHNOLOGY
31 W QUINCY
WESTMONT, IL 60559
Email: it@westmont.il.gov
Phone: 630-981-6240 EXT 2

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS.

Purchase
Order #

25202484

Vendor:

TYLER TECHNOLOGIES, INC.
ONE TYLER DRIVE
YARMOUTH, ME 04096
Email: ar@tylertech.com

Ship To:

See Shipping Information Below

Vendor Number	Vendor Phone Number	Vendor Fax Number	Delivery Reference			
100358	800-772-2260					
Item#	Description/PartNo		QTY	UOM	Unit Price	Extended Price
1	Tyler EnerGov Assist Services EnerGov Assist Complete - Annual Services Renewal GL Account: 0151160 - 55031 - 1GOV Ship To: INFORMATION TECHNOLOGY 31 W QUINCY WESTMONT, IL 60559 Email: it@westmont.il.gov Phone: 630-981-6240 EXT 2		1.0	EACH	\$34,728.75	\$34,728.75

By: Spencer Parks
Authorized Signature

PO Total **\$34,728.75**

*All vendors must comply with applicable regulations of the Illinois Department of Human Rights.

*This order is exempt from Federal Excise Tax under title 25 USCA, and from Illinois Sales Use and Service Taxes. E9997-4320-07.

*Acceptance of this Purchase Order constitutes agreement by vendor that any action arising out of this Agreement may be commenced only in the State or Federal courts located in DuPage County and/or the Northern District of Illinois. The prevailing party shall have their attorney's fees and court costs paid by the losing party.

*The Village of Westmont will process all bills in accordance with the Illinois Government Prompt Payment Act 50 ILCS 505.

Village of Westmont

Monthly Treasurer's Report

For the 1 Month Period Ending January 31, 2025

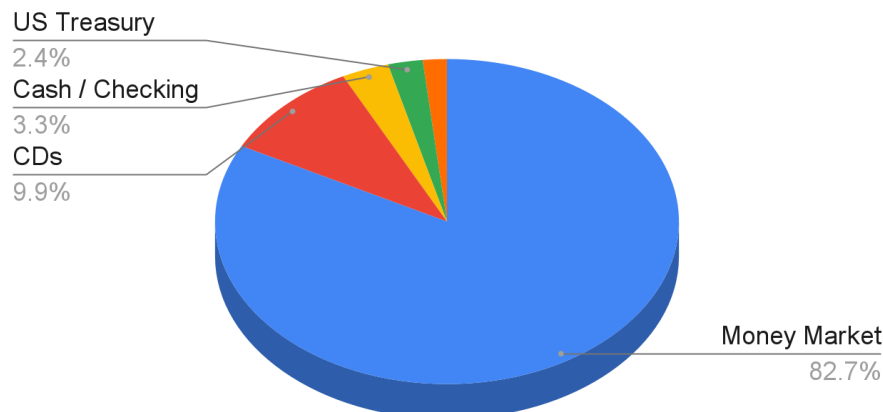
Introduction

The following analysis represents the Village's Treasurer's Report for the one (1) month period ending January 2025. Comparative data for the one (1) month period ending January 31 2024 has been included on certain data tables. The Village's overall financial position is very strong as we kick off the Village's new fiscal year that started January 1st.

Cash & Investment Balances

Fund	Fund Name	Cash and Investments 1/31/25	Fund	Fund Name	Cash and Investments 1/31/25
01	General Fund	\$21,518,411	62	IMRF / Social Security Fund	\$1,286,644
05	Convention & Tourism Fund	\$2,722,185	63	MFT Rebuild Fund	\$0
17	Employee Benefits Fund	\$0	64	Performance Bond Fund	\$549,539
25	Vehicle Replacement Fund	\$4,163,794	66	DEA Fund	\$983,117
30	Capital Projects Fund	\$2,933,669	68	Long Range Planning Fund	\$11,103,581
33	Stormwater Fund	\$7,879,247	82	TIF SWBD Fund	\$313,248
41	Water Fund	\$6,744,117	83	TIF CBD Fund	\$1,533,403
50	Debt Fund	\$1,083,140	91	Fire Pension Fund	\$31,561
61	Motor Fuel Tax (MFT) Fund	\$2,178,947	-	Grand Total	\$65,024,605

Cash and Investment Allocation By Type



Revenues

Major Revenue Item	FY2025B	FY2024	% Change
Property Taxes	\$0	\$0	0.00%
Sales Tax	\$973,053	\$976,163	-0.32%
Water Revenue	\$630,795	\$650,160	-2.98%
Income Tax	\$446,416	\$389,629	14.57%
Places for Eating Tax	\$184,035	\$168,272	9.37%
Non Home Rule Sales Tax	\$186,469	\$185,044	0.77%
State MFT	\$91,703	\$95,346	-3.82%
Hotel / Motel Tax	\$674,945	\$631,548	6.87%

Analysis:

Property tax receipts typically do not come in over the winter season, but will start back up in May when DuPage County issues new property tax bills for the year. Income tax receipts continue to come in strong, led by healthy Individual and corporate income tax receipts in Illinois. Places for eating tax revenue continue to show monthly increases, continuing a trend seen over the past couple of years.

Expenses

Department-General Fund	FY2025B	FY2024	% Change
Fire & Ambulance	\$888,430	\$674,575	31.70%
Police	\$837,478	\$674,549	24.15%
Public Works	\$581,852	\$501,753	15.96%
Administration & Legislation	\$417,896	\$387,060	7.97%
Community Development	\$116,298	\$98,642	17.90%
Finance	\$94,069	\$58,530	60.72%
Information Technology	\$77,524	\$54,152	43.16%
Human Resources	\$37,905	\$68,009	-44.26%
Communication	\$19,044	\$14,592	30.50%
Transfers	\$14,553	\$51,273	-71.62%

Analysis:

All Departments, except Human Resources, saw an increase in expenditures in January 2025 (FY2025B) compared to one year ago, January 2024. The reason for this increase is due to January 2025 having three processed payrolls compared to two in January 2024. Expenditures across Village Departments thus far in FY2025B are as anticipated and planned.

Budget vs Actual by Fund

Fund	Fund Name	Budget Revenues	Actual Revenues	Variance	Budget Expenses	Actual Expenses	Variance
01	General Fund	\$ 37,146,482	\$ 2,659,362	\$ (34,487,120)	\$ 37,146,457	\$ 3,085,049	\$ 34,061,408
05	Convention & Tourism Fund	\$ 961,185	\$ 60,778	\$ (900,407)	\$ 1,010,648	\$ 83,117	\$ 927,531
25	Vehicle Replacement Fund	\$ 1,535,961	\$ 11,473	\$ (1,524,488)	\$ 1,575,458	\$ -	\$ 1,575,458
30	Capital Projects Fund	\$ 827,803	\$ 40,790	\$ (787,013)	\$ 7,335,750	\$ 301,693	\$ 7,034,057
33	Stormwater Fund	\$ 2,448,500	\$ 199,527	\$ (2,248,973)	\$ 5,441,100	\$ 59,548	\$ 5,381,552
41	Water Fund	\$ 14,905,723	\$ 657,670	\$ (14,248,053)	\$ 19,600,686	\$ 834,599	\$ 18,766,087
50	Debt Fund	\$ 2,340,665	\$ 2,058	\$ (2,338,607)	\$ 2,220,975	\$ 1,615,789	\$ 605,186
61	MFT Fund	\$ 637,356	\$ 4,139	\$ (633,217)	\$ 2,135,000	\$ -	\$ 2,135,000
62	IMRF / Social Security Fund	\$ 2,064,029	\$ 2,444	\$ (2,061,585)	\$ 2,380,462	\$ 170,880	\$ 2,209,582
66	DEA Fund	\$ 289,885	\$ 3,789	\$ (286,096)	\$ 102,725	\$ -	\$ 102,725
68	Long Range Planning Fund	\$ 539,640	\$ 73,021	\$ (466,619)	\$ 2,212,414	\$ -	\$ 2,212,414
82	TIF SWBD Fund	\$ 789,957	\$ 595	\$ (789,362)	\$ 771,640	\$ -	\$ 771,640
83	TIF CBD Fund	\$ 2,483,000	\$ 2,913	\$ (2,480,087)	\$ 2,483,000	\$ 304,442	\$ 2,178,558
91	Fire Pension Fund	\$ 58,790	\$ 1,972	\$ (56,818)	\$ 5,350	\$ 520	\$ 4,830
-	Grand Total	\$ 67,028,976	\$ 3,720,531	\$ (63,308,445)	\$ 84,421,665	\$ 6,455,635	\$ 77,966,030



**Village of Westmont
OFFICE OF THE MAYOR**

31 West Quincy Street, Westmont, Illinois 60559

mayor@westmont.il.gov | 630-981-6210
westmont.illinois.gov | 630-981-6200

RESOLUTION NO. 25-_____



Resolution to Support the Mayor's Monarch Pledge

WHEREAS, the Village of Westmont has supported the DuPage Monarch Project to educate the community in a commitment to our environment; and,

WHEREAS, the Village of Westmont, located in northeastern Illinois, has long been on the annual monarch butterfly's migration route of thousands of miles from Mexico to Canada and has provided monarch caterpillars with native milkweed species, their sole source of food; and

WHEREAS, Illinois designated the iconic monarch butterfly as the official state insect in 1975 as the result of lobbying by Illinois schoolchildren; and

WHEREAS, scientific studies point to the rapid decline of the monarch butterfly due to the loss of milkweed habitat needed to lay their eggs and for their caterpillars to eat, resulting from development, land management practices, and chemically aided agriculture in the United States and Canada; and

WHEREAS, Mayors and other heads of local and tribal governments are taking action to help save the monarch butterfly, an iconic species whose eastern populations have declined by 90% and western populations by 99% in recent years.

WHEREAS, through the National Wildlife Federation's Mayors' Monarch Pledge, U.S. cities, municipalities, and other communities are committing to create habitat for the monarch butterfly and pollinators, and to educate residents about how they can make a difference at home and in their community.

THEREFORE, BE IT RESOLVED, that the VILLAGE of WESTMONT adopts this resolution to support the Mayors' Monarch Pledge to improve and increase available monarch habitat throughout Westmont .

PASSED AND APPROVED by the Mayor and Board of Trustees of the Village of Westmont, DuPage County, Illinois, this 20th day of March, 2025.

Ayes: _____ Nays: _____ Absent: _____

Ronald J. Gunter, Mayor

ATTEST:

Amanda Szymiski, Village Clerk

ORDINANCE NO.

An Ordinance Making Appropriations for Corporate Purposes for the Fiscal Year Beginning January 1, 2025
and Ending December 31, 2025

Be it ordained by the President and Board of Trustees of the Village of Westmont, DuPage County, Illinois as
follows:

SECTION 1: That the following sums, or so much thereof as hereby may be authorized by law, and the same
are hereby appropriated to pay all necessary expenses and liabilities of the Village of Westmont, DuPage
County, Illinois, for the fiscal year beginning January 1, 2025; such appropriations are hereby made for the
following objects and purposes:

FY 1/1/2025 - 12/31/2025

GENERAL CORPORATE FUND

APPROPRIATED

General Government

Human Resources

Wages - Regular	276,000
Wages - Part Time	50,000
Wages - General Programs	631,663
Health Insurance	39,500
Unemployment Compensation	25,000
H&W Medical/Portal	57,500
Professional Services	1,127,500
Office Supplies	2,000
Advertising	6,000
Training	9,500
Conferences	4,500
Dues & Subscriptions	3,500
Miscellaneous Services	4,500
Health and Wellness Committee	3,000
Contingency	6,000
Total Human Resources	2,246,163

Legislation

Wages - Part Time	49,441
Professional Services	635,000
Telephone	1,000
Liability Insurance	444,500
Misc. Supplies	39,000
Postage	1,500
Expense Allowance	7,500
Advertising	2,000
Printing	27,000
Recording Fees	24,500
Training	2,000
Conferences	5,500
Dues & Subscriptions	75,500
Misc. Services	61,500
Health & Wellness	1,000
Grants	35,500
Contingency	13,000
Total Legislation	1,425,441

Administration

Wages - Regular	1,083,156
Wages - Part Time	11,000
Employee Benefit Sick Time	1,000
Health Insurance	144,000
Professional Services	192,500
Telephone	1,000
Equipment Rental	4,000
Maint. Services Equip.	2,000
Municipal Garage	1,000
Office Supplies	3,000
Misc. Supplies	2,500
Office Support Equipment	57,000
Postage	42,000
Expense Allowance	6,000
Advertising	1,000
Printing	2,000
Training	18,000
Conferences	32,000
Dues & Subscriptions	9,000
Misc. Services	9,000
Health & Wellness	1,000
Safety Program Expenses	1,000
Contingency	15,500
Total Administration	1,638,656

Voluntary Committees

Miscellaneous Supplies	2,500
Postage	1,000
Advertising	1,500
Printing and Binding	1,500
Training	1,500
Conferences	1,500
Misc Services	45,500
Contingency	8,000
Grants	1,000
Total Voluntary Committees	64,000

Fire & Police Commission

Professional Services	77,000
Misc. Supplies	1,500
Postage	2,000
Expense Allowance	2,000
Advertising	2,000
Printing	10,500
Conferences	1,000
Dues & Subscriptions	2,000
Misc. Services	1,000
Contingency	1,000
Total Fire & Police Commission	100,000

Information Technology

Wages - Regular	608,888
Wages - Overtime	1,000
Wages - Part-time	1,000
Employee Benefit Sick Time	1,000
Health Insurance	50,500
Professional Services	412,000
Insurance	1,000
Telecommunication Services	127,000
Maint. Services Equip.	81,500
Municipal Garage	1,000
Uniforms/Clothing	1,000
Office Supplies	2,500
Maintenance Supplies - Equipment	9,500
Misc. Supplies	1,000
Mobile Support Equipment	1,000
Office Support Equipment	159,000
Other Equipment	107,000
Network Infrastructure	10,000
IT Grants - State	1,000
Postage	1,500
Expense Allowance	2,500
Training	30,500
Conferences	15,400
Dues & Subscriptions	8,500
Cloud Computing	406,500
Internal Software	344,000
Contingency	23,000
Total Information Technology	2,408,788

Communications

Wages - Regular	100,443
Wages - Part-time	1,000
Employee Benefit Sick Time	1,000
Health Insurance	36,000
Professional Services	17,000
Uniforms & Clothing	1,000
Office Supplies	1,000
Office Equipment	1,000
Postage	1,000
Expense Allowance	1,000
Advertising	3,000
Printing	113,500
Training	2,500
Conferences	2,000
Dues & Subscriptions	1,000
Misc. Services	5,500
Contingency	1,000
Total Communications	288,943

Finance

Wages - Regular	928,686
Wages - Overtime	3,500
Wages - Part-time	1,000
Employee Benefit Sick Time	1,000
Health Insurance	128,000
Professional Services	104,500
Uniforms & Clothing	1,500
Office Supplies	14,000
Office Equipment	8,500
Postage	1,500
Expense Allowance	2,500
Advertising	7,000
Printing	6,000
Training	13,500
Conferences	13,000
Dues & Subscriptions	4,000
Misc. Services	2,000
Bank/Credit Card Fees	88,000
Fines & Penalties	101,000
Bad Debt Collection Exp	16,000
Contingency	4,500
Total Finance	1,449,686

Transfers

Transfers to Other Funds	3,091,000
Total Transfers	3,091,000

Pass Throughs

Payments To Developers	127,000
GEMT Expense	421,000
Total Transfers	548,000

Community Development

Wages - Regular	1,201,598
Wages - Overtime	7,500
Wages - Part-time	1,000
Employee Benefit Sick Time	1,000
Health Insurance	213,000
Professional Services	809,926
Telephone	5,000
Municipal Garage	11,000
Uniforms & Clothing	5,350
Office Supplies	3,500
Misc. Supplies	8,071
Other Equipment	13,000
Postage	1,500
Expense Allowance	3,000
Advertising	3,000
Printing	3,500
Training	15,500
Conference	16,000
Dues & Subscriptions	6,000
Misc. Services	2,000
Community Projects	51,000
Contingency	23,000
Total Community Development	2,404,445

Planning & Zoning Commission

Professional Services	36,500
Misc. Supplies	1,500
Advertising	42,000
Printing	1,000
Misc. Services	1,000
Contingency	7,000
Total Planning & Zoning Comm.	89,000

Total General Government **15,754,122**

Public Works**Public Works Administration**

Wages - Regular	371,297
Wages - Overtime	1,000
Wages - Part Time	1,000
Employee Benefit Sick Time	1,000
Health Insurance	60,000
Professional Services	269,000
Telephone	19,000
Insurance	2,500
Public Utilities	1,000
Rental Equipment	1,000
Maint. Services Equip.	1,000
Municipal Garage	2,500
Uniforms	25,000
Office Supplies	3,000
Maint Supplies Building	1,000
Janitorial Supplies	3,500
Expense Allowance	2,000
Printing	1,000
Training	86,000
Conferences	12,000
Dues & Subscriptions	8,000
Misc. Services	7,000
Contingency	3,500
Total Public Works Administration	882,297

Underground

Wages - Regular	1,000
Wages - Overtime	1,000
Wages - Part Time	1,000
Employee Benefit Sick Time	1,000
Health Insurance	1,000
Professional Services	135,444
Public Utilities	8,500
Rental Equipment	3,500
Maint. Services Equip.	8,500
Disposal Expense	61,000
Municipal Garage	37,000
Uniforms	18,500
Office Supplies	1,000
Maint Supplies Building	1,000
Maint. Supplies Vehicles	1,000
Maint. Supplies Other	111,500
Janitorial Supplies	1,000
Office Equipment	1,000
Other Equipment	63,000
Printing	1,500
Training	7,500
Conferences	1,000
Dues & Subscriptions	2,500
Misc. Services	-213,000
Contingency	1,000
Total Underground	257,444

Streets Operations

Wages - Regular	2,242,193
Wages - Overtime	363,500
Wages - Part Time	1,000
Wages - Part Time O/T	1,000
Employee Benefit Sick Time	1,000
Health Insurance	274,500
Professional Services	205,500
Telephone	1,000
Insurance	10,000
Public Utilities	157,000
Equipment Rental	8,500
Maint. Services Equip.	350,000
Maint. Services Building	1,000
Disposal Expense	1,000
Municipal Garage	121,000
Uniforms	18,000
Operating Supplies	225,000
Maint. Supplies Building	1,000
Maint. Supplies Equip.	139,000
Maint. Supplies Vehicles	1,000
Maint. Supplies Other	1,000
Janitorial Supplies	1,000
Misc. Supplies	1,000
Land Improvements	1,000
Bldg Purch Improvements	1,000
Street Improvements	1,000

Other Equipment	142,000
Street Signs, Posts & Paint	47,500
Training	4,500
Conferences	1,000
Dues & Subscriptions	1,500
Misc. Services	7,000
Contingency	1,000
Total Streets Operations	4,332,693

Fleet Maintenance

Wages - Regular	374,354
Wages - Overtime	9,500
Employee Benefit Sick Time	1,000
Health Insurance	104,000
Professional Services	30,800
Insurance	6,500
Utilities	3,500
Maint. Services Equip.	31,500
Maint. Services Vehicles	28,000
Uniforms	5,000
Operating Supplies	392,000
Maint. Supplies Building	1,000
Maint. Supplies Equip.	31,400
Maint. Supplies Vehicles	182,000
Maint. Materials Other	3,000
Janitorial Supplies	2,000
Other Equipment	121,300
Training	2,500
Conferences	1,000
Misc. Services	40,500
Contingency	5,500
Total Fleet Maintenance	1,376,354

Health & Sanitation

Professional Services	1,460,000
Contingency	0
Total Health & Sanitation	1,460,000

Facilities Maintenance

Wages - Regular	334,628
Wages - Overtime	27,000
Wages - Part-time	1,000
Employee Benefit Sick Time	1,000
Health Insurance	61,500
Professional Services	293,500
Telephone	3,000
Public Utilities	47,000
Equipment Rental	18,500
Maint. Services Equip.	84,500
Maint. Services Bldgs.	50,000
Disposal Expense	1,000
Municipal Garage	3,500
Uniforms	6,000
Office Supplies	1,000
Maint. Supplies Bldg	26,500

Maint Supplies Equipment	1,000
Maint Supplies Other	19,000
Janitorial Supplies	6,000
Misc. Supplies	5,500
Bldg. Improvements	186,700
Other Equipment	2,500
Training	2,000
Dues & Subscriptions	1,000
Safety Program Expenses	2,000
Contingency	3,500
Total Facilities Maint.	1,188,828

Forestry

Wages - Regular	1,000
Wages - Overtime	86,000
Wages - Part Time	1,000
Employee Benefit Sick Time	1,000
Health Insurance	1,000
Professional Services	355,500
Public Utilities	1,000
Rental Equipment	5,000
Maint. Services Equip.	6,000
Disposal Expense	1,000
Uniforms	5,650
Operating Supplies	21,500
Office Supplies	1,000
Maint Supplies Building	1,000
Maint. Supplies Vehicles	1,000
Maint. Supplies Other	12,000
Janitorial Supplies	1,000
Office Equipment	1,000
Land Improvements	376,300
Other Equipment	78,800
Printing	1,000
Training	5,500
Conferences	13,500
Dues & Subscriptions	5,500
Misc. Services	1,000
Contingency	1,000
Total Forestry/Grounds	985,250

<u>Total Public Works</u>	10,482,866
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Fire Control

Fire Protection & Suppression

2% Foreign Fire Tax Transfer	49,000
Wages - Regular	1,249,648
Wages - Overtime	5,000
Wages - Part Time	2,182,500
Employee Benefit Sick Time	1,000
Health Insurance	128,500
Professional Services	114,500
Telephone	11,000
Insurance	4,500
Public Utilities	25,000
Billing Service Expense	18,000

Equipment Rental	1,000
Maint. Services Equip.	44,500
Maint. Services Vehicles	108,000
Maint. Services Bldg.	1,000
Municipal Garage	85,000
Uniforms	126,500
Office Supplies	6,000
Operating Supplies	7,000
Maint. Supplies Bldg.	6,500
Maint. Supplies Equip.	53,000
Maint. Supplies Vehicles	44,000
Janitorial Supplies	14,000
Misc. Supplies	15,500
Bldg. Purchase Improvements	1,000
Other Equipment	33,000
State Grant Expenses	51,000
Federal Grant Expenses	51,000
Postage	1,500
Expense Allowance	4,500
Printing	4,500
Training	147,000
Conferences	17,500
Dues & Subscriptions	20,000
Dispatch Consolidation	526,000
Bad Debt/Collections Exp	187,000
Contingency	7,000
Total Fire Suppression	5,351,648

Ambulance & Paramedics

Wages - Regular	1,000
Wages - Overtime	2,500
Wages - Part Time	2,226,039
Health Insurance	1,000
Professional Services	2,096,000
Telephone	3,500
Billing Services	60,500
Maint. Services Equip.	22,000
Maint. Services Vehicles	3,500
Municipal Garage	19,000
Uniforms	2,500
Operating Supplies	73,500
Maint. Supplies Equip.	9,500
Maint. Supplies Vehicles	8,000
Misc. Supplies	12,500
Other Equipment	1,000
Printing	2,000
Training	6,000
Dues & Subscriptions	1,000
Contingency	27,500
Misc. Services	1,000
Total Ambulance & Paramedics	4,579,539

Emergency Management

Wages - Part Time	1,000
Telephone	1,000
Equipment Rental	1,000
Maint. Services Equip.	18,000
Maint. Services Vehicles	1,000
Municipal Garage	1,000
Uniforms	5,000
Office Supplies	1,000
Operating Supplies	1,000
Maint. Supplies Equip.	1,000
Maint. Supplies Other	1,000
Misc. Supplies	2,000
Expense Allowance	1,000
Other Equipment	1,000
Training	3,500
Conferences	1,000
Dues & Subscriptions	1,000
Contingency	2,500
Total Emergency Medical Services	44,000

Fire Pension

Fire Pension Contribution	46,500
Total Fire Pension	46,500

Total Fire Control	10,021,687
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Law Enforcement**Police Administration**

Wages - Regular	1,439,175
Wages - Overtime	29,000
Wages - Part-time	1,000
Employee Benefit Sick Time	1,000
Health Insurance	195,000
Professional Services	174,500
Telephone	9,500
Insurance	1,000
Utilities	37,000
Equipment Rental	1,000
Maint. Services Equip.	14,000
Maint. Services Bldg.	39,000
Office Supplies	4,500
Maint. Supplies Bldg.	2,500
Maint. Supplies Equip.	2,000
Janitorial Supplies	6,500
Misc. Supplies	1,500
Bldg. Improvements	3,500
Office Equipment	9,000
Other Equipment	11,500
State Grant Expenses	51,000
Federal Grant Expenses	63,000
Expense Allowance	12,000
Advertising	1,000
Printing	5,000
Training	76,000
Conferences	23,500
Dues & Subscriptions	103,500
Misc. Services	9,000
Dispatch Consolidation	485,500
Contingency	5,000
Total Police Administration	2,816,675

Police Patrol

Wages - Regular	4,400,500
Wages - Overtime	304,500
Wages - Part Time	1,000
Wages Extra Duty Work	6,000
Employee Benefit Sick Time	1,000
Health Insurance	705,000
Insurance	48,000
Maint. Services Vehicles	1,000
Municipal Garage	171,500
Uniforms	72,500
Operating Supplies	35,500
Maint. Supplies Vehicles	13,000
Misc. Supplies	9,500
Postage	1,500
Training	1,000
Conferences	1,000
Misc. Services	7,500
DUI TEC Expenses	2,000
Grant Expenses	5,500
Contingency	1,500
Total Police Patrol	5,789,000

Police Investigations

Wages - Regular	1,035,000
Wages - Overtime	230,500
Employee Benefit Sick Time	1,000
Health Insurance	172,500
Training	1,000
Dues & Subscriptions	1,000
Contingency	1,000
Federal Narcotics Expense	1,000
Total Police Investigations	1,443,000

Police Pension

Reduction of Actuarial Deficiency	3,998,000
Total Police Pension	3,998,000

<u>Total Law Enforcement</u>	14,046,675
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<u>TOTAL GENERAL CORPORATE FUND</u>	50,305,350
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CONVENTION/TOURISM FUND**Convention & Tourism**

Wages - Regular	143,500
Wages Part Time	8,500
Professional Services	495,500
Miscellaneous Supplies	11,000
Land Improvements	69,000
Building Improvements	38,000
Other Equipment	3,500
Advertising	1,000
Dues & Subscriptions	62,000
Miscellaneous Services	222,000
Community Projects	1,000
Grants	99,000
Advances/Transfers to Other Funds	1,000
Total Convention/Tourism	1,155,000

Westmont Centre

Wages - Regular	22,414
Wages - Part Time	2,000
Overtime	1,000
Professional Services	57,000
Telephone	3,000
Insurance	4,500
Public Utilities	15,000
Rental Equipment	1,500
Maint. Services Equip.	22,500
Maint. Services Bldg.	25,500
Maint. Supplies Bldg.	6,000
Maint. Materials	2,000
Janitorial Supplies	1,000
Misc. Supplies	2,000
Building Purchase Improvements	87,000
Other Equipment	1,000
Total Westmont Centre	253,414

TOTAL CONVENTION/TOURISM**1,408,414**

Vehicle Replacement

Replacements - Police	450,500
Replacements - Fire	756,500
Replacements - Public Works	1,547,000
Replacements - Other	76,000
Miscellaneous Services	1,000
Transfer to Capital	101,000

<u>TOTAL VEHICLE REPLACEMENT</u>	<u>2,932,000</u>
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Capital Projects

Equipment Rental	81,500
Land Purchases & Improvements	1,000
Network Infrastructure Equipment	103,000
Transfer to Other Funds	1,000
Professional Services	805,400
Equipment Rental	1,000
Maint Services Equipment	851,000
Land Purchases & Improvements	1,101,000
Bldg. Purchases & Improvements	801,000
Street Improvements	9,587,291
Automotive Equipment	1,000
Other Equipment	101,000
Computer Equipment	1,000
Fiscal Agent Fees	1,000
Transfer to Other Funds	201,000
Bldg. Purchases & Improvements	1,000
Street Improvements	1,000
Other Equipment	1,000
Professional Services	1,000
Bldg. Purchases & Improvements	31,000
Automotive Equipment	203,000
Other Equipment	28,000

<u>TOTAL CAPITAL PROJECTS</u>	<u>13,904,191</u>
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Stormwater Infrastructure Fund

Professional Services	481,400
Land Purchase Improvements	1,000
Stormwater Improvements	7,367,291
Transfer to Other Funds	1,000

<u>TOTAL STORMWATER INFRASTRUCTURE FUND</u>	<u>7,850,691</u>
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Debt Service

Debt Service Principal	1,572,000
Debt Service Interest	1,121,500
Fiscal Agent Fees	5,500

<u>TOTAL DEBT SERVICE</u>	<u>2,699,000</u>
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Motor Fuel Tax

Professional Services	345,000
Street Improvements	2,139,000
Transfers to Other Funds	331,000

<u>TOTAL MOTOR FUEL TAX</u>	<u>2,815,000</u>
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Motor Fuel Tax - Rebuild IL Capital Program

Professional Services	1,000
Street Improvements	1,000

<u>TOTAL MOTOR FUEL TAX - Rebuild IL Capital Program</u>	<u>2,000</u>
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IMRF/FICA

Social Security	1,697,000
Illinois Municipal Retirement Fund	1,162,000

<u>TOTAL IMRF/FICA</u>	<u>2,859,000</u>
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TIF 1 - SWBD

Professional Services	777,000
Land Purchases & Improvements	1,351,000
Street Improvements	301,000
Stormwater Improvements	301,000
Developer's Note - Principal	543,000
Developer's Note - Interest	419,000
Payments to Developers	301,000

<u>TOTAL TIF 1 - SWBD</u>	<u>3,993,000</u>
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TIF 2 - CBD

Professional Services	775,000
Professional Services	351,000
Land Purchases & Improvements	4,221,000
Street Improvements	3,001,000
Payments to Developers	1,247,000
Grants	404,362

TOTAL TIF 2 - CBD**9,999,362****DEA PARTNERSHIP**

Wages - Regular	102,479
Dues & Subscriptions	11,000
Building Improvements	1,000
Automotive Equipment	2,000
Land Purchase & Improvements	61,000
Other Equipment	114,000
Conferences	14,500
Training	4,000
Title 15-State Drug Expenses	1,000
Federal Drug Expenses	1,000

TOTAL DEA PARTNERSHIP**311,979****WATER DIVISION****Water - Operations**

Wages - Regular	1,254,411
Wages - Overtime	200,500
Wages - Part Time	1,000
Health Insurance	254,500
Pension Contributions	257,500
Professional Services	370,000
Telephone	9,500
Insurance	175,000
Public Utilities	85,000
Equipment Rental	2,500
Maint. Services Equip.	2,500
Maint. Services Vehicles	6,000
Maint. Services Building	15,000
Disposal Expense	26,000
Municipal Garage	13,000
Data Processing	15,500
Water Purchase-DWC	5,605,000
Uniforms	10,000
Office Supplies	2,500
Operating Supplies	13,000
Maint. Supplies Bldg.	2,500
Maint. Supplies Equip.	2,000
Maint. Supplies Vehicles	1,000
Maint. Supplies Other.	56,000
Janitorial Supplies	3,000
Misc. Supplies	6,000

Water Well Improvements	1,000
Office Equipment	2,500
Other Equipment	10,500
Postage	32,500
Advertising	4,500
Printing	1,500
Training	13,000
Conferences	5,500
Dues & Subscriptions	48,000
Miscellaneous Services	285,500
Credit Card Service Fees	83,000
Debt Payment Principal	1,571,500
Debt Payment Interest	231,500
Road/Bridge Expense	3,500
Contingency	1,000
New Installation	86,000
Payment In Lieu of Taxes	472,000
Bad Debt Expense	26,000
Collections Expense	1,000
Transfer to Other Funds	1,000
Total Water - Operations	11,269,911

Water - Capital Projects

Professional Services	470,000
Maint. Supplies Other.	36,000
Water Main Improvements	619,700
Land Purchase & Improvements	351,000
Bldg. Purchase & Improvements	151,000
Meter System Improvements	191,000
Water Plant Improvements	13,074,000
Automotive Equipment	1,000
Other Equipment	21,000
Transfer to Other Funds	1,000
Total Water - Capital Projects	14,915,700

<u>TOTAL WATER DIVISION</u>	<u>26,185,611</u>
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Long Range Planning Fund

Transfer to Other Funds	2,000
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<u>TOTAL LONG RANGE PLANNING FUND</u>	<u>2,000</u>
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Fire Pension Fund

Professional Services	16,000
Management Fees	4,500
Conferences	4,000

<u>TOTAL FIRE PENSION FUND</u>	<u>24,500</u>
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Police Pension Fund

Pension Benefits	6,001,000
Professional Services	101,000

Management Fees	51,000
Conferences	1,000
Contribution Refunds	1,001,000

<u>TOTAL POLICE PENSION FUND</u>	<u>7,155,000</u>
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Library Operations

Library Operations

Wages	1,643,750
Benefits	467,270
Board & Staff Dev.	17,169
Materials	366,034
Automation & Technology	203,810
Supplies	41,795
Programs and Makery	27,563
Marketing & Advertising	41,416
Building & Grounds Maintenance	136,585
Equipment Maint	42,000
Utilities	24,900
Furniture & Equipment	46,165
Professional Services	38,505
Building Insurance	24,719
Transfer to Library Special Reserves	70,000
Miscellaneous	2,500
Special Reserve Fund/Capital Improvements	350,000
Total Library Operations	3,544,180

<u>TOTAL LIBRARY OPERATIONS</u>	<u>3,544,180</u>
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<u>TOTAL APPROPRIATIONS ALL FUNDS</u>	<u>135,991,278</u>
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SECTION 2: That the Treasurer of the Village of Westmont shall place to the credit of the fund upon which an appropriation for the prior fiscal year has been made, all unexpended appropriations, if any, for the fiscal years preceding the current fiscal year, but which shall not include the amount required to liquidate contracts of liabilities entered into by virtue of authority of such appropriations which remain unpaid at the close of the year last preceding the current fiscal year provided that any unexpended appropriations for the preceding fiscal year which have been made from funds which by law are specific and under the direct control of officers especially appointed for their disbursement shall remain subject to the direct control of such officers and shall be disbursed in accordance with law, this ordinance notwithstanding.

SECTION 3: That all unexpended balances of any item or items of general appropriation for corporate purposes made by this Ordinance be expended in making up any deficiency in any other item in the same general appropriation made by this Ordinance.

SECTION 4: That any unexpended balance in any of the foregoing item or items of general appropriations may be used and applied toward the payment of any lawful corporate debt or charge of the Village of Westmont.

SECTION 5: This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED AND APPROVED this 20th day of March, 2025

ATTEST:

APPROVED:

Amanda Szymiski, Village Clerk

Ronald J. Gunter, Mayor
(Published in Pamphlet Form)

March 13, 2025

Mayor and Board of Trustees
Village of Westmont
31 West Quincy Street
Westmont, IL 60559

Subject: Village of Westmont-Washington and Traube Infrastructure Improvements – Bid Results

Dear Mayor and Board of Trustees :

The following bids were received for the subject project on March 11, 2025, at 2:00 P.M.:

<u>Bidders</u>	<u>Amount of Bid</u>
Performance construction & Engineering, LLC Plano, IL	\$6,568,713.00
Acqua Contractors Corp. Elmhurst, IL	\$7,350,000.00
Swallow Construction Corp. West Chicago, IL	\$7,719,744.37

Our pre-bid opinion of probable cost for this project was \$6,519,727.00. In addition to the bids listed above, a bid was received from H. Linden & Sons Sewer and Water Inc. at the time of the bid opening and later withdrawn.

We have analyzed each of the bids and find Performance Construction & Engineering, LLC to be the lowest responsive bidder. Based on our prior experience with his bidder, we believe that Performance Construction & Engineering, LL is qualified to complete the project. We recommend award of the contract to Performance Construction & Engineering, LLC. in the amount of \$6,568,713.00. A copy of our Bid Tabulation is enclosed for your records.

Please advise me of your decision.

Sincerely,
BAXTER & WOODMAN, INC.
CONSULTING ENGINEERS



Lauren Schuld, PE

P:\WMNTV\2400177-Washington Traube WM\00-Design\12-Bidding\Washington and Traube Letter of Recommendation_2025.03.13.docx

Village of Westmont, IL
Washington and Traube Water Main Improvements

Bid Date/Time: March 10, 2025/10:00 AM
Engineer's Job No. 2400177.00

				Engineer's Estimate		Performance Construction & Engineering, LLC		Acqua Contractors Corp.		Swallow Construction Corp.	
No.	Item	Quantity	Unit	Unit Price	Total Price	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	MOBILIZATION	1	LSUM	\$ 200,000.00	\$ 200,000.00	Lump Sum	\$ 400,000.00	Lump Sum	\$ 850,000.00	Lump Sum	\$ 500,000.00
2	PRECONSTRUCTION VIDEO RECORDING	1	LSUM	\$ 10,000.00	\$ 10,000.00	Lump Sum	\$ 5,000.00	Lump Sum	\$ 5,000.00	Lump Sum	\$ 15,000.00
3	TRAFFIC CONTROL AND PROTECTION (SPECIAL)	1	LSUM	\$ 200,000.00	\$ 200,000.00	Lump Sum	\$ 798,896.13	Lump Sum	\$ 599,264.64	Lump Sum	\$ 750,000.00
4	GRANULAR BACKFILL	9,410	CUYD	\$ 50.00	\$ 470,500.00	\$ 15.00	\$ 141,150.00	\$ 25.00	\$ 235,250.00	\$ 53.00	\$ 498,730.00
5	WATER MAIN (OPEN CUT), 4-INCH, RJT	50	FOOT	\$ 150.00	\$ 7,500.00	\$ 175.00	\$ 8,750.00	\$ 143.00	\$ 7,150.00	\$ 35.00	\$ 1,750.00
6	WATER MAIN (OPEN CUT), 6-INCH, RJT	105	FOOT	\$ 150.00	\$ 15,750.00	\$ 215.00	\$ 22,575.00	\$ 203.00	\$ 21,315.00	\$ 107.00	\$ 11,235.00
7	WATER MAIN (OPEN CUT), 8-INCH	3,356	FOOT	\$ 135.00	\$ 453,060.00	\$ 225.00	\$ 755,100.00	\$ 130.00	\$ 436,280.00	\$ 104.00	\$ 349,024.00
8	WATER MAIN (OPEN CUT), 8-INCH, RJT	1,094	FOOT	\$ 140.00	\$ 153,160.00	\$ 235.00	\$ 257,090.00	\$ 130.00	\$ 142,220.00	\$ 144.00	\$ 157,536.00
9	WATER MAIN (OPEN CUT), 10-INCH, RJT	16	FOOT	\$ 200.00	\$ 3,200.00	\$ 250.00	\$ 4,000.00	\$ 300.00	\$ 4,800.00	\$ 250.00	\$ 4,000.00
10	WATER MAIN (OPEN CUT), 12-INCH, RJT	10	FOOT	\$ 201.00	\$ 2,010.00	\$ 300.00	\$ 3,000.00	\$ 325.00	\$ 3,250.00	\$ 140.00	\$ 1,400.00
11	WATER MAIN (DIRECTIONALLY DRILLED), 8-INCH, RJT	1,073	FOOT	\$ 175.00	\$ 187,775.00	\$ 245.00	\$ 262,885.00	\$ 172.68	\$ 185,285.64	\$ 180.00	\$ 193,140.00
12	ADDITIONAL FITTINGS	6,000	POUND	\$ 5.00	\$ 30,000.00	\$ 0.10	\$ 600.00	\$ 0.01	\$ 60.00	\$ 8.00	\$ 48,000.00
13	WATER SERVICE REPLACEMENT AND RECONNECTION – FROM WATER MAIN TO CURB STOP INCLUDING CURB STOP, 1.5-INCH, SHORT SIDE	47	EACH	\$ 3,500.00	\$ 164,500.00	\$ 3,800.00	\$ 178,600.00	\$ 4,000.00	\$ 188,000.00	\$ 4,250.00	\$ 199,750.00
14	WATER SERVICE REPLACEMENT AND RECONNECTION – FROM WATER MAIN TO CURB STOP INCLUDING CURB STOP, 1.5-INCH, LONG SIDE	46	EACH	\$ 4,000.00	\$ 184,000.00	\$ 5,700.00	\$ 262,200.00	\$ 6,000.00	\$ 276,000.00	\$ 8,150.00	\$ 374,900.00
15	CUSTOMER WATER SERVICE PIPE REPLACEMENT OPTION – FROM CURB STOP TO WATER METER	6	EACH	\$ 6,000.00	\$ 36,000.00	\$ 5,800.00	\$ 34,800.00	\$ 10,000.00	\$ 60,000.00	\$ 13,000.00	\$ 78,000.00
16	WATER SERVICE CASING PIPE	220	FOOT	\$ 60.00	\$ 13,200.00	\$ 15.00	\$ 3,300.00	\$ 3.00	\$ 660.00	\$ 3.00	\$ 660.00
17	CONNECTION TO EXISTING WATER MAIN (NON-PRESSURE), 4-INCH	2	EACH	\$ 6,000.00	\$ 12,000.00	\$ 4,500.00	\$ 9,000.00	\$ 8,600.00	\$ 17,200.00	\$ 12,000.00	\$ 24,000.00
18	CONNECTION TO EXISTING WATER MAIN (NON-PRESSURE), 6-INCH	8	EACH	\$ 6,000.00	\$ 48,000.00	\$ 5,500.00	\$ 44,000.00	\$ 11,500.00	\$ 92,000.00	\$ 13,150.00	\$ 105,200.00
19	CONNECTION TO EXISTING WATER MAIN (NON-PRESSURE), 8-INCH	1	EACH	\$ 7,000.00	\$ 7,000.00	\$ 8,500.00	\$ 8,500.00	\$ 13,000.00	\$ 13,000.00	\$ 14,000.00	\$ 14,000.00
20	CONNECTION TO EXISTING WATER MAIN (NON-PRESSURE), 10-INCH	1	EACH	\$ 7,500.00	\$ 7,500.00	\$ 9,500.00	\$ 9,500.00	\$ 15,000.00	\$ 15,000.00	\$ 14,000.00	\$ 14,000.00
21	CONNECTION TO EXISTING WATER MAIN (NON-PRESSURE), 12-INCH	1	EACH	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 17,000.00	\$ 17,000.00	\$ 15,500.00	\$ 15,500.00
22	GATE VALVE, 4-INCH	2	EACH	\$ 3,000.00	\$ 6,000.00	\$ 1,800.00	\$ 3,600.00	\$ 2,000.00	\$ 4,000.00	\$ 6,500.00	\$ 13,000.00
23	GATE VALVE, 8-INCH	16	EACH	\$ 3,500.00	\$ 56,000.00	\$ 3,200.00	\$ 51,200.00	\$ 3,250.00	\$ 52,000.00	\$ 7,500.00	\$ 120,000.00
24	INSERTION VALVE, 10-INCH	1	EACH	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 20,000.00	\$ 20,000.00	\$ 13,700.00	\$ 13,700.00
25	INSERTION VALVE, 16-INCH	1	EACH	\$ 30,000.00	\$ 30,000.00	\$ 45,000.00	\$ 45,000.00	\$ 55,000.00	\$ 55,000.00	\$ 28,700.00	\$ 28,700.00
26	VALVE BOX	20	EACH	\$ 500.00	\$ 10,000.00	\$ 350.00	\$ 7,000.00	\$ 800.00	\$ 16,000.00	\$ 500.00	\$ 10,000.00
27	VALVE VAULT, 5-FOOT DIAMETER	1	EACH	\$ 5,000.00	\$ 5,000.00	\$ 6,500.00	\$ 6,500.00	\$ 6,100.00	\$ 6,100.00	\$ 3,050.00	\$ 3,050.00
28	FIRE HYDRANT	16	EACH	\$ 9,000.00	\$ 144,000.00	\$ 10,000.00	\$ 160,000.00	\$ 12,000.00	\$ 192,000.00	\$ 14,500.00	\$ 232,000.00
29	FIRE HYDRANT BARREL EXTENSION	5	VFT	\$ 1,000.00	\$ 5,000.00	\$ 1,400.00	\$ 7,000.00	\$ 1,000.00	\$ 5,000.00	\$ 1,300.00	\$ 6,500.00
30	LINE STOP, 6-INCH	1	EACH	\$ 7,600.00	\$ 7,600.00	\$ 9,500.00	\$ 9,500.00	\$ 5,000.00	\$ 5,000.00	\$ 7,000.00	\$ 7,000.00
31	LINE STOP, 8-INCH	1	EACH	\$ 9,100.00	\$ 9,100.00	\$ 10,000.00	\$ 10,000.00	\$ 6,000.00	\$ 6,000.00	\$ 7,300.00	\$ 7,300.00
32	LINE STOP, 10-INCH	1	EACH	\$ 10,000.00	\$ 10,000.00	\$ 13,500.00	\$ 13,500.00	\$ 7,000.00	\$ 7,000.00	\$ 8,520.00	\$ 8,520.00
33	LINE STOP, 12-INCH	1	EACH	\$ 12,000.00	\$ 12,000.00	\$ 16,000.00	\$ 16,000.00	\$ 8,000.00	\$ 8,000.00	\$ 9,120.00	\$ 9,120.00
34	ABANDONMENT OF EXISTING WATER MAINS AND APPURTENANCES	1	LSUM	\$ 20,000.00	\$ 20,000.00	Lump Sum	\$ 25,000.00	Lump Sum	\$ 5,000.00	Lump Sum	\$ 65,000.00
35	TEMPORARY WATER SYSTEM	1	LSUM	\$ 20,000.00	\$ 20,000.00	Lump Sum	\$ 7,500.00	Lump Sum	\$ 25,000.00	Lump Sum	\$ 25,000.00
36	REPLACEMENT OF STORM SEWER (WATER MAIN QUALITY), 8-INCH	12	FOOT	\$ 200.00	\$ 2,400.00	\$ 200.00	\$ 2,400.00	\$ 175.00	\$ 2,100.00	\$ 280.00	\$ 3,360.00
37	REPLACEMENT OF STORM SEWER (WATER MAIN QUALITY), 12-INCH	23	FOOT	\$ 225.00	\$ 5,175.00	\$ 215.00	\$ 4,945.00	\$ 205.00	\$ 4,715.00	\$ 225.00	\$ 5,175.00
38	REPLACEMENT OF STORM SEWER (WATER MAIN QUALITY), 15-INCH	12	FOOT	\$ 250.00	\$ 3,000.00	\$ 260.00	\$ 3,120.00	\$ 245.00	\$ 2,940.00	\$ 250.00	\$ 3,000.00
39	REPLACEMENT OF DRAIN TILES, 6-INCH THROUGH 12-INCH	110	FOOT	\$ 90.00	\$ 9,900.00	\$ 50.00	\$ 5,500.00	\$ 40.00	\$ 4,400.00	\$ 125.00	\$ 13,750.00
40	SANITARY SERVICE LINE RELOCATION	52	EACH	\$ 3,000.00	\$ 156,000.00	\$ 350.00	\$ 18,200.00	\$ 1,000.00	\$ 52,000.00	\$ 4,650.00	\$ 241,800.00
41	INLET PROTECTION FILTER	97	EACH	\$ 175.00	\$ 16,975.00	\$ 200.00	\$ 19,400.00	\$ 200.00	\$ 19,400.00	\$ 200.00	\$ 19,400.00
42	RESTORATION OF LAWNS AND PARKWAYS	6,040	SQYD	\$ 20.00	\$ 120,800.00	\$ 15.00	\$ 90,600.00	\$ 22.50	\$ 135,900.00	\$ 13.00	\$ 78,520.00

Village of Westmont, IL
Washington and Traube Water Main Improvements

Bid Date/Time: March 10, 2025/10:00 AM
Engineer's Job No. 2400177.00

				Engineer's Estimate		Performance Construction & Engineering, LLC		Acqua Contractors Corp.		Swallow Construction Corp.	
No.	Item	Quantity	Unit	Unit Price	Total Price	Unit Price	Total	Unit Price	Total	Unit Price	Total
43	TEMPORARY HOT-MIX ASPHALT PAVEMENT	200	SQYD	\$ 45.00	\$ 9,000.00	\$ 20.00	\$ 4,000.00	\$ 40.00	\$ 8,000.00	\$ 18.00	\$ 3,600.00
44	STREET PAVEMENT RESTORATION	2,100	SQYD	\$ 130.00	\$ 273,000.00	\$ 83.00	\$ 174,300.00	\$ 87.00	\$ 182,700.00	\$ 90.00	\$ 189,000.00
45	REMOVE AND RELOCATE SIGN PANEL AND POLE ASSEMBLY	24	EACH	\$ 500.00	\$ 12,000.00	\$ 300.00	\$ 7,200.00	\$ 265.00	\$ 6,360.00	\$ 225.00	\$ 5,400.00
46	TREE ROOT PRUNING	50	EACH	\$ 200.00	\$ 10,000.00	\$ 100.00	\$ 5,000.00	\$ 106.00	\$ 5,300.00	\$ 125.00	\$ 6,250.00
47	DUST CONTROL	65	DAYS	\$ 580.00	\$ 37,700.00	\$ 215.00	\$ 13,975.00	\$ 800.00	\$ 52,000.00	\$ 300.00	\$ 19,500.00
48	REMOVAL AND REPLACEMENT OF UNSUITABLE MATERIALS	3,075	CUYD	\$ 150.00	\$ 461,250.00	\$ 10.00	\$ 30,750.00	\$ 25.00	\$ 76,875.00	\$ 66.00	\$ 202,950.00
49	SOIL TESTS FOR CONTAMINANTS	3	EACH	\$ 1,500.00	\$ 4,500.00	\$ 3,000.00	\$ 9,000.00	\$ 1,350.00	\$ 4,050.00	\$ 7,500.00	\$ 22,500.00
50	CONTAMINATED WASTE DISPOSAL	9,000	CUYD	\$ 75.00	\$ 675,000.00	\$ 20.00	\$ 180,000.00	\$ 30.00	\$ 270,000.00	\$ 1.00	\$ 9,000.00
51	TREE PROTECTION (TEMPORARY FENCING)	9,903	FOOT	\$ 5.00	\$ 49,515.00	\$ 9.00	\$ 89,127.00	\$ 3.30	\$ 32,679.90	\$ 6.50	\$ 64,369.50
52	SUPPLEMENTAL WATERING	45	DAYS	\$ 2,000.00	\$ 90,000.00	\$ 0.01	\$ 0.45	\$ 0.01	\$ 0.45	\$ 0.01	\$ 0.45
53	PIPE CULVERT REMOVAL	770	FOOT	\$ 30.00	\$ 23,100.00	\$ 10.00	\$ 7,700.00	\$ 5.00	\$ 3,850.00	\$ 50.00	\$ 38,500.00
54	PIPE CULVERTS, CLASS D, TYPE 1 12-INCH	80	FOOT	\$ 110.00	\$ 8,800.00	\$ 45.00	\$ 3,600.00	\$ 91.48	\$ 7,318.40	\$ 125.00	\$ 10,000.00
55	PRECAST REINFORCED CONCRETE FLARED END SECTIONS, 12-INCH	5	EACH	\$ 1,000.00	\$ 5,000.00	\$ 3,500.00	\$ 17,500.00	\$ 2,894.21	\$ 14,471.05	\$ 1,425.00	\$ 7,125.00
56	STORM SEWERS, CLASS A, TYPE 1 12-INCH	604	FOOT	\$ 60.00	\$ 36,240.00	\$ 175.00	\$ 105,700.00	\$ 175.00	\$ 105,700.00	\$ 250.00	\$ 151,000.00
57	STORM SEWERS, CLASS A, TYPE 1 15-INCH	10	FOOT	\$ 100.00	\$ 1,000.00	\$ 200.00	\$ 2,000.00	\$ 200.00	\$ 2,000.00	\$ 300.00	\$ 3,000.00
58	STORM SEWERS, CLASS A, TYPE 1 18-INCH	838	FOOT	\$ 75.00	\$ 62,850.00	\$ 250.00	\$ 209,500.00	\$ 250.00	\$ 209,500.00	\$ 225.00	\$ 188,550.00
59	STORM SEWERS, CLASS A, TYPE 1 24-INCH	594	FOOT	\$ 100.00	\$ 59,400.00	\$ 265.00	\$ 157,410.00	\$ 345.00	\$ 204,930.00	\$ 250.00	\$ 148,500.00
60	STORM SEWERS, CLASS A, TYPE 1 42-INCH	714	FOOT	\$ 150.00	\$ 107,100.00	\$ 375.00	\$ 267,750.00	\$ 500.00	\$ 357,000.00	\$ 375.00	\$ 267,750.00
61	STORM SEWER REMOVAL, 8-INCH	61	FOOT	\$ 30.00	\$ 1,830.00	\$ 10.00	\$ 610.00	\$ 1.00	\$ 61.00	\$ 2.50	\$ 152.50
62	STORM SEWER REMOVAL, 10-INCH	485	FOOT	\$ 35.00	\$ 16,975.00	\$ 12.00	\$ 5,820.00	\$ 2.00	\$ 970.00	\$ 2.50	\$ 1,212.50
63	STORM SEWER REMOVAL, 12-INCH	313	FOOT	\$ 25.00	\$ 7,825.00	\$ 25.00	\$ 7,825.00	\$ 3.00	\$ 939.00	\$ 2.50	\$ 782.50
64	STORM SEWER REMOVAL, 15-INCH	123	FOOT	\$ 30.00	\$ 3,690.00	\$ 30.00	\$ 3,690.00	\$ 3.00	\$ 369.00	\$ 2.50	\$ 307.50
65	DOMESTIC WATER SERVICE BOXES TO BE ADJUSTED	11	EACH	\$ 300.00	\$ 3,300.00	\$ 300.00	\$ 3,300.00	\$ 300.00	\$ 3,300.00	\$ 100.00	\$ 1,100.00
66	CATCH BASINS, TYPE A, 4' DIAMETER, TYPE 1 FRAME, OPEN LID	28	EACH	\$ 3,500.00	\$ 98,000.00	\$ 5,000.00	\$ 140,000.00	\$ 7,500.00	\$ 210,000.00	\$ 5,000.00	\$ 140,000.00
67	MANHOLES, TYPE A, 4'-DIAMETER, TYPE 1 FRAME, OPEN LID	11	EACH	\$ 2,500.00	\$ 27,500.00	\$ 7,000.00	\$ 77,000.00	\$ 24,000.00	\$ 264,000.00	\$ 10,500.00	\$ 115,500.00
68	MANHOLES, TYPE A, 6'-DIAMETER, TYPE 1 FRAME, OPEN LID	5	EACH	\$ 10,000.00	\$ 50,000.00	\$ 13,000.00	\$ 65,000.00	\$ 30,000.00	\$ 150,000.00	\$ 17,500.00	\$ 87,500.00
69	MANHOLES, TYPE A, 9'-DIAMETER, TYPE 1 FRAME, OPEN LID	1	EACH	\$ 26,000.00	\$ 26,000.00	\$ 35,000.00	\$ 35,000.00	\$ 54,000.00	\$ 54,000.00	\$ 65,000.00	\$ 65,000.00
70	REMOVING MANHOLES	6	EACH	\$ 600.00	\$ 3,600.00	\$ 750.00	\$ 4,500.00	\$ 200.00	\$ 1,200.00	\$ 900.00	\$ 5,400.00
71	REMOVING CATCH BASINS	14	EACH	\$ 600.00	\$ 8,400.00	\$ 750.00	\$ 10,500.00	\$ 200.00	\$ 2,800.00	\$ 900.00	\$ 12,600.00
72	CONNECTION TO EXISTING DRAINAGE STRUCTURE	10	EACH	\$ 400.00	\$ 4,000.00	\$ 750.00	\$ 7,500.00	\$ 5,000.00	\$ 50,000.00	\$ 5,000.00	\$ 50,000.00
73	PROPOSED STORM SEWER CONNECTION TO EXISITNG STORM SEWER	1	EACH	\$ 1,250.00	\$ 1,250.00	\$ 500.00	\$ 500.00	\$ 5,000.00	\$ 5,000.00	\$ 1,550.00	\$ 1,550.00
74	PROPOSED MANHOLE/CATCH BASIN CONNECTION VER EXISITNG STORM SEWER	1	EACH	\$ 1,250.00	\$ 1,250.00	\$ 1,500.00	\$ 1,500.00	\$ 50,000.00	\$ 50,000.00	\$ 6,350.00	\$ 6,350.00
75	ABANDON AND FILL EXISITNG SORM SEWER	635	FOOT	\$ 50.00	\$ 31,750.00	\$ 25.00	\$ 15,875.00	\$ 18.00	\$ 11,430.00	\$ 55.50	\$ 35,242.50
76	POTHOLING	26	EACH	\$ 750.00	\$ 19,500.00	\$ 400.00	\$ 10,400.00	\$ 500.00	\$ 13,000.00	\$ 1,150.00	\$ 29,900.00
77	STORM SEWERS, TYPE 1, WATER MAIN QUALITY PIPE, 12-INCH	310	FOOT	\$ 100.00	\$ 31,000.00	\$ 195.00	\$ 60,450.00	\$ 140.00	\$ 43,400.00	\$ 186.00	\$ 57,660.00
78	STORM SEWERS, TYPE 1, WATER MAIN QUALITY PIPE, 18-INCH	260	FOOT	\$ 125.00	\$ 32,500.00	\$ 265.00	\$ 68,900.00	\$ 180.00	\$ 46,800.00	\$ 172.00	\$ 44,720.00
79	STORM SEWERS, TYPE 1, WATER MAIN QUALITY PIPE, 24-INCH	190	FOOT	\$ 150.00	\$ 28,500.00	\$ 275.00	\$ 52,250.00	\$ 280.00	\$ 53,200.00	\$ 240.00	\$ 45,600.00
80	TREE REMOVAL (6 TO 15 UNITS DIAMETER)	43	UNIT	\$ 30.00	\$ 1,290.00	\$ 30.00	\$ 1,290.00	\$ 33.00	\$ 1,419.00	\$ 45.00	\$ 1,935.00
81	TREE REMOVAL (OVER 15 UNITS DIAMETER)	55	UNIT	\$ 50.00	\$ 2,750.00	\$ 32.00	\$ 1,760.00	\$ 35.00	\$ 1,925.00	\$ 55.00	\$ 3,025.00
82	TREES, BALLED AND BURLAPPED	15	EACH	\$ 2,000.00	\$ 30,000.00	\$ 650.00	\$ 9,750.00	\$ 775.00	\$ 11,625.00	\$ 675.00	\$ 10,125.00
83	EARTH EXCAVATION	1,350	CUYD	\$ 22.00	\$ 29,700.00	\$ 40.00	\$ 54,000.00	\$ 40.00	\$ 54,000.00	\$ 90.00	\$ 121,500.00
84	FURNISHED EXCAVATION	460	CUYD	\$ 50.00	\$ 23,000.00	\$ 10.00	\$ 4,600.00	\$ 5.00	\$ 2,300.00	\$ 40.00	\$ 18,400.00
85	AGGREGATE SUBGRADE IMPROVEMENT	2,480	CUYD	\$ 50.00	\$ 124,000.00	\$ 46.00	\$ 114,080.00	\$ 30.00	\$ 74,400.00	\$ 111.00	\$ 275,280.00
86	AGGREGATE BASE COURSE, TYPE B 4-INCH	3,640	SQYD	\$ 8.00	\$ 29,120.00	\$ 7.00	\$ 25,480.00	\$ 6.00	\$ 21,840.00	\$ 24.50	\$ 89,180.00

Village of Westmont, IL
Washington and Traube Water Main Improvements

Bid Date/Time: March 10, 2025/10:00 AM
Engineer's Job No. 2400177.00

				Engineer's Estimate		Performance Construction & Engineering, LLC		Acqua Contractors Corp.		Swallow Construction Corp.	
No.	Item	Quantity	Unit	Unit Price	Total Price	Unit Price	Total	Unit Price	Total	Unit Price	Total
87	HOT-MIX ASPHALT BASE COURSE, 7-INCH	3,640	SQYD	\$ 40.00	\$ 145,600.00	\$ 32.00	\$ 116,480.00	\$ 34.00	\$ 123,760.00	\$ 32.00	\$ 116,480.00
88	BITUMINOUS MATERIALS (PRIME COAT)	8,180	LB	\$ 0.50	\$ 4,090.00	\$ 0.01	\$ 81.80	\$ 0.01	\$ 81.80	\$ 0.01	\$ 81.80
89	BITUMINOUS MATERIALS (TACK COAT)	5,262	LB	\$ 1.00	\$ 5,262.00	\$ 0.01	\$ 52.62	\$ 0.01	\$ 52.62	\$ 0.01	\$ 52.62
90	HOT-MIX ASPHALT SURFACE REMOVAL - BUTT JOINT	160	SQYD	\$ 25.00	\$ 4,000.00	\$ 5.00	\$ 800.00	\$ 5.30	\$ 848.00	\$ 5.50	\$ 880.00
91	HOT-MIX ASPHALT BINDER COURSE, IL-19.0, N50	570	TON	\$ 100.00	\$ 57,000.00	\$ 87.00	\$ 49,590.00	\$ 92.00	\$ 52,440.00	\$ 87.00	\$ 49,590.00
92	HOT-MIX ASPHALT SURFACE COURSE, IL-9.5, MIX "D", N50	800	TON	\$ 100.00	\$ 80,000.00	\$ 87.00	\$ 69,600.00	\$ 95.00	\$ 76,000.00	\$ 87.00	\$ 69,600.00
93	PAVEMENT REMOVAL	4,050	SQYD	\$ 10.00	\$ 40,500.00	\$ 10.00	\$ 40,500.00	\$ 12.00	\$ 48,600.00	\$ 23.50	\$ 95,175.00
94	HOT-MIX ASPHALT SURFACE REMOVAL, 2-1/4-INCH	4,970	SQYD	\$ 5.00	\$ 24,850.00	\$ 6.00	\$ 29,820.00	\$ 6.00	\$ 29,820.00	\$ 6.00	\$ 29,820.00
95	DRIVEWAY PAVEMENT REMOVAL	1,360	SQYD	\$ 25.00	\$ 34,000.00	\$ 12.00	\$ 16,320.00	\$ 12.00	\$ 16,320.00	\$ 8.25	\$ 11,220.00
96	COMBINATION CURB & GUTTER REMOVAL	450	SQYD	\$ 20.00	\$ 9,000.00	\$ 7.00	\$ 3,150.00	\$ 10.00	\$ 4,500.00	\$ 5.50	\$ 2,475.00
97	SIDEWALK REMOVALSIDEWALK REMOVAL	2,725	FOOT	\$ 5.00	\$ 13,625.00	\$ 2.00	\$ 5,450.00	\$ 5.00	\$ 13,625.00	\$ 1.25	\$ 3,406.25
98	HOT-MIX ASPHALT DRIVEWAY PAVEMENT	990.00	SQFT	\$ 90.00	\$ 89,100.00	\$ 32.00	\$ 31,680.00	\$ 34.00	\$ 33,660.00	\$ 48.00	\$ 47,520.00
99	PORTLAND CEMENT CONCRETE DRIVEWAY PAVEMENT	120.00	SQYD	\$ 135.00	\$ 16,200.00	\$ 90.00	\$ 10,800.00	\$ 124.00	\$ 14,880.00	\$ 105.00	\$ 12,600.00
100	PORTLAND CEMENT CONCRETE SIDEWALK, 5 INCH	11,215.00	SQYD	\$ 12.00	\$ 134,580.00	\$ 9.00	\$ 100,935.00	\$ 11.50	\$ 128,972.50	\$ 10.75	\$ 120,561.25
101	DETECTABLE WARNINGS	60.00	SQFT	\$ 60.00	\$ 3,600.00	\$ 50.00	\$ 3,000.00	\$ 32.00	\$ 1,920.00	\$ 33.00	\$ 1,980.00
102	COMBINATION CONCRETE CURB & GUTTER, TYPE B-6.1	2,880.00	SQFT	\$ 60.00	\$ 172,800.00	\$ 30.00	\$ 86,400.00	\$ 45.00	\$ 129,600.00	\$ 42.25	\$ 121,680.00
103	FRAMES AND LIDS TO BE ADJUSTED	10.00	FOOT	\$ 750.00	\$ 7,500.00	\$ 2,000.00	\$ 20,000.00	\$ 800.00	\$ 8,000.00	\$ 325.00	\$ 3,250.00
104	CLASS D PATCHES, 6-INCH (SPECIAL)	1,190.00	EACH	\$ 100.00	\$ 119,000.00	\$ 58.00	\$ 69,020.00	\$ 62.00	\$ 73,780.00	\$ 61.50	\$ 73,185.00
105	AGGREGATE SHOULDERS, TYPE B 6-INCH	550.00	SQYD	\$ 20.00	\$ 11,000.00	\$ 13.00	\$ 7,150.00	\$ 21.50	\$ 11,825.00	\$ 22.50	\$ 12,375.00
106	CONCRETE CURB, TYPE B	190.00	SQYD	\$ 40.00	\$ 7,600.00	\$ 56.00	\$ 10,640.00	\$ 42.50	\$ 8,075.00	\$ 51.25	\$ 9,737.50
107	THERMOPLASTIC PAVEMENT MARKINGS - LETTERS AND	140.00	FOOT	\$ 5.00	\$ 700.00	\$ 6.00	\$ 840.00	\$ 6.10	\$ 854.00	\$ 11.00	\$ 1,540.00
108	THERMOPLASTIC PAVEMENT MARKINGS - LINE 6-INCH	590.00	SQFT	\$ 4.00	\$ 2,360.00	\$ 3.00	\$ 1,770.00	\$ 2.50	\$ 1,475.00	\$ 3.25	\$ 1,917.50
109	THERMOPLASTIC PAVEMENT MARKINGS - LINE 12-INCH	450.00	FOOT	\$ 5.00	\$ 2,250.00	\$ 4.00	\$ 1,800.00	\$ 4.10	\$ 1,845.00	\$ 6.50	\$ 2,925.00
110	THERMOPLASTIC PAVEMENT MARKINGS - LINE 24-INCH	180.00	FOOT	\$ 8.00	\$ 1,440.00	\$ 7.00	\$ 1,260.00	\$ 7.05	\$ 1,269.00	\$ 13.00	\$ 2,340.00
111	UNDERGROUND CONDUIT, COILABLE NONMETALLIC CO	60.00	FOOT	\$ 3.00	\$ 180.00	\$ 55.00	\$ 3,300.00	\$ 56.00	\$ 3,360.00	\$ 111.00	\$ 6,660.00
112	MAINTENANCE OF EXISTING TRAFFIC SIGNAL INSTALLA	1.00	FOOT	\$ 5,000.00	\$ 5,000.00	\$ 6,500.00	\$ 6,500.00	\$ 7,000.00	\$ 7,000.00	\$ 9,975.00	\$ 9,975.00
113	DETECTOR LOOP, TYPE 1	350.00	EACH	\$ 30.00	\$ 10,500.00	\$ 43.00	\$ 15,050.00	\$ 48.00	\$ 16,800.00	\$ 66.00	\$ 23,100.00
114	RELOCATE EXISTING MAILBOX	31.00	FOOT	\$ 300.00	\$ 9,300.00	\$ 250.00	\$ 7,750.00	\$ 600.00	\$ 18,600.00	\$ 300.00	\$ 9,300.00
115	SEGMENTED BLOCK WALL TO BE REMOVED AND REPLA	15.00	EACH	\$ 100.00	\$ 1,500.00	\$ 70.00	\$ 1,050.00	\$ 106.00	\$ 1,590.00	\$ 70.00	\$ 1,050.00
116	HOT-MIX ASPHALT SURFACE REMOVAL, VARIABLE DEP	370.00	SQFT	\$ 20.00	\$ 7,400.00	\$ 6.00	\$ 2,220.00	\$ 6.00	\$ 2,220.00	\$ 6.00	\$ 2,220.00
117	TEMPORARY INFORMATION SIGNING	80.00	SQYD	\$ 25.00	\$ 2,000.00	\$ 20.00	\$ 1,600.00	\$ 23.30	\$ 1,864.00	\$ 25.00	\$ 2,000.00
118	CASH ALLOWANCE	1.00	SQFT	\$ 25,000.00	\$ 25,000.00	Lump Sum	\$ 25,000.00	Lump Sum	\$ 25,000.00	Lump Sum	\$ 25,000.00
119	POLYMERIZED HOT-MIX ASPHALT BINDER COURSE, IL-4	210.00	LSUM	\$ 150.00	\$ 31,500.00	\$ 110.00	\$ 23,100.00	\$ 116.00	\$ 24,360.00	\$ 111.00	\$ 23,310.00
TOTAL:					\$ 6,519,727.00		\$ 6,568,713.00		\$ 7,350,000.00		\$ 7,719,744.37
TOTAL AS READ:					\$ 6,519,727.00		\$ 6,568,713.00		\$ 7,350,000.00		\$ 7,719,744.37

ORDINANCE NO. 25-__

**AN ORDINANCE REAPPROVING COMPREHENSIVE TEXT AMENDMENTS
TO CHAPTER 80 AND CHAPTER 86 OF THE WESTMONT CODE
OF ORDINANCES REGARDING TREES AND LANDSCAPING**

WHEREAS, the Village of Westmont is a municipal corporation duly organized and operating pursuant to the laws of the State of Illinois; and

WHEREAS, on or about January 25, 2024, the Village of Westmont Board of Trustees passed an ordinance that approved comprehensive text amendments to Chapter 80 “Trees and Landscapes” and Chapter 86 “Vegetation” of the Westmont Code of Ordinances; and

WHEREAS, the above-referenced approval was based on a draft ordinance prepared by Village staff which was not yet in final form; and

WHEREAS, upon a review of the draft ordinance by the Village Attorney, it was determined that numerous formatting and other ministerial edits were required, and it was also determined that substantive amendments to the penalty provisions were also required; and

WHEREAS, the comprehensive amendments to Chapter 80 and Chapter 86 of the Westmont Code of Ordinances have been edited and redrafted by the Village Attorney, reviewed by Village staff, and said amendments have been provided to the Village of Westmont Board of Trustees for reapproval; and

WHEREAS, to the Village of Westmont Board of Trustees desires to reapprove the comprehensive text amendments to Chapter 80 “Trees and Landscapes” and Chapter 86 “Vegetation” of the Westmont Code of Ordinances as set forth herein, finding this reapproval is in the public interest.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Westmont, DuPage County, Illinois, as follows:

Section 1: The above-stated recitals are hereby restated and incorporated into this Section 1 as though fully set forth herein.

Section 2: Chapter 80 “Trees and Landscapes” of the Westmont Code of Ordinances is hereby amended by deleting Chapter 80 in its entirety and replacing it with the amended Chapter 80 as follows (amendments are shown by underlined and shaded text; deletions are shown by ~~strikeouts~~):

ARTICLE I. PURPOSE, DEFINITIONS, AND GENERAL REGULATIONS

Sec. 80-1. Purpose.

Trees, landscaping and other vegetation are critical infrastructure in the village. The purpose of this chapter is to preserve, protect, replace and properly maintain trees throughout the village because trees and landscaping:

- (1) Are integral to the health and vitality of our residents.
- (2) Are an important public resource.
- (3) Preserves and enhances the village's physical and aesthetic environment, especially its natural and unique atmosphere.
- (4) Enhances the air quality by producing oxygen and filtering air pollutants.
- (5) Reduces topsoil erosion by the holding effect of their roots.
- (6) Reduces stormwater runoff and replenishes groundwater supplies.
- (7) Provides a buffer and screen against noise pollution.
- (8) Reduces energy consumption by acting as a windbreak and producing shade.
- (9) Provides food and nesting areas for birds and other wildlife which, in turn, assist in the control of insects.
- (10) Enhances property values.
- (11) Absorb and hold carbon dioxide.
- (12) Reduce the heat island effect.
- (13) Increase revenue in business districts.
- (14) Significantly reduce home heating and cooling costs.
- (15) Improve asphalt longevity by sheltering from direct sunlight.
- (16) Protect and enhance the quality of life and the general welfare of the residents of the village.

Sec. 80-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Buffer area: Buffer Area is an area of land extending 12 feet from the exterior walls of the principal structure, measured perpendicular to the exterior wall at a height of 4.5 feet above the ground. The twelve-foot Buffer Area shall be measured from the exterior walls only and not from unattached amenities, attached decks, patios or porches.

Building or Structure Area, Accessory: The area of a property on which an accessory building, structure, or stormwater improvement is to be located. Examples of accessory building or structure areas include driveways, patios, sheds, and drainage swales.

Building Area, Principal: The area of a property on which the principal building is to be located. For single family residential properties, the principal building is the single-family residence.

Construction: Any proposed change in the use or character of land, including but not limited to the replacement of any structure or site improvements. When appropriate to the context, construction may refer to the receipt or necessity of any building, or site work permit.

Corner Visibility Triangle: The triangular area on a corner lot adjacent to the point of intersection of the contiguous street edges (edge of pavement or street curb) for each of the two intersecting streets. The area of the corner visibility triangle is measured beginning from the intersection of the two street edges extending 55 feet along the street edge and forming a triangle at the end points of each 55 foot line.

Critical Root Zone: The area of earth surrounding any tree that is integral to that tree's sustainability, viability and survival. For the purposes of this article, the critical root zone shall be calculated at 1.25 feet for every inch of the tree's diameter at breast height (DBH). This area is circular around the trunk of a tree. It shall be determined by the measurement of the tree's DBH, then measuring outwards from the trunk 1.25 feet for every inch of trunk diameter, the resulting circular area around the entire tree is the critical root zone. For example, a 20-inch diameter tree would require a 30-foot area of protection around the tree for the critical root zone. This is a minimum area of protection, but a larger area is preferred. Given the restricted growing space of a parkway, critical root zone for trees growing on a parkway shall be as laid out in Sec. 80-34 (E).

Damage: Damage to vegetation shall mean any removal, removal of bark, girdling, topping, pollarding, the breaking, splitting, removal, or dislocation of the main trunk or stem, adverse impact to the root system, including, but not limited to soil compaction, any disruption of the vascular system or untimely pruning of a tree species out of its recommended season making it susceptible to insects or diseases, attaching any hardware, rope or wire, volcano mulching, any other act compromising its health or structural integrity according to ANSI A300 Standard Practices or any impact that is severely detrimental to its overall aesthetics.

Diameter at Breast Height (DBH): The diameter of the trunk of the tree measured in inches at a point four and a half feet above ground line. With trees that exhibit rounded, knotty growths, or burls, limb extensions or any other abnormalities at 4.5 feet above ground level, proper measurement shall be at the point of smallest diameter between 4.5 feet and the ground. All references to diameter size shall be to the DBH. For the purposes of this chapter, all tree measurements shall be calculated in terms of inches and tenths of inches.

Dripline: An imaginary, perpendicular line that extends downward from the outermost tips of the tree branches to the ground.

Heritage Tree: Heritage trees are trees on private property and defined as those tree species identified by the village as having significant importance to the village at their respective size class (DBH). They can be identified by species and size in the heritage tree chart found in article III of this chapter.

Insect pests: Insects, crustaceans, arachnids and vermis injurious to plants, plant products, animals and man.

Invasive Species: An organism that causes ecological or economic harm in the environment as identified by the State of Illinois per the Illinois Exotic Weed Act (525 ILCS 10/1, et seq.).

Landscaping: The process of making a piece of land more attractive by altering the existing design, adding ornamental features, and installing plant material in an organized manner.

Median: The center strip of a boulevard or street on which trees, shrubs or other plant material are planted.

Mulch: Organic material (such as decaying leaves, bark, or compost) properly placed over the soil surface for the benefit of plant health.

Mulch Bed: A ground area covered in mulch. This mulch shall be no more than four inches in depth, and shall not be in contact with the trunk of any tree or shrub (see Volcano Mulching). Larger area mulch beds are recommended for established trees.

Noxious Species: Any plant that can directly or indirectly injure or cause damage to public health, or the environment, as identified by the State of Illinois per the Illinois Noxious Weed Law (505 ILCS 100/1, et seq.).

Parkway: That portion of the public right-of-way between the street pavement and the nearest parallel property line including sidewalk areas.

Parkway Tree: A tree, all or some of which is located in a parkway, owned all or in part by the village; any tree which resides on village owned property.

Person: Any individual, firm, corporation, partnership, joint venture association, society, or any unit of government.

Plant Diseases: Fungi, bacteria, nematodes, protozoans and viruses injurious to plants and plant products and the pathological condition in plants and plant products caused by fungi, bacteria, nematodes, protozoans and viruses.

Property Owner: The record owner or contract purchaser of any parcel of land.

Pruning: A horticultural and arboricultural practice involving the selective removal of certain parts of a plant, such as branches, buds, or roots. The practice entails targeted removal of diseased, damaged, dead, structurally unsound, or otherwise unwanted tissue from plants.

Public Utility Company: Any person, firm, corporation, partnership, or other entity which owns, controls, operates or manages, directly or indirectly, any plant, equipment or property used or to be used for or in connection with the production, storage, transmission, sale, delivery or furnishing of heat, cold, power, electricity, water, light, telephone, telegraph, television, sewerage, natural gas or similar service.

Removal: The destruction of any vegetation. For the purposes of required removal per this ordinance, removal of vegetation shall mean removal of the whole to below ground level.

Root Zone: Portion of the tree located underground spreading out from the trunk in all directions, and at varying depths.

Shrub: A multi stemmed woody plant and not including any plant otherwise identified as a tree.

Soil: The unconsolidated mineral or organic material on the immediate surface of the earth that serves as a natural medium for the growth of land plants, integral to their health and survival.

Soil Compaction: Compression of the soil, often as a result of vehicle or heavy equipment traffic, that breaks down soil aggregates and reduces soil volume and total pore space.

Soil Volume: The amount of soil in a given area measured in cubic feet. For the purposes of this ordinance, it shall refer to the minimum amount of soil to foster healthy plant growth.

Traffic Control Device: Any sign, signal, or opticom equipment, placed or maintained by the village to regulate, warn or guide traffic.

Tree: Any self-supporting, woody plant together with its root system, growing upon the earth usually with one trunk, or a multi-stemmed trunk system, supporting a definitely formed crown.

Tree, Border: A tree with a property line going through any part of the tree trunk.

Tree, Boundary: A tree whose trunk is entirely on one property, but has roots or branches that extend over a property line.

Tree, Viable: A tree, which in the judgment of the village, is capable of sustaining its own life processes, unaided by man, for a reasonable period of time.

Tree Preservation: The process of protecting trees from damage.

Tree Protection Fencing: Six-foot chain-link fencing secured to sturdy steel posts driven into the ground and spaced no further than ten feet apart, erected to keep all construction related activity and material from affecting the living environment around any tree to be preserved in place.

Tree Protection Zone (TPZ): The area of tree protection fencing required for the protection and preservation of any tree to be preserved per the regulations listed herein.

Turf: A covering of mowed vegetation, usually a turfgrass, growing intimately with an upper soil stratum of intermingled roots and stems.

Vegetation: A plant, and/or plants considered collectively. For the purposes of this ordinance, shall refer to all plants within the Village of Westmont.

Village: The term "the village" or "this village" shall mean the village of Westmont, Illinois, its corporate authorities, and employees.

Village Forester: An individual trained and experienced in the profession of forestry employed or appointed by the village to provide professional and technical forestry advice to the village.

Village Owned Property: Property within the corporate limits of the village, and which is:

- (1) Owned by the village in fee simple absolute, or
- (2) Implicitly or expressly dedicated to the public for present or future use for purposes of vehicular or pedestrian traffic or
- (3) Owned or controlled by the village for parks, green belt, open space or other public purposes, including parkways, easements and alleyways.

Violation: Any violation of or variation from the provisions of this chapter.

Volcano Mulching: Material, typically mulch, soil, or stone, that is piled up on the trunk of a tree or shrub which negatively impacts the health, vitality and longevity of said tree or shrub.

Weed: Vegetation considered undesirable in a particular location.

Sec. 80-3. Interference.

No person shall hinder, prevent, delay or interfere with a village official engaged in the execution or enforcement of this article, provided, however, that nothing herein shall prohibit the pursuit of any remedy, legal or equitable, in any court of competent jurisdiction for the protection of property rights by the owner of any property within the village.

Sec. 80-4. Violation and penalty.

The village authorities have full and complete control and authority to regulate vegetation on private property as per the regulations herein. Any person violating or failing to comply with any of the provisions of this chapter shall be subject to enforcement and penalties pursuant to the village's administrative adjudication process, as well as such other enforcement and penalties as set forth in this chapter.

Sec. 80-5. Nuisance vegetation.

- (a) The following are hereby declared public nuisances under this article:

- (1) Any dead tree, or near dead tree as determined by the village;
 - (2) Any vegetation which harbors insect pests or plant diseases which reasonably may be expected to spread from tree to tree causing injury or harm to any other tree. Infectious disease includes, but is not limited to, Dutch Elm Disease, Elm Yellows, Oak Wilt, or Pine Wilt;
 - (3) Any vegetation or portion thereof which by reason of location or condition constitutes an imminent danger to the health, safety, or welfare of the general public;
 - (4) Any vegetation or portion thereof which obstructs the free passage of pedestrians or vehicular traffic, or which obstructs a street light or traffic control device;
 - (5) Any vegetation or portion thereof which dangerously obstructs the view in the "corner visibility triangle" as determined by the village.
 - (6) Weeds such as jimson, burdock, ragweed, thistle, cocklebur, poison hemlock, wild parsnip or other weeds of a similar kind.
 - (7) Vegetation, other than trees, bushes, flowers, ornamental plants or approved native/natural landscaping, exceeding eight inches in height.
 - (8) Invasive and noxious species.
- (b) *Removal of nuisance.* Any owner of any real property shall resolve any nuisance located upon the premises of such owner of property within 14 days whenever required to do so by notice from the village served upon the owner or occupant of such property. Immediate compliance may be required when the nuisance poses an urgent threat to the public health or safety.
- (c) *Allowing nuisance to remain prohibited; duty of the owner to resolve nuisance.* It shall be unlawful for any person owning any lot, tract or parcel of land to knowingly permit any and all nuisances to remain on such property. It shall be the duty of such persons to see that all such nuisances are resolved from the property. Failure to remove or resolve any such nuisance shall constitute a violation of this chapter.
- (d) *Inspection for nuisance vegetation.* In the event the village has reasonable cause to believe, either by virtue of its appearance or otherwise, that any vegetation located within the village is or might be infected with an infectious disease or is or might harbor vectors that transmit infectious disease, the village is hereby authorized and directed to enter on and upon any private or public property whereon such vegetation may be located for the purpose of inspecting such suspected vegetation, marking or identifying the vegetation, and removing therefrom samples or portions thereof so that same may be tested to establish whether or not such vegetation is in fact diseased.
- (e) *Notice to remove nuisance vegetation.* When any nuisance vegetation is discovered by the village, the village will give a written notice, which may be served personally or sent by certified mail, to the property owner. Such notice shall identify the property by common address and shall identify the vegetation affected, the specific code that is being violated, and the minimum actions needed to resolve the violation.

- (f) Removal of nuisance vegetation by village; costs of removal to be lien. In the event that any such nuisance is not removed within 14 days from the date of receipt of such notice (or such earlier date contained in the notice), then the village shall post a notice on the front door or entrance to the property where the vegetation is located, notifying the owner or occupant of the village's intention to enter upon such property to resolve said nuisance and invoice the property owner for the cost thereof. No sooner than seven days after posting such notice (unless an earlier date is required in order to protect the public health or safety), the village may enter upon such property and resolve said nuisance and invoice the property owner for the cost thereof. In the event such invoice remains unpaid within thirty days after owner's receipt thereof, the village shall cause to be filed a notice of lien in the Office of the Recorder of Deeds of DuPage County. Such notice shall include the following information: (a) a description of the real estate sufficient for identification thereof; (b) the amount of money representing the cost and expense incurred or payable for the resolution of nuisance, including any administrative costs incurred and in billing the owner for the cost; (c) the date or dates which such cost and expense was incurred. Upon payment of the cost and expense by the owner of, or persons interested in, said real estate, after the notice of lien has been filed, the village shall issue a release of such lien, which may be filed on record in said Recorder's office.

Sec. 80-6. - Maintenance of adjacent public parkways.

Property owners, tenants and/or homeowners' associations shall maintain the entire public parkway area abutting and between their private property and the public roadway or alley (for the full width or span of their property), so the minimum vegetation in such public parkway areas includes parkway trees and healthy turf not more than eight inches in height. The failure to maintain the public parkway as required by this section is hereby declared to be a nuisance.

Sec. 80-7. Tree replacements.

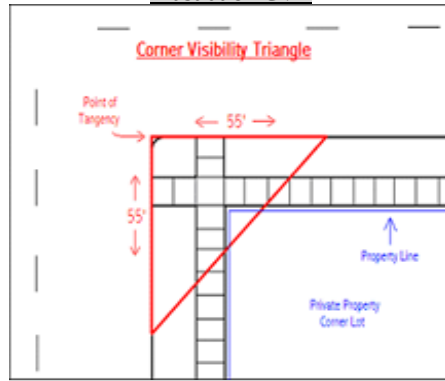
No single replacement tree will have a DBH greater than four inches DBH or less than two inches DBH unless specifically authorized by the village.

Sec. 80-8. Corner visibility triangles (CVT).

The triangular space, or "Corner Visibility Triangle" (see illustration CVT below) on a corner lot must be kept free of obstructions so traffic visibility is not obscured. Landscaping within a CVT shall comply with the following:

- a. No trees shall be planted closer than 30 feet from the point of tangency of the curbs or edge of pavement (when there is no street curb). Trees planted within the remaining area of the CVT must be kept pruned so that no branches are below 4 feet above grade (branched high enough to permit visibility of traffic).
- b. No other vegetation within the CVT shall exceed 24 inches above the curb at mature height.

Illustration CVT



Secs. 80-9 – 80-29. Reserved.

ARTICLE II - PARKWAYS AND OTHER VILLAGE OWNED PROPERTIES

Sec. 80-30. Control and authority.

The municipal authorities are hereby provided full and complete control over all village owned vegetation and other landscape materials within public rights of way and all other property owned by the village and shall have the authority and jurisdiction to enforce all provisions of this chapter.

Sec. 80-31. - General provisions.

Unless authorized by the village in the form of a right of way permit approved by the public works department, it shall be unlawful:

- a. For any person or entity to remove any tree or vegetation on village owned property.
- b. For any person or entity to plant, prune, remove, destroy, break, cut, deface, or in any way cause the demise, damage, injure or interfere with any tree, shrub or vegetation in any right-of-way of any street or alley or on any village owned property.
 1. Any unauthorized plantings may be removed at the discretion of the public works director or designee.
 2. In instances where mechanical injury is apparent on any tree or shrub on village owned property (e.g. lawn mower damage to a parkway tree), the village may require establishment and use thereof of proper protection methods (i.e., mulch ring around a parkway tree) as to relieve and prevent further injury to said tree or shrub as determined by the village.
- c. For any entity or person to dig, excavate or otherwise disturb any village owned property within the critical root zone, or otherwise cause damage to any tree.
 1. In the event of an emergency requiring digging, excavation or otherwise disturbing any village owned property, notification of said work shall be communicated in writing to the public works director within no more than forty eight (48) hours of the commencement of said work.
 2. In making excavations on village owned property, once an approved right of way permit has been secured per the regulations listed herein, proper care shall be taken to avoid injury to the roots of any tree, including compaction of surrounding soil. Proper root pruning shall be completed prior to any excavation within thirty feet (30') of any tree. No open trenching shall be allowed within six feet (6') of any tree growing on village owned property.

- d. For any entity or person to deposit, place, store or maintain upon the ground in the right-of-way of any street or alley or on any village owned property, any stone, cement or other material within the critical root zone, or otherwise cause damage to any tree.
- e. For any entity or person to attach any rope, wire, electric wire, insulator or any other electric device for holding electric wire to any tree now or hereafter growing on any village owned property. Exceptions may include seasonal holiday lights, permanent cable and bracing systems, and lighting protection systems. Every entity or person having any wire charged with electricity shall, whenever practicable, securely fasten the same so that such wire shall not come in contact with any tree in any street or alley in the village. When it becomes necessary to prune branches of trees in any right of way of any street or alley or any village owned property for the benefit of any person running wire through such trees, the pruning shall be done consistently with the most currently accepted arboricultural practices at the expense of the person owning the wires.
- f. For any entity or person to attach any sign, advertisement or notice to any vegetation growing on village owned property.
- g. For any entity or person to allow volcano mulching of any village owned tree or shrub as determined by the public works department.
 - 1. Each tree or shrub identified as being 'volcano mulched' shall constitute a separate offense.
 - 2. Failure to remedy each tree or shrub identified as being 'volcano mulched' within fourteen (14) days of notice by the public works department shall be punishable by the fines as permitted by law, in addition to any other remedy available to the village.
 - 3. In the event an owner or resident provides evidence that a contractor committed volcano mulching of a village owned tree or shrub (i.e., invoice or bill for landscape services), the village may hold said contractor jointly and severally liable with the owner or resident, and subject said contractor to the fines described in section 2 above.

Sec. 80-32. Right of way permit- parkway tree removal.

An approved right of way permit through the public works department shall be required for the removal of any parkway tree. Any permit authorizing parkway tree removal may be subject to such conditions as the director of public works or his/her designee may deem necessary or appropriate to minimize damage to other trees or vegetation on site.

- A. Right of way permit application- tree removal. The application for parkway tree removal shall contain:
 - 1. Name and address of applicant;

2. Commonly known address for the property where the tree sought to be removed is located;
 3. A written statement indicating the reason for requesting removal of the tree(s);
 4. A general description of the tree(s) to be removed, including species and size;
 5. Name and address of the contractor or other person who is proposed as having responsibility for the tree removal(s);
 6. Provide two (2) copies of the plans and specifications showing the work to be completed;
 7. Provide plans for tree protection of other trees in the immediate area.
- B. Fee for right of way permit- tree removal. An approved right of way permit for tree removal fee shall be based upon the appraised value of each tree to be removed. The appraisal values shall be determined using the most current edition of the Guide for Plant Appraisal prepared by the Council of Tree and Landscape Appraisers.
- C. Basis for right of way permit- tree removal approval. The public works department may approve a right of way permit for parkway tree removal under one or more of the following circumstances:
1. the tree is dead or dying;
 2. the tree is diseased;
 3. the tree is damaged to the extent that it is likely to die or become diseased, or that it constitutes a reasonable hazard to persons or property;
 4. such other reason as the director of public works or his/her designee deems appropriate.

Sec. 80-33. Parkway tree(s) planting fee required at new construction.

Any application for any building permit for construction of a new building or building addition (whether residential or commercial) shall be required to pay a fee in lieu of the planting of parkway tree(s). This fee shall cover the cost of one tree for each 35 linear feet of parkway or for every 25 feet of parkway with overhead utilities. The total amount of the fee shall be the village's actual cost of acquiring and planting the required amount of trees. If there are existing parkway trees which are properly protected during construction, then the fee will be reduced or waived accordingly.

Sec. 80-34. Parkway protection.

- A. In the erection, alteration or repair of any building or structure, or the construction, installation, alteration or repair of any street, driveway, sidewalk, or utility, trees on any village-owned property shall be protected from damage or removal unless otherwise authorized by a right of way permit. Suitable protection shall include a six (6) foot high temporary chain link construction fence secured to metal posts driven into the ground which are spaced no further than ten (10) feet apart. Tree crowns and trunks shall not suffer any branch or bark loss. Roots shall be protected from compaction, storage of materials, severing, regrading of the parkway or excavation within the critical root zone. It shall be unlawful for any entity or person to sever roots, compact the soil, regrade the parkway or excavate within the critical root zone of any tree in any right-of-way of any street without a valid right of way permit during the erection, alteration or repair of any building or structure, or the construction, installation, alteration or repair of any street, driveway, sidewalk or utility.
- B. Persons, firms, corporations, and utility companies, when installing underground systems on village-owned property, shall protect the critical root zone of village-owned trees.
- C. No vehicle, equipment or machinery shall drive, park or operate on village-owned property except within authorized construction access drives or hard surfaced driveways or driveway aprons.
- D. New driveway and widening construction (not replacements) shall be placed at least ten feet (10') from any portion of the trunk of village-owned trees, unless otherwise authorized by the public works department. In instances where authorization is granted to construct a driveway closer than ten feet from the trunk of any village-owned tree, proper tree preservation methods shall be required.
- E. The critical root zone for a tree growing in a parkway is defined as the minimum volume of roots necessary for maintenance of tree health and stability, and shall be a rectangle around the tree trunk with the minimum dimensions listed in the table below:

<u>Tree diameter 4.5 feet above ground</u>	<u>Width from street to property (minimum - curb to sidewalk)</u>	<u>Length along street (minimum)</u>	<u>Depth</u>
<u>0 - 12.0 inches</u>	<u>10 feet</u>	<u>10 feet</u>	<u>4 feet</u>
<u>12.1 - 24.0 inches</u>	<u>10 feet</u>	<u>20 feet</u>	<u>4 feet</u>
<u>24.1 or more inches</u>	<u>10 feet</u>	<u>30 feet</u>	<u>4 feet</u>

Whenever possible, the entire parkway shall be fenced except where access has been permitted. Any factors that would cause any deviations from the table above shall be noted on

the permit issued for work in the area and shall be approved by the public works department before the work begins or the permit is issued.

Sec. 80-35. Violations.

It shall be a violation of this article for any person or entity to fail to maintain the fence around the critical root zone, as defined herein. Each day during which a violation continues or is permitted shall be construed as a separate and distinct offense.

It shall be a violation of this article for any entity or person to damage or injure a village owned tree. In addition to fines that may issue, such entity or person is responsible to reimburse the village for the costs of repairs, such as pruning or cabling, if the injured tree will not die as a result of such damage or injuries. In cases where the tree has been damaged beyond repair and cannot remain in the public right-of-way, the entity or person responsible for the damage shall remove the tree and stump at their own costs. If the responsible entity or person fails to timely remove the tree and stump, or if the tree is an immediate hazard, the village may remove the tree and the stump and the entity or person is responsible to pay the village for the cost the village incurs in such removal.

In the event of tree removal due to damage caused by an entity or person, and in addition to any fines that may be assessed for violation of this section, the responsible entity or person shall pay the village for the costs of a replacement tree in an amount equal to the value of the tree lost as a result of the violation. The value of the tree lost shall be as determined by the village using the most current edition of the Guide for Plant Appraisal prepared by the Council of Tree and Landscape Appraisers.

Payment into the village's tree planting fund: In addition to the fines, fees, and replacement costs described in section, any person or entity who unlawfully removes a tree shall pay into the village's tree planting fund a replacement tree fee at a rate of three hundred dollars (\$300.00) per inch of trunk diameter of the tree that was destroyed or removed.

The village may issue to any entity or person who violates any provision of this article an invoice for costs and damages as settlement of any violation. The invoice shall list the specific violations that occurred, the date or dates of a violation, the location of the violation, the basis for the costs and damages, and shall request payment of the invoice within thirty (30) days. In lieu of invoices, bonds issued for the work at a violation site may be forfeited should funds be sufficient to cover the tree values, costs, and/or fines. Upon failure to settle the violation, the village may pursue any lawful remedy.

Secs. 80-36 – 80-39. Reserved.

ARTICLE III. HERITAGE TREES

Sec. 80-40. Purpose.

Consistent with the purpose of this chapter, the village finds that larger trees provide significant public benefits that warrant these heritage tree regulations. The village further finds that it will take decades for the planting of young trees to mature in order to replace the value of mature trees and, for this reason, additional efforts should be made to preserve and protect existing heritage trees where they are growing.

Sec. 80-41. Preservation required and exceptions.

It is prohibited for any person to intentionally remove or cause injury to a heritage tree, as defined in this chapter, whether on the subject property or an adjacent property except under one or more of the following conditions:

- A. The village has determined that the heritage tree meets one or more criteria of nuisance vegetation as defined in section 80-5 herein. If a heritage tree is determined to be a nuisance, it shall be pruned, treated, or removed only to the extent necessary to alleviate the nuisance.
- B. A property owner has determined that they prefer to replace a heritage tree with replacement trees as per section 80-76. In such cases, the property owner shall submit a tree preservation plan for approval by the village.
- C. A property owner has applied for a permit for new construction on a property and has provided a tree preservation plan that indicates that certain heritage trees will be negatively impacted by the new construction. In such cases, heritage trees may be removed without the required replacements or fee in lieu of replacements under any of the following circumstances:
 1. If the trunk of a heritage tree is located within the principal building area or buffer area and relocation of the building will create conflicts with the zoning ordinance, require significant architectural or site engineering modifications, or will add substantial construction costs.
 2. If the trunk of a heritage tree is located within a drainage easement and reconfiguration of the stormwater improvement would compromise stormwater management or add substantial costs.
 3. If the trunk of a heritage tree is located in an accessory building or structure area or buffer area, and:
 - i. Relocation would require substantial modifications to the architecture or floor plan of the principal building (for example, location of a deck or patio accessed through an exterior door).

- ii. Relocation would be in conflict with the zoning ordinance.
- iii. Relocation would compromise the utility of an accessory structure (for example, a driveway that becomes difficult to navigate or a parking lot that would no longer provide sufficient parking spaces to comply with applicable codes).

Sec. 80-42. Heritage tree chart.

Heritage trees are those trees defined in section 80-2 of this chapter and further identified by species and size in the heritage tree chart below.

HERITAGE TREES		
Species		Size (Inches)
<u>Scientific Name</u>	<u>Common Name</u>	<u>Diameter at Breast Height (DBH)</u>
<u>Acer spp (excluding Acer saccharinum and Acer negundo)</u>	<u>Maple (excluding Silver Maple and Boxelder Maple)</u>	<u>20"</u>
<u>Aesculus spp</u>	<u>Buckeye, Horsechestnut</u>	<u>20"</u>
<u>Carpinus spp</u>	<u>Musclewood, Hornbeam</u>	<u>6"</u>
<u>Carya spp</u>	<u>Hickory</u>	<u>10"</u>
<u>Castanea spp</u>	<u>Chestnut</u>	<u>10"</u>
<u>Catalpa spp</u>	<u>Catalpa</u>	<u>20"</u>
<u>Celtis spp</u>	<u>Hackberry</u>	<u>20"</u>
<u>Cercidiphyllum japonicum</u>	<u>Katsuratree</u>	<u>10"</u>
<u>Cladrastis kentukea</u>	<u>American Yellowwood</u>	<u>10"</u>
<u>Corylus columna</u>	<u>Turkish Filbert</u>	<u>10"</u>
<u>Fagus spp</u>	<u>Beech</u>	<u>10"</u>
<u>Ginkgo biloba</u>	<u>Ginkgo</u>	<u>20"</u>
<u>Gleditsia triacanthos</u>	<u>Honeylocust</u>	<u>20"</u>
<u>Gymnocladus dioicus</u>	<u>Kentucky Coffeetree</u>	<u>20"</u>
<u>Juglans spp</u>	<u>Walnut</u>	<u>20"</u>
<u>Juniperus spp</u>	<u>Juniper</u>	<u>20"</u>
<u>Liquidambar styraciflua</u>	<u>Sweetgum</u>	<u>10"</u>
<u>Liriodendron tulipifera</u>	<u>Tulip-poplar, Tuliptree, Yellow Poplar</u>	<u>20"</u>
<u>Metasequoia glyptostroboides</u>	<u>Dawn Redwood</u>	<u>10"</u>
<u>Nyssa sylvatica</u>	<u>Tupelo, Blackgum</u>	<u>6"</u>
<u>Ostrya virginiana</u>	<u>Hophornbeam, Ironwood</u>	<u>6"</u>
<u>Parrotia spp</u>	<u>Parrotia, Ironweed</u>	<u>6"</u>
<u>Phellodendron amurense</u>	<u>Corktree</u>	<u>20"</u>
<u>Picea spp</u>	<u>Spruce</u>	<u>20"</u>
<u>Pinus spp</u>	<u>Pine</u>	<u>20"</u>
<u>Platanus spp</u>	<u>Sycamore, Plaintree</u>	<u>20"</u>
<u>Quercus spp</u>	<u>Oak</u>	<u>10"</u>
<u>Robinia spp</u>	<u>Black Locust</u>	<u>20"</u>
<u>Taxodium spp</u>	<u>Bald Cypress</u>	<u>10"</u>
<u>Thuja spp</u>	<u>Cedar</u>	<u>20"</u>
<u>Tilia spp</u>	<u>Linden, Basswood</u>	<u>20"</u>
<u>Ulmus spp</u>	<u>Elm</u>	<u>20"</u>
<u>Zelkova spp</u>	<u>Zelkova</u>	<u>10"</u>
<u>Any other tree at or above 35 inches DBH is considered a heritage tree, with the exception of Ulmus pumila.</u>		

Sec. 80-43. Heritage tree preservation plan required.

Tree preservation plans required by this chapter shall provide the following information regarding heritage trees:

- (1) Identification of location, diameter and species of all trees on the property and including any heritage trees on adjacent properties whose critical root zone or dripline encroaches onto the subject property.
- (2) Identification of which heritage trees are (i) to be protected, preserved or undisturbed, (ii) to be removed or disturbed, and (iii) exempt from the calculation.
- (3) Identification of all heritage trees which are dead, diseased or have been damaged.
- (4) Areas proposed to be designated as natural preserves where all natural vegetation, including heritage trees, will be protected and preserved.
- (5) Proposed disturbance zones.
- (6) Proposed locations and details of tree protection fencing to be installed for all trees to be preserved. No excavation or other activity shall occur within the critical root zone or within the drip line, whichever is greater, of any heritage tree that is to be preserved.
- (7) Identification of trees impacted by construction activities and description of methods to protect or to mitigate damage to said trees (e.g. pruning, fertilization, etc.).

Sec. 80-44. Heritage tree preservation and maintenance.

- (a) Heritage trees to be saved shall be evaluated by considering preserving clusters of trees and their understory, species and condition (maintain slower growing trees in good condition), long-term suitability of the tree for its present location, length of time to mitigate losses, cost of mitigating tree losses, and related factors.
- (b) Heritage trees to be preserved shall generally be maintained in a manner consistent with the applicable specifications of the American National Standards Institute (ANSI).

Sec. 80-45. Heritage tree replacements.

Should an applicant request the removal of a tree classified as a heritage tree, the tree must be replaced with one inch of replacement caliper for every one inch DBH that is removed. Replacement trees shall be a minimum of two inches caliper and a maximum of three inches caliper at the time of installation (example: a 24 inch heritage tree must be replaced with 36 two inch caliper trees (a total of 72 inches caliper)). All replacement species shall be approved by the village prior to planting.

Commented [JZ1]: I don't understand this calculation as written.

- (1) If the property cannot accommodate the required replacement trees (as determined by the village), then the village may allow payment equal to the cost that would have been incurred to purchase and install replacement trees, so that the village may purchase and install the replacement tree(s) elsewhere within the village.
- (2) Replacement plantings shall be guaranteed for a period of three years following initial installation.
- (3) Replacement trees shall be properly cared for a period of three years following installation, including weekly watering (minimum five gallons per tree) and maintaining the tree's mulch bed (avoiding volcano mulching).

Sec. 80-46. Heritage tree fines; replacement; remediation; bond.

A property owner who removes or permits to be removed heritage trees in conflict with this article, or who damages or permits to be damaged heritage trees, has violated this article and shall be subject to the maximum fine allowed by law per tree removed or damaged. Additionally, where a heritage tree is wrongfully removed or damaged to the extent that removal is required, the violator is responsible to pay to the village the replacement cost of said heritage tree or trees based on the total removed diameter (DBH). If there is no way to determine the DBH of the removed tree or trees, the diameter will be determined by measuring the diameter of the remaining stump, along with associated fines/penalties. If no stump remains, the tree diameter will be determined by measuring the diameter of the area which is ground out, or backfilled with soil. Heritage trees that are damaged due to owner's conduct to the point that the village requires removal will also subject the owner or occupant to the fines and replacement obligations of this section.

Heritage trees that are damaged due to conduct in violation of this article to a point that the village does not require removal, but does require remediation measures to ensure the best chance of survival for said tree or trees, will require a cash bond in an amount to cover the potential costs of removal and replacement, and all associated costs of required remediation measures for a three year period. In addition, the violator is subject to a fine as specified in this article for each damaged tree. The responsible party must take all reasonable remediation measures required by the village. At the end of this three-year bond period, the tree or trees will be reevaluated by the village. If removal is then required, the village shall confiscate the bond, except that the village shall return the portion of the bond representing removal and replacement costs once the owner demonstrates that he or she has removed and replaced the tree(s) in compliance with this article. If further remediation is needed after the initial three-year bond period expires, then the village shall continue to hold the bond for another three-year bond period and the responsible party shall take the necessary additional remediation measures. If no further measures are needed, the remaining bond shall be returned. With the owner's or occupant's consent, the village may utilize the confiscated bond money to enter upon the property and plant replacement trees.

Each tree cut down, destroyed, damaged, removed or moved shall constitute a separate offense. The remedies provided for in this article are in addition to any other lawful or equitable

Commented [JZ2]: As originally drafted, this provided for payment of "double" the replacement cost. This penalty is not enforceable, but a court will uphold a requirement that the violator to pay the Village for its actual damages (i.e., actual replacement cost).
Question: How are replacement costs determined?

remedies available to the village. The village may issue a stop work order on any construction due to a violation of this article, and may allow construction to resume once the responsible party has complied with the requirements of this article. Each property owner, occupant (if different than the property owner), and entity or person that caused the damage or wrongful heritage removal are jointly and severally liable for violations of this article.

The fines and requirements of this section shall not apply to an emergency situation caused by a hazardous tree that endangers life or property and where removal is authorized by the order of the village. Further, any franchised public utility or representative of the village may remove or prune heritage trees which interfere with the safe and efficient operation of the public service for which they are responsible, but only to the extent made necessary by such interference.

Secs. 80-47 – 80-59. Reserved.

ARTICLE IV- LANDSCAPE REQUIREMENTS AND TREE PRESERVATION

Sec. 80-60. Jurisdiction.

Any construction activity that is subject to the site plan approval procedures of the zoning ordinance is subject to the provisions and regulations of this article, as well as the heritage tree regulations.

Sec. 80-61. - Landscape plan application procedure.

All zoning and permit applications for construction shall include the following materials in a form acceptable to the village and as further described herein. The village shall review the application which may include an inspection of the site and referral of the application for recommendation to other appropriate departments or agencies.

- (1) Tree survey. The tree survey shall include information on all existing trees four inches DBH or larger. Information shall include the location, size, species and condition of each tree, as well as existing and proposed structures, improvements, utilities, driveways, existing and proposed contours at one-foot intervals.
- (2) Tree preservation plan. The tree preservation plan shall identify those trees to be protected with a tree protection detail labeled on the survey. Information shall include the location, size, species and condition of each tree, as well as proposed structures, improvements, utilities, driveways, proposed contours at one-foot intervals and any protective measures to be taken to avoid construction damage to protected trees (i.e. pumping concrete, crown or root pruning).
- (3) Landscape plan. The applicant shall provide the village with a landscape plan, which shall consist of a site plan overlaying the locations of existing trees to be preserved, utilities and utility easements, building pads, retention/detention basins, proposed contours and all proposed landscaping. All landscaping plans shall be prepared by a professional landscape architect or landscape designer in accordance with the village requirements.

Sec. 80-62. - Permit issuance.

No permit for construction shall be issued until such time that a tree preservation plan is approved by the village.

Sec. 80-63. Tree preservation and replacement.

All zoning and permit applications for construction shall be subject to the following tree preservation and replacement requirements:

- (a) It shall be unlawful for any person to remove, injure, or undertake any procedure which will cause death or substantial damage to any tree protected by this article.

- (b) All trees within construction areas or areas where future construction is expected shall be protected until otherwise stated upon approval of a submitted tree survey, tree preservation plan and landscape plan.
- (c) Fifty percent of existing trees of greater than four-inch diameter, as shown on the required tree survey, will be required to be replaced within all construction areas. If the property cannot accommodate the replacement tree or trees, then the village may allow payment as approved by the village, equal to the cost that would have been incurred, in order to purchase and install the replacement tree or trees elsewhere. The village shall then use such funds to purchase and plant trees elsewhere within the village. Trees required to be planted by other landscaping regulations may be counted toward this replacement requirement.
- (d) It shall be unlawful for any person to remove, injure, or undertake any procedure which will cause death or substantial damage to any tree on construction areas or areas where future construction is expected prior to approval of a submitted tree survey, tree preservation plan and landscape plan. Trees that are removed prior to approval of the tree survey and landscape plan will be valued on a tree for tree basis and will be required to be replaced within the construction area after construction has commenced. If the property cannot accommodate the replacement tree or trees, then the village may require payment as approved by the village, equal to the cost that would have been incurred, in order to purchase and install the replacement tree or trees elsewhere. The village shall then use such funds to purchase and plant trees elsewhere within the village.
- (e) The village shall retain jurisdiction to ensure compliance with this section and shall have the right to issue a stop work order for non-compliance. No stop work order issued pursuant to this section shall be removed except by the village.

Sec. 80-64. Tree protection.

- (a) In instances where construction affects trees and their root zones on a given parcel or on adjacent parcels, all appropriate tree protection measures must be taken. The applicant must consider and the village may require, the following specific protective measures for all development, or work requiring a permit, on properties with trees subject to regulation. Violation will result in the stoppage of all work and fines each day for each separate violation until corrections have been made to the satisfaction of the village.
- (b) Protective fencing is required for protection of any tree to be preserved in place within 15 feet of any construction or construction material or construction equipment storage, including trees on adjacent properties, and is to be shown on the tree preservation plan. The entire parkway, except the access point, must be properly fenced off from sidewalk to curb. All required protective fencing must be in place and approved by the village before a demolition permit will be issued. All

fencing must remain in place during the entire construction period. All fencing shall be snow fence of four feet in height unless otherwise specified by the village. All fencing must be secured to metal posts driven into the ground and spaced no further than ten feet apart. Fencing shall not be removed or relocated unless authorized in writing by the village. The general contractor shall be responsible for the construction, erection, and maintenance of tree protection fencing in accordance with the conditions of the building permit around tree preservation areas. The approved tree preservation plan shall be available on the building site before work commences and always during construction of the project. The general contractor shall be responsible for giving written notice of the tree preservation plan to all contractors or subcontractors prior to their entering the site.

- (c) Pumping of concrete for the foundation or other protective measures such as crown pruning and root pruning may be required for preservation of the existing trees. These measures must be indicated on the tree preservation plan.
- (d) During construction all reasonable steps necessary to prevent the destruction or damaging of trees to be preserved and their root zones shall be taken. No vehicle or equipment shall be driven nor parked within the tree protection zone.
- (e) During construction, unless otherwise authorized by the approved tree preservation Plan, no excess soil, additional fill, equipment, liquids, or construction debris, shall be placed within the root zone of any tree that is required to be preserved in its present location.
- (f) No attachments, fences or wires, other than approved materials for bracing, guying or wrapping, shall be attached to any tree which is being preserved during the construction period.
- (g) All measures shall be taken to maintain the health of trees which are transported to the site.
- (h) Because construction damage to trees can sometimes take a number of years before becoming apparent, any violation of the tree preservation specifications will deem the tree injured. The contractor will then have the option to remove and replace the tree as specified in this chapter or post a bond for a period of three years for the associated cost of alleviating said construction damage within the three year period (pruning or removal and replacement). Contractors shall retain no responsibility after the construction process is completed for trees which have been properly protected throughout the entire construction process.
- (i) The village shall retain jurisdiction to ensure compliance with this section and shall have the right to issue a stop work order for non-compliance. No stop work order issued pursuant to this section shall be removed except by the village.

Sec. 80-65. Penalty for non-compliance with tree preservation plan.

Failure to comply with an approved tree preservation plan or removal of protected trees prior to approval of said plan is subject to the following penalties and remedies:

- (1) If any tree subject to preservation under this article is removed within one year prior to any zoning or permit application, to the extent possible, the removed tree(s) shall be included in the tree replacement requirements described in this article.
- (2) Any tree that is designated for preservation is removed during construction activities shall be replaced with a new tree or trees of approved species with a minimum DBH equal to the removed tree(s). If the property cannot accommodate the replacement tree or trees, then the village may require payment as approved by the village, equal to the cost that would have been incurred, in order to purchase and install replacement trees elsewhere. The village shall then use such funds to purchase and plant trees elsewhere within the village.
- (3) If a tree, which is to be preserved according to the approved tree preservation plan, is damaged or injured by other than natural causes to the extent that it is likely to die or become diseased, or if it continues a hazard to persons or property, it shall be removed and replaced with a tree or trees of approved species with a minimum DBH equal to the removed tree(s). If the property cannot accommodate the replacement tree or trees, then the village may require payment as approved by the village, equal to the cost that would have been incurred, in order to purchase and install replacement trees elsewhere. The village shall then use such funds to purchase and plant trees elsewhere within the village.
- (4) The village shall approve all species of trees to be planted on the property when planting of replacement trees is required.
- (5) The village may pursue any other lawful remedy for the violation, including but not limited to administrative adjudication and the imposition of fines for the violation.

Sec. 80-66. - Landscape standards.

The planting of trees and beautification of the village is essential to the quality of life for the village and its residents. Improved landscapes can increase property values, improve air quality, residents will have a more positive view of their surroundings, and the “heat island” effect on the urban environment can be reduced. It is the intent of this article to make the village a more beautiful and a healthier place to live. Landscapes with diversity and seasonal interest are encouraged.

- (1) Minimum standards for residential construction (except for single-family construction):

a. In front, side or rear yards, a minimum of two shrubs with a minimum height of 24 inches at the time of planting, must be planted for every ten linear feet of foundation along the portion of the building facing a public or private street.

b. In addition to the above, two of the following must also be satisfied:

- One shade tree must be planted on the site for each 100 linear feet of foundation, or portion thereof, along the front and corner side yards.

- Two under story or ornamental trees must be planted on the site for each 100 linear feet of foundation, or portion thereof, along the front and corner side yards.

- Two six to eight foot tall evergreens must be planted on the site for each 100 linear feet of foundation, or portion thereof, along the front and side yards.

c. Planting beds must be covered with ground cover or mulch.

d. Tree planting in private areas should be done in a solar conscious design, emphasizing the benefits of shade during the summer months and warming sunlight in the winter.

(2) Ability to waive requirements for residential landscape plan. The village may waive the minimum landscape requirement and the requirement for a landscape plan if the petitioner demonstrates that one or more of the following conditions are satisfied:

a. Sufficient mature trees and vegetation exist on the site in a manner that meets the intent of this article with plans to properly protect said trees or vegetation and protection measures are carried out properly throughout the entire construction process.

b. Installing plant material would compromise the health, vitality, or ecology of the existing vegetation on the site, or on neighboring sites.

c. Significant open space or vistas would be negatively impacted by the installation of the required plants.

(4) Minimum standards for non-residential, commercial, and multi-family construction:

a. At least 50 percent of the open space on the site shall be landscaped.

- b. At least one tree shall be planted for every 500 square feet of the area required to be landscaped. One-third of the trees shall be evergreens of a minimum six feet in height, one-third of the trees shall be ornamental with a minimum of three inch caliper or six feet in height, and one-third of the trees shall be shade trees, a minimum of three inch DBH.
- c. One shrub shall be planted for every 50 square feet of the area required to be landscaped. For shrubs that mature less than five feet in height, minimum installation size shall be two feet tall. For shrubs that mature greater than five feet in height, minimum installation size shall be three feet tall.
- d. Foundation plantings of a minimum width of six feet shall be provided on all sides of the main structure except where sidewalks, driveways or other hardscapes abut the structure. Foundation plantings shall be comprised of a combination of shade trees, ornamental trees, evergreens, shrubs, ground covers and flowers.

Sec. 80-67. - Parking lots.

- (a) Parking lot interior. At least one tree of not less than three inches DBH shall be planted for every 1,500 square feet of pavement area between zero and 6,000 square feet. For pavement areas exceeding 6,000 square feet, at least one tree of not less than three inches DBH shall be planted each additional 3,000 square feet. Fifty percent of tree placement shall be within the pavement area as opposed to perimeter planting.
- (b) Parking lot screening. All off-street parking areas containing more than four parking spaces and non-residential driveways adjacent to lot lines shall be suitably screened on each side and rear lot line by a screen fence or wall not less than four feet in height plus a planting strip of four feet minimum width in accordance with the following, or on an alternate arrangement as approved by the village board. Suitable landscaping and ground cover shall be provided and maintained on a continuing basis within the planting strip. On the street lot line, a planting screen not less than three feet in height shall be installed, unless said screen interferes with the corner visibility triangle which requires a maximum height of less than 24 inches. Such planting screen shall be adjacent to the parking area. Suitable landscaping and groundcover shall be provided and maintained on a continuing basis between the screen fence and curb line. Planting screens, or hedges, fences or walls shall not exceed two feet in height where location is such that sight lines are necessary for vehicular movement across pedestrian ways.

Sec. 80-68. - Native/natural areas plantings.

The village is committed to improving and enhancing the environment and quality of life in the village. Native landscaping and the naturalization of detention basins contribute greatly to the

improvement of the local environment. The village encourages the implementation of these "Best Management Practices" (BMP's) wherever possible and practical. The benefits include:

- Filtration and removal of nutrients and other contaminants from stormwater runoff;
- Reduction of erosion and sedimentation;
- Reduction of pollution, resulting from less mowing activity;
- Reduction of long-term maintenance costs;
- Reduction of congregating nuisance waterfowl on sites;
- Provide habitat for local wildlife;
- Help meet the goals of the National Pollution Discharge Elimination System (NPDES) Phase II of the Clean Water Act.

- (1) The design and installation of BMP's shall be performed by a practitioner with at least five years' experience in the practice of native landscaping or ecological restoration.
- (2) Native plants require a longer establishment period than turf grass and therefore, the developer will be required to provide a management and maintenance bond with services for a period of no less than three years. Upon the completion and acceptance of the three-year maintenance period, responsibility for long term maintenance will be assumed by the owner of the development or the homeowners association.
- (3) Long term maintenance will require controlled burns as the primary management tool and be required once every three years. Spot herbicide application may also be employed where burning is not effective in controlling invasive species. All person(s) employed or contracted to perform a controlled burn shall have the proper certification and insurance and be responsible for acquiring the necessary open burn permit through the Illinois Environmental Protection Agency (IEPA). The village police and fire departments must be notified of the controlled burn two weeks prior to the activity.

Sec. 80-69. - Maintenance.

- (a) Responsibility. All required landscaping on private property, including fencing or screening, shall be maintained, repaired and replaced, as necessary throughout the life of the project, and this obligation is binding on subsequent owners.
- (b) Weeds. Refer to other provisions of this code for information regarding the village's rules regarding vegetation/weeds.

Sec. 80-70. - Conflict in regulations.

In the event of a conflict between the terms and conditions of this chapter and the terms and conditions of any other village ordinance or regulation, the terms and conditions of this chapter shall prevail.

Chapter 80 TREES AND LANDSCAPES¹

ARTICLE I. VILLAGE TREES

~~Sec. 80-1. Purpose.~~

Statement of purpose: The purpose of this chapter is to preserve, protect, replace and properly maintain trees within the village and protect the public from trees which pose a threat or danger because trees:

- ~~(1) Are an important public resource.~~
- ~~(2) Preserve and enhance the village's physical and aesthetic environment, especially its natural and unique atmosphere.~~
- ~~(3) Enhance the air quality by filtering air pollutants.~~
- ~~(4) Reduce topsoil erosion by the holding effect of their roots.~~
- ~~(5) Reduce storm water runoff and replenish ground water supplies.~~
- ~~(6) Provide a buffer and screen against noise pollution.~~
- ~~(7) Reduce energy consumption by acting as a wind break and producing shade.~~
- ~~(8) Preserve and enhance nesting areas for birds and other wildlife which, in turn, assist in the control of insects.~~
- ~~(9) Protect and enhance property values.~~
- ~~(10) Protect and enhance the quality of life and the general welfare of the village.~~

Heritage tree purpose: In addition to the benefits provided by the urban forest, the village recognizes the unique value and importance of heritage trees (as defined herein) due to size, age, species, and/or historic significance, and the village desires to preserve and protect such heritage trees as set forth in this chapter in order to protect and promote the health and welfare of the village.

The purpose of the heritage tree preservation requirements is to encourage the maximum preservation of heritage trees to achieve a greater overall high tree canopy in order to preserve the scenic beauty of the village, maintain property values, prevent erosion of topsoil, maintain the climatic balance and decrease wind velocities.

~~(Ord. No. 07-181, § 1, 12-3-2007; Ord. No. 17-157, § 2, 10-26-2017)~~

~~Sec. 80-2. Definitions.~~

~~[The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.]~~

¹Editor's note(s)—It should be noted that Section 3 of Ord. No. 07-181 provides for an effective date of Jan. 1, 2008, for this chapter.

Cross reference(s)—Planting of certain trees prohibited near storm sewers, bypass channels and stormwater storage areas, § 34-63; environment, ch. 38; planning and development, ch. 63; streets, sidewalks and other public places, ch. 70; vegetation, ch. 86; land development, app. B.

Caliper: Thickness of a young/small tree measured six inches from the ground on trees less than four inches in caliper. On trees above four inches in caliper measured at six inch height, move to 12 inches above the ground to measure trunk caliper.

Construction: Any proposed change in the use or character of land, including but not limited to the replacement of any structure or site improvements. When appropriate to the context, construction may refer to the receipt or necessity of any building, or site work permit.

Corner visibility triangle: A triangular space determined by measuring 55 feet along each of the streets at a street corner from the point of tangency and connecting the end points. (See Illustration CVT in section 80-16) This space is to be kept free of obstructions so traffic visibility is not obscured.

Critical root zone: The area of earth surrounding any tree, that is integral to that tree's sustainability, viability and survival. For the purposes of this article, critical root zone shall be calculated at 1.25 feet for every inch of the tree's diameter at breast height (DBH). This area is circular around the trunk of a tree. It shall be determined by the measurement of the tree's DBH, then measuring outwards from the trunk 1.25 feet for every inch of trunk diameter, the resulting circular area around the entire tree is the critical root zone. For example, a 20-inch diameter tree would require a 30-foot area of protection around the tree for the critical root zone. This is a minimum area of protection, but a larger area is preferred. A minimum of six feet must be protected around trees regardless of diameter.

Damage: Damage to a heritage tree shall mean the removal of bark greater than three inches across, the breaking or splitting of the main trunk, the dislocation of the main trunk, adverse impact to the root system, including, but not limited to soil compaction, or any act compromising its health or structural integrity according to accepted industry standards or any impact that is severely detrimental to its overall aesthetics.

Diameter at breast height (DBH): The diameter of the trunk of the tree measured in inches at a point four and a half feet above ground line. This point of measurement is used for established and mature trees and is referred to as DBH. All references to diameter size shall be to the DBH.

Drip line: An imaginary, perpendicular line that extends downward from the outermost tips of the tree branches to the ground.

Hardiness: Ability of a plant to survive low temperatures.

Heritage tree: Heritage trees are defined as those tree species identified by the village as having significant importance to the village at their respective size class (DBH). They can be identified by species and size in the heritage tree chart found in article III of this chapter. In addition, any tree at or above 35 inches DBH is considered a heritage tree, with the exception of *Ulmus pumila*.

Insect pests: Insects, crustaceans, arachnids and vermis injurious to plants, plant products, animals and man.

Lion tailing: An improper pruning technique in which all branches are removed from the inside ¾ of a limb but left on the end ¼ to form a limb resembling a lion's tail.

Mature height: Projected height range a particular tree species will grow at its highest point throughout its lifespan.

Median: The center strip of a boulevard or street on which trees, shrubs or other plant material are planted.

Mulch: Organic material (such as decaying leaves, bark, or compost) placed over the soil surface for the benefit of plant health.

Mulch bed: The ground area of a minimum of six feet around the trunk of a tree (three feet off of the trunk of the tree in all directions), covered in mulch. This mulch shall be no more than four inches in depth, and shall not be in contact with the trunk of the tree itself (see Volcano Mulching). Larger area mulch beds are recommended for established trees.

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Parkway: That portion of the public way between a public street and the nearest parallel property line including sidewalk areas.

Parkway tree: A tree planted in a parkway, owned by the village; any tree which resides on village-owned property.

Person: Any individual, firm, corporation, partnership, joint venture association, society, or any unit of government

Plant diseases: Fungi, bacteria, nematodes, protozoans and viruses injurious to plants and plant products and the pathological condition in plants and plant products caused by fungi, bacteria, nematodes, protozoans and viruses.

Property owner: The record owner or contract purchaser of any parcel of land.

Public utility company: Any person, firm, corporation, partnership, or other entity which owns, controls, operates or manages, directly or indirectly, any plant, equipment or property used or to be used for or in connection with the production, storage, transmission, sale, delivery or furnishing of heat, cold, power, electricity, water, light, telephone, telegraph, television, sewerage, natural gas or similar service.

Root zone: Portion of the tree located underground spreading out from the trunk in all directions, and at varying depths, generally confined to the drip line area.

Shrub: A multistemmed woody plant.

Topping: the drastic removal, or cutting back, of large branches in mature trees, leaving large open wounds which subject the tree to disease and decay.

Traffic control device: Any sign, signal, or opticom equipment, placed or maintained by the village to regulate, warn or guide traffic.

Transplanting: The removal of any tree for replanting elsewhere.

Tree: Any self-supporting, woody plant together with its root system, growing upon the earth usually with one trunk, or a multi-stemmed trunk system, supporting a definitely formed crown.

Tree board: A group of volunteer citizens or salaried employees appointed as authorized by the tree ordinance to implement the authority described within.

Tree removal: The cutting down, destruction of any tree. For the purposes of nuisance tree removal, it shall include its stump to below ground level.

Vector: An organism that transmits disease.

Viable: A tree, which in the judgment of the village, is capable of sustaining its own life processes, unaided by man, for a reasonable period of time.

Village forester: An individual trained and experienced in the profession of forestry employed or appointed by the village to provide professional and technical forestry advice to the village.

Village owned property: Property within the corporate limits of the Village of Westmont, Illinois, and

- (1) — Owned by the village in fee simple absolute, or
- (2) — Implicitly or expressly dedicated to the public for present or future use for purposes of vehicular or pedestrian traffic, or for public easements, or
- (3) — Owned or controlled by the village and other governmental entities for parks, green belt, open space or other public purposes, including parkways, easements and alleyways.

Village trees: Trees which are outside the property line of privately owned real property and real property not owned by the village.

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Volcano mulching: Material, typically mulch, soil, or stone, that is piled up on the trunk of a tree. This material holds moisture against the trunk of the tree, stunting tree growth and promoting trunk rot. Sometimes short, but typically long term exposure increases the likelihood of breakage during severe weather, and causes death of the tree.

(Ord. No. 07-181, § 1, 12-3-2007; Ord. No. 17-157, § 2, 10-26-2017)

~~Sec. 80-3. Control.~~

The municipal authorities are hereby provided full and complete control over all village owned trees, shrubs, and flowers which are outside the property line of privately owned real property and real property not owned by the village.

(Ord. No. 07-181, § 1, 12-3-2007)

~~Sec. 80-4. Planting, maintenance or removal.~~

It shall be unlawful to plant, prune, remove, or otherwise disturb any trees, shrubs or flowers on any village owned property in the Village of Westmont unless authorized in the form of a permit from the village forester. Any unauthorized plantings may be removed at the discretion of the village.

(Ord. No. 07-181, § 1, 12-3-2007)

~~Sec. 80-5. Abuse, mutilation or injury.~~

No person, without lawful authority, shall willfully injure, deface, disfigure, cut, carve, transplant, remove, destroy, attach any rope, wire, lighting, nail, screw, posters of any kind or other contrivance to any tree, shrub, grass or flower, allow any gaseous liquid, chemical or solid substance which is harmful to such trees, shrubs, grass and flowers to come in contact with them; or set fire to, or permit any fire to burn when such fire or the heat therefrom will injure any portion of any tree, shrub, grass or flower, located on any public place or thoroughfare.

- (1) ~~*Electric wires—Attaching to trees.*~~ No person shall attach any rope, wire, electric wire, insulator or any other electric device for holding electric wire to any tree now or hereafter growing in any street or public way in the village.
- (2) ~~*Fastening to prevent contact with trees.*~~ Every person having any wire charged with electricity shall, whenever practicable, securely fasten said wire so that such wire shall not come into contact with any tree in any street or alley in the village.
- (3) ~~*Mechanical injury.*~~ In instances where mechanical injury is apparent on any tree or shrub on village owned property (i.e. lawnmower damage to a parkway tree) the village may require establishment and use thereof of proper protection methods (i.e. mulch ring around a parkway tree) as to relieve and prevent further injury to said tree or shrub as determined by the village forester.

(Ord. No. 07-181, § 1, 12-3-2007)

~~Sec. 80-6. Protection.~~

- (a) ~~All trees, whether private or public, unless permitted for removal, near any excavation or construction of any building, structure or street construction, repair or improvement, shall be guarded so as to avoid all injury to the trunk, crown and unnecessary injury to the root zone of the tree. Tree crowns and trunks shall not suffer any branch or bark loss.~~

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- (b) ~~Persons, firms, corporations, and utility companies, when installing underground systems on village-owned property, shall protect the root zone areas of village owned and non-village owned trees by auguring the root zone area. Guidelines for auguring around parkway trees are contained in the Village of Westmont Standard Specifications, January 2003, and as they may, from time to time, be amended.~~
- (c) ~~No vehicle, equipment or machinery shall drive, park or operate on village-owned property, where a tree is planted or growing, within the root zone of said tree without first completing proper protection procedures for said root zone and getting approval for said protection procedures from the village.~~
- (d) ~~New driveway and widening construction (not replacements) shall be placed at least ten feet from the trunk of village owned trees, unless otherwise authorized by the village. In instances where authorization is granted to construct driveway closer than ten feet from the trunk of any village owned tree, proper tree preservation methods shall be required.~~
- (e) ~~It shall be unlawful for any person to remove, injure, or undertake any procedure which will cause death or substantial damage to any tree protected by this article.~~
- (f) ~~In instances where construction or other site work may affect village owned trees on a given parcel or on adjacent parcels, all appropriate tree protection measures must be taken. Village of Westmont Tree Preservation Guidelines are contained in the Village of Westmont Standard Specifications, January 2006, and as they may, from time to time, be amended. The applicant must consider and the village may require, the following specific protective measures for all construction, or work requiring a permit, on properties with trees subject to regulation. Violation will result in the stoppage of all work and fines each day for each separate violation until corrections have been made to the satisfaction of the village.~~
- (1) ~~Protective fencing is required for protection of any village owned tree to be preserved in place within 15 feet of any construction or construction material or construction equipment storage, including trees on adjacent properties, and is to be shown on the tree preservation plan. The entire parkway, except the access point, must be properly fenced off from the street to the property line without blocking the sidewalk where there are existing sidewalks. All required protective fencing must be in place and approved by the village before any site work commences. All fencing must remain in place during the entire construction period. All fencing shall be snow fence of four feet in height unless otherwise specified by the village. All fencing must be secured to metal posts driven into the ground and spaced no further than ten feet apart. Fencing shall not be removed or relocated unless authorized in writing by the village. The general contractor shall be responsible for the construction, erection, and maintenance of temporary fencing in accordance with the conditions of the building permit around tree preservation areas. The approved tree preservation plan shall be available on the building site before work commences and always during construction of the project. The general contractor shall be responsible for giving written notice of the tree preservation plan to all contractors or subcontractors prior to their entering the site.~~
- (2) ~~Pumping of concrete for the foundation or other protective measures such as crown pruning and root pruning may be required for preservation of the existing village owned trees. These measures must be indicated on the tree preservation plan.~~
- (3) ~~During construction all reasonable steps necessary to prevent the destruction or damaging of village owned trees to be preserved in place shall be taken.~~
- (4) ~~During construction, unless otherwise authorized by the tree preservation plan, no excess soil, additional fill, equipment, liquids, or construction debris, shall be placed within the root zone of any village owned tree that is required to be preserved in its present location.~~
- (5) ~~No attachments, fences or wires, other than approved materials for bracing, guying or wrapping, shall be attached to any village owned tree during the construction period.~~

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(6) ~~All measures shall be taken to maintain the health of trees which are transported to the site, and transplanted on village owned property.~~

(Ord. No. 07-181, § 1, 12-3-2007)

~~Sec. 80-7. Interference.~~

~~No person shall hinder, prevent, delay or interfere with a village official engaged in the execution or enforcement of this article, provided, however, that nothing herein shall prohibit the pursuit of any remedy, legal or equitable, in any court of competent jurisdiction for the protection of property rights by the owner of any property within the Village of Westmont.~~

(Ord. No. 07-181, § 1, 12-3-2007)

~~Sec. 80-8. Violation and penalty.~~

~~Any person violating or failing to comply with any of the provisions of this article shall be guilty of a misdemeanor and upon conviction thereof shall be fined accordingly and be subject to a stop work order.~~

(Ord. No. 07-181, § 1, 12-3-2007)

~~Sec. 80-9. Parkway tree planting required at new construction.~~

~~Any application for any building permit for any residential construction in excess of 1,000 square feet of new structure, and any new business or institutional construction, and any additional construction at any business or institutional structure increasing the bulk thereof shall be required to install a parkway tree of approved species for each 35 linear feet of parkway or for every 25 feet of parkway with overhead utilities, or be subject to a fee for planting of parkway trees. The amount of the fee shall be the village's actual cost of acquiring and planting one tree for each 35 linear feet of parkway or for every 25 feet of parkway with overhead utilities at the subject property unless the village forester shall determine in accordance with generally accepted forestry standards that the subject property cannot accommodate such trees. If there are existing parkway trees which are properly protected, as indicated in the tree preservation plan, then neither tree installation, nor a fee will be required.~~

(Ord. No. 07-181, § 1, 12-3-2007)

~~Sec. 80-10. Parkway tree removal due to construction — Replacement required.~~

~~All parkway trees in construction zones will be properly protected prior to demolition and saved unless otherwise authorized by the village. Removal will require written approval from the village. If the parkway tree or its root system is damaged or injured by other than natural causes to the extent that it is likely to die or become diseased, or if it continues a hazard to persons or property, the village forester may require removal. Parkway trees that are removed will be replaced on a DBH for DBH basis. Trees that are four inches DBH and smaller may be replaced at the associated cost of replacing a tree of the same DBH. Trees that are greater than four inches DBH may be replaced at the associated cost of replacing a number of trees whose DBH is equal to or greater than that of the DBH of the tree removed. No single replacement tree will have a DBH greater than four inches DBH or less than two and a half inches DBH. [Example: A removed tree of ten inches DBH can be replaced by four two and a half inch trees, or by two four inch trees and one two and a half inch tree.] If the parkway of said property cannot accommodate the replacement trees, then the village may require payment as determined by the village, equal to the cost that would have been incurred, in order to purchase and install replacement trees on the parkway~~

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elsewhere. The village shall then use such funds to purchase and plant trees on the parkway elsewhere within the village.

(Ord. No. 07-181, § 1, 12-3-2007)

~~Sec. 80-11. Approved parkway tree species list.~~

The Village of Westmont Approved Parkway Tree Species List is contained in the Village of Westmont Standard Specifications, January 2006, and as it may, from time to time, be amended. See section 80-16(1) for tree planting standards.

(Ord. No. 07-181, § 1, 12-3-2007)

~~Sec. 80-12. Trees prohibited from planting on the parkway.~~

The Village of Westmont list of trees prohibited from planting on the parkway is contained in the Village of Westmont Standard Specifications, January 2006, and as it may, from time to time, be amended.

(Ord. No. 07-181, § 1, 12-3-2007)

~~Sec. 80-13. Nuisance trees and limbs.~~

(a) ~~[Public nuisances.]~~ The following are hereby declared public nuisances under this article:

- ~~(1) Any dead tree, or near dead tree as determined by the village forester, whether located on village-owned property or on private property;~~
- ~~(2) Any tree located on village-owned property or on private property which harbors insect pests or plant diseases which reasonably may be expected to spread from tree to tree causing injury or harm to any other tree. Infectious disease includes, but is not limited to, Dutch Elm Disease, Elm Yellows, Oak Wilt, or Pine Wilt;~~
- ~~(3) Any tree or portion thereof, whether located on village-owned property or private property which by reason of location or condition constitutes an imminent danger to the health, safety, or welfare of the general public;~~
- ~~(4) Any tree or portion thereof whether located on village-owned property or on private property which obstructs the free passage of pedestrians or vehicular traffic, or which obstructs a street light or traffic control device;~~
- ~~(5) Any tree or portion thereof whether located on village-owned property or on private property which dangerously obstructs the view in the "corner visibility triangle" as determined by the village.~~

(b) ~~Removal of nuisance trees and limbs.~~ Any owner or occupant of any real property shall remove any dead or dying trees or dead or dying limbs dangerous to life, limb or property located upon the premises of such owner of property within 14 days whenever required to do so by notice from the village served upon the owner or occupant of such property.

(c) ~~Allowing nuisance trees to remain prohibited; duty of owner to cut trees.~~ It shall be unlawful for any person owning or controlling any lot, trace or parcel of land to knowingly permit any and all trees, infected with infectious disease, insect pests or vectors that transmit infectious disease, to remain on such property. It shall be the duty of such persons to see that all such trees are properly cut down and removed from the property. The failure to remove and destroy such trees to below ground level shall constitute a violation of

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this section, and shall be punishable by fine or penalty in addition to such costs as may be incurred by the village in enforcing and carrying out the provisions of this chapter.

- (d) ~~Inspection for nuisance trees.~~ In the event the Village of Westmont has reasonable cause to believe, either by virtue of its appearance or otherwise, that any tree located within the village is or might be infected with an infectious disease or is or might harbor vectors that transmit infectious disease, the Village of Westmont is hereby authorized and directed to enter on and upon any private or public property whereon such tree may be located for the purpose of inspecting such suspected tree, marking or identifying the tree, and removing therefrom samples or portions thereof so that same may be tested to establish whether or not such tree is in fact diseased.
- (e) ~~Notice to remove nuisance trees.~~ When any infectious live or dead tree is discovered by the village, the village will give a written notice, which may be served personally or sent by certified mail, to the person to whom was sent the tax bill for general taxes for the last preceding year on the property. Such notice shall identify the property, by common description, the tree or trees affected, and the substance of section 80-13 and the statutory provisions under which they are adopted.
- (f) ~~Removal of nuisance trees by village; costs of removal to be lien.~~ In the event that any such infectious live or dead diseased tree is not removed within 14 days from the date of the discovery or sending of such notice, then the Village of Westmont shall post a notice on the front door or entrance to the property where the tree is located notifying the owner or occupant of the village's intention to enter upon such property to cut down and remove the tree and invoice the property owner for the cost thereof. No sooner than seven days after posting such notice, the Village of Westmont may enter upon such property and cut down and remove such tree and invoice the property owner(s) for the cost thereof. Within 120 days after such cost is incurred, the village shall cause to be filed a notice of lien in the Office of the Recorder of Deeds of DuPage County. Such notice shall include the following information: (a) a description of the real estate sufficient for identification thereof; (b) the amount of money representing the cost and expense incurred or payable for the removal, including any administrative costs incurred in causing the removal and in billing the owner for the cost; (c) the date or dates which such cost and expense was incurred. The village shall also provide a statement that the amount owed shall accrue interest at ten percent a year for each year the amount remains unpaid. Upon payment of the cost and expense by the owner of, or persons interested in, said real estate, after the notice of lien has been filed, the village shall issue a release of such lien, which may be filed of record in said recorders office.

(Ord. No. 07-181, § 1, 12-3-2007)

Sec. 80-14. Obstruction or encroachment.

(a) ~~Obstructions.~~

- (1) It shall be unlawful for any person owning or controlling property in the village to permit the growth of any tree, shrub in such a manner as to
- a. ~~Obstruct the reflection of street lights,~~
 - b. ~~Obstruct the view by motor vehicle operators of any traffic control device within the public right-of-way,~~
 - c. ~~Obstruct or interfere with the passage of persons or vehicles on the streets or sidewalks of the village, or~~
 - d. ~~Create a dangerous condition for persons or property on public streets, sidewalks, or other public property including, but not limited to, any tree or shrub or part thereof which is likely to fall on or across any public property.~~

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(2) ~~Any person violating this section shall be required to prune or remove any such tree or shrub so that it will not create such an obstruction.~~

(3) ~~Any owner or occupant of any real property shall trim all trees and/or shrubs on property owned or occupied by him, overhanging any public thoroughfares, so that the branches thereon will not interfere with pedestrian or vehicular travel. The owner or occupant shall cause the same to be removed within 14 days of notification from the village, to such owner or occupant.~~

(b) ~~Pruning or removal of trees or shrubs by village when owner fails to prune or remove; notice; expenses to be charged to owner.~~ When any person owning or controlling property in the village fails to prune or remove any tree or shrub which is growing in such a manner as to violate section 80-14 of this article, the village will notify the owner of the property of the violation. If the owner fails to prune or remove such tree or shrub within 14 days after receipt of notice, then the Village of Westmont shall post a notice on the front door or entrance to the property where the tree or shrub is located notifying the owner or occupant of the village's intention to enter upon such property to prune or remove such tree or shrub and invoice the property owner(s) for the cost thereof. No sooner than seven days after posting such notice, the village will cause such tree or shrub to be pruned or removed, and any reasonable expense incurred by the village for the pruning or removal, including any administrative costs incurred to prune or remove the tree or shrub and in billing the owners for the cost, shall be a charge against the owner which may be recovered in an appropriate action at law.

(c) ~~Lien for expenses incurred by the village.~~ In addition to any remedies provided by law, the village shall have a lien on the property on which such tree or shrub was growing for the reasonable cost of the pruning or removal thereof. Such lien shall be superior to all other liens and encumbrances except tax liens. Within 120 days after such cost is incurred, the village shall cause to be filed a notice of lien in the Office of the Recorder of Deeds of DuPage County. Such notice shall include the following information: (a) a description of the real estate sufficient for identification thereof; (b) the amount of money representing the cost and expense incurred or payable for the pruning or removal, including any administrative costs incurred in causing the pruning or removal and in billing the owner for the cost; (c) the date or dates which such cost and expense was incurred. The village shall also provide a statement that the amount owed shall accrue interest at ten percent a year for each year the amount remains unpaid. Upon payment of the cost and expense by the owner of, or persons interested in, said real estate, after the notice of lien has been filed, the Village shall issue a release of such lien, which may be filed of record in said recorders office.

(Ord. No. 07-181, § 1, 12-3-2007)

~~Sec. 80-15. Tree appraisal.~~

For the purposes of tree replacement, tree value will be determined on a DBH for DBH basis. Trees that are four inches DBH and smaller may be replaced at the associated cost of replacing a tree of the same DBH. Trees that are greater than four inches DBH may be replaced at the associated cost of replacing a number of trees whose DBH is equal to or greater than that of the DBH of the tree removed or damaged to the point in which removal is warranted. No single replacement tree will have a DBH greater than four inches DBH or less than two and a half inches DBH. [Example: A damaged tree of ten inches DBH can be replaced by four two and a half inch trees, or by two four inch trees and one two and a half inch tree.]

(Ord. No. 07-181, § 1, 12-3-2007)

~~Sec. 80-16. Tree maintenance standards.~~

A site development permit is required to remove, prune, spray, cut roots, or plant any trees in the parkway. Property owners or tree service businesses hired by the property owner, who want to provide parkway tree

maintenance at their own expense, must first obtain a site development permit. All tree work must be done by a licensed, insured tree service business. All tree service businesses must be registered with the building division prior to the start of any work within the village.

The village shall provide maintenance (mulching, pruning, removal, spraying, staking and trunk wrapping) of parkway trees when and where it deems necessary on village owned property. Prior to any maintenance, the village shall attempt to notify any contiguous property owner, but the village shall not be held liable for failure to give notice. The village reserves the right to do pruning, removing, spraying, or otherwise treating any such trees or other plant growth within village owned property, as may be deemed necessary in the public interest.

~~(1) Planting standards.~~

~~a. Plant material:~~

- ~~1. Trees to be planted under utility lines shall have a minimum three inch caliper or be at least six feet in height. All other trees shall have a minimum DBH of two and a half inches and a maximum DBH of four inches.~~
- ~~2. Trees shall be single stemmed and branched no less than four feet above ground. Ornamental trees with branching less than four feet above the ground may be planted with approval of the village forester.~~
- ~~3. Plant material shall be of standard quality, true to type, and in all respects be suitable for planting and survival (i.e. hardiness) in Westmont. All plant material must meet the approval of the village.~~
- ~~4. Plants shall have normal, well developed tops and vigorous root systems.~~
- ~~5. Plants shall be free of defects, decay, bark/cambium injuries, insects, and diseases.~~

~~b. Planting requirements:~~

- ~~1. Variances for non-approved street trees: Non-approved street trees may be planted in the parkway after site inspection and approval from the village forester. The criteria for a variance shall be as follows:
 - ~~i. Adequate space is available for future growth of the tree.~~
 - ~~ii. No utility or traffic hazard is or will be created.~~
 - ~~iii. Tree selection is in accordance with generally accepted urban forestry practices.~~~~
- ~~2. Spacing between parkway trees shall be at least 25 feet for trees planted under utility lines and 35 feet for all others (as per Village of Westmont Approved Street Tree Species List). Spacing must provide for and conform with the mature height of the species involved. Deciduous hardwood (large) trees shall not be planted closer than 35 feet from one another. Variances may be granted by the village forester. Trees planted or growing which are not in accordance with these specifications may be removed or relocated at the discretion of the village.~~
- ~~3. When planting more than a single tree, a variety of different species will be required to be selected for planting. The number of different species required for planting will be as follows:~~

2-4 trees to be planted	Minimum 2 different tree species required
5-9 trees to be planted	Minimum 3 different tree species required
10-14 trees to be planted	Minimum 4 different tree species required

15—20 trees to be planted	Minimum 5 different tree species required
> 20 trees to be planted	No single species shall make up more than 20 percent of the total trees planted on plantings of over 20 trees

When planting multiple species along any parkway, individual species shall not be planted together in a cluster, rather, mixed in a planting scheme with the other required species. For example, if a person is required to plant nine trees and they have selected Accolade Elm (AE), Bald Cypress (BC) and Burr Oak (BO) as their three required species, they shall not plant individual species clustered together along the parkway [BC, BC, BC, AE, AE, AE, BO, BO, BO], rather, they shall plant them in a mixed configuration along the parkway [BC, AE, BO, AE, BC, BO, BC, AE, BO].

4. For detached sidewalk rights-of-way less than eight feet, the tree shall be planted in the center midway between the curb and sidewalk. For detached sidewalk rights of way greater than eight feet, the tree may be planted offset from the centerline with approval from the village.
5. No tree with a mature height of greater than 20 feet shall be planted underneath overhead utility lines. Tree species planted or growing underneath overhead utility lines that have a mature height of greater than 20 feet may be removed or relocated at the discretion of the village.
6. In order to avoid corner visibility obstructions, no trees shall be planted closer than 30 feet from the point of tangency of the curbs. On corner lots, no plantings, except trees noted herein, may exceed 24 inches at mature height above the curb within the corner visibility triangle. The corner visibility triangle is determined by measuring 55 feet along each of the streets from the point of tangency of the curbs. The two points are connected by a diagonal line creating a triangle. The triangular space, or "Corner Visibility Triangle" (see illustration CVT below), must be kept free of obstructions so traffic visibility is not

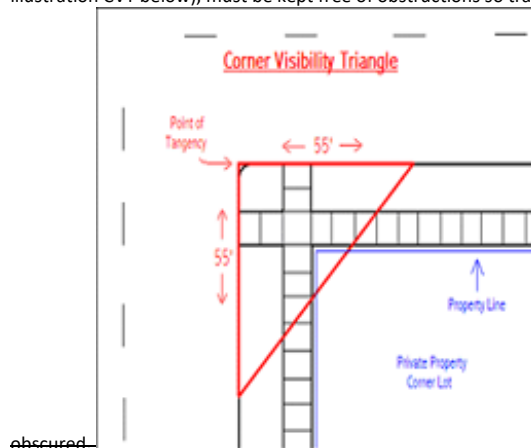


Illustration CVT

~~7. No tree shall be planted closer than ten feet to any driveway nor shall it be planted in such a manner that eventual growth cannot be reasonably controlled so as to avert interference with said driveway.~~

~~8. No tree shall be planted closer than ten feet to any fire hydrant, vault, buffalo box (water service line), traffic and street signs, street lights, utility poles, or any other public improvements. Bushes, shrubs or grasses may not be planted as to block the view of or hide any fire hydrant.~~

~~9. Parkway plantings (shrubs, flowers, groundcovers, perennials) having a maximum mature height of 24 inches shall be permissible. Plantings shall exhibit a sense of order, as governed by the village, and be properly maintained by the property owner or resident at which they are planted. Rocks, boulders, timber or other hardscape material shall NOT be allowed. The village shall not be responsible for the replacement of any parkway plantings as a result of utility improvements, utility repairs or other similar public service.~~

~~10. Parkway trees must be planted at least 20 feet from existing trees on private property.~~

~~11. Parkway trees shall be planted between six and 12 feet off of the curb line in parkway areas that currently contain no sidewalks.~~

~~c. *Planting methods and techniques:*~~

~~1. Planting pits should be dug no deeper than the depth of the soil ball and be 50 percent wider to aid in tree establishment.~~

~~2. Plants should be set at one inch above the grade in which they were growing at the nursery, unless, irrigation and drainage issues require planting higher to insure drainage away from the crown of the plant.~~

~~3. Underground electric, telephone, and cable vision lines, as well as gas lines, water lines, irrigation lines, or other improvements, public or private, shall be located prior to planting.~~

~~4. Plantings should be mulched to a depth of four inches, and approximately two and a half feet around the base of the tree to cover the root system, but shall not come in contact with the tree trunk itself.~~

~~5. Watering wells four inches high shall be constructed for plantings in non-irrigated areas to facilitate watering.~~

~~6. A four by four foot square (16 square feet) shall be the minimum planting area for trees surrounded by "hard surfacing". In hard surfaced spaces, the larger the opening for planting space, the better.~~

~~(2) *Tree pruning standards:*~~

~~a. *Requirements:*~~

~~1. The village shall maintain street tree clearances of eight to ten feet over sidewalks and at least 15 feet over road surfaces for trees whose branches may obstruct access for pedestrians and vehicles respectively.~~

~~2. No tree on village owned property shall be topped, tipped, or ornamentally shaped.~~

~~3. No tree shall be cut back in such a manner that its health or eventual structure will be impaired (i.e. Lion Tailing), except in the process of tree removal or emergency relief of an immediate danger to persons or property. Any such emergency procedures must be reported within one week to the village forester. No more than 30 percent of the live wood may be removed during any pruning.~~

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4. ~~When tree pruning cuts are made to a side limb, the remaining limb should possess a basal diameter of at least one third of the diameter of the pruning cut. Such cuts shall be considered proper only when the remaining limb is vigorous enough to sustain growth and cover the pruning cut in a reasonable amount of time.~~
 5. ~~All final tree pruning cuts shall be made just outside the branch collar as to favor the earliest possible covering of the pruning cut. Flush cuts shall not be made. Stubs shall not be left. The branch collar shall not be damaged in any way.~~
 6. ~~Tree limbs shall be removed in a controlled manner as to cause no damage to other parts of the tree, or to other plants, property, or persons.~~
 7. ~~All tools used on a tree known to contain an infectious tree disease shall be properly disinfected immediately before and after completing the work on said tree.~~
 8. ~~Whenever pruning cuts are to be made while removing limbs too large to hold securely in one hand during the cutting operation, the limbs shall be undercut and removed before making the final cut.~~
 9. ~~Any cutting of tree roots, other than when in the process of tree removal, shall give due consideration to the future welfare and safety of the tree. Guidelines for auguring around parkway trees are contained in the Village of Westmont Standard Specifications, January 2003, and as they may, from time to time, be amended.~~
 10. ~~Wound dressings shall not be used on pruning cuts or wounds.~~

b. ~~Pruning Best Management Practices:~~

~~Pruning techniques: All tree work shall be in accordance with latest edition of the ANSI A300 Pruning Standard and ANSI Z 133.1 Safety Standard and Best Management Practices—Tree Pruning publication by Ed Gilman and Sharon Lily, Copyright 2002 by International Society of Arboriculture.~~

(3) ~~Tree preservation standards.~~

a. ~~General requirements:~~

1. ~~The entire parkway, except the access point, must be properly fenced off from sidewalk to curb. All fencing must remain in place during the entire construction period. All fencing shall be snow fence of four feet in height and must be secured to metal posts driven into the ground and spaced no further than ten feet apart.~~
2. ~~Protective fencing is required for protection of any tree to be preserved in place within 15 feet of any construction or construction material or construction equipment storage, including trees on adjacent properties.~~
3. ~~Any person performing excavations or trenching within 15 feet of a parkway tree must contact the village 48 hours prior to beginning excavation for approval of tree preservation procedures.~~
4. ~~A site development permit must be obtained prior to any cutting of roots closer than 15 feet of any tree which is to be preserved on any site.~~
5. ~~Auguring under the root systems of public trees or other remedies may be required. Guidelines for auguring around parkway trees are contained in the Village of Westmont Standard Specifications, January 2003, and as they may, from time to time, be amended.~~

b. ~~Tree preservation specifications:~~

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- ~~1. Village of Westmont Tree Preservation Guidelines are contained in the Village of Westmont Standard Specifications, January 2006, and as they may, from time to time, be amended.~~
- ~~2. Guidelines for auguring around parkway trees are contained in the Village of Westmont Standard Specifications, January 2003, and as they may, from time to time, be amended.~~
- ~~3. Landscape and site plans should reflect all existing trees to be saved and to be removed. Desirable trees should be protected from construction damage. Any person excavating within 15 feet of a public tree must notify the village 48 hours prior to beginning excavation. A site development permit must be obtained prior to any cutting of roots closer than 15 feet of any tree which is to be preserved on any site.~~
- ~~4. Flagging or prominent identification should mark trees to be saved. In traffic areas or places where the bark and cambium may be damaged, snow fence and steel posts should demarcate a safe zone around the tree.~~
- ~~5. Avoid compaction of soil by heavy equipment in the root zone of trees to be saved. In instances where soil compaction in the root zone cannot be avoided, vertical mulching and or deep root aeration may be required by the village.~~
- ~~6. Curb cuts should not be closer than five feet from the base of the tree.~~
- ~~7. Avoid cutting surface roots wherever possible.~~
- ~~8. When roots are cut, a smooth, clean cut should be made. Backfill and water immediately to reduce drying of the roots.~~
- ~~9. Where grade changes are required, the same area must be provided either by construction of a dry well where the level is to be raised or by building a retaining wall where the level is to be lowered.~~
- ~~10. The use of soil sterilants within the root zone of trees or in areas where leaching of soil sterilants into the root zone of trees may occur, is prohibited.~~

~~(4) Private property requirements.~~

- ~~a. Trees and shrubs on private property must be maintained so that no branch overhangs any public right of way. Additionally, trees on private property must be kept pruned so they do not obstruct illumination of any streetlights or view of traffic signals or signs~~
- ~~b. In the corner visibility triangle, no vegetation, except trees branched high enough to permit visibility of traffic, shall exceed 30 inches above the curb at mature height. The corner visibility triangle is formed by measuring 55 feet along each of the streets from the point of tangency of the curbs. (See illustration CVT in section 80-16)~~
- ~~c. The village reserves the right to prune any tree or shrub on private property when it interferes with the safe use of the street or sidewalk or when it interferes with the visibility of any traffic control device or sign in accordance with ANSI A300 Pruning Standards. Prior to any pruning, the village shall attempt to notify the contiguous property owner or designee to correct the interference, but shall not be held liable for failure to give notice.~~

~~(Ord. No. 07-181, § 1, 12-3-2007)~~

~~**Secs. 80-17—80-40. Reserved.**~~

ARTICLE II. LANDSCAPE REQUIREMENTS

~~Sec. 80-41. Landscape plan application procedure.~~

All subdivision, planned unit developments, commercial developments or projects exceeding 5,000 square feet of disturbance shall include the following materials in a form acceptable to the village and as further described herein. The village shall review the application which may include an inspection of the site and referral of the application for recommendation to other appropriate administrative departments or agencies.

- (1) ~~Tree survey.~~ The tree survey shall include information on all existing trees four inches DBH or larger. Information shall include the location, size, species and condition of each tree, as well as existing and proposed structures, improvements, utilities, driveways, existing and proposed contours at one foot intervals.
- (2) ~~Tree preservation plan.~~ The tree preservation plan shall identify those trees to be protected with a tree protection detail labeled on the survey. Village of Westmont Tree Preservation Guidelines are contained in the Village of Westmont Standard Specifications, January 2006, and as they may, from time to time, be amended. Information shall include the location, size, species and condition of each tree, as well as proposed structures, improvements, utilities, driveways, proposed contours at one foot intervals and any protective measures to be taken to avoid construction damage to protected trees (i.e. pumping concrete, crown or root pruning).
- (3) ~~Landscape plan.~~ The applicant shall provide the village with a site plan overlaying the locations of existing trees to be preserved, utilities and utility easements, building pads, retention/detention basins, proposed contours and all proposed landscaping. All landscaping plans shall be prepared by a professional landscape architect or landscape designer in accordance with the Village of Westmont requirements.

(Ord. No. 07-181, § 1, 12-3-2007)

~~Sec. 80-42. Permit issuance.~~

A site development permit shall be required to be obtained:

- (1) ~~Whenever a person desires to plant, prune, remove, spray or otherwise disturb any tree, shrub or flower on village owned property,~~
- (2) ~~Prior to the cutting of any roots within 15 feet of any tree which is to be preserved on any site,~~
- (3) ~~Whenever a person desires a species variance for a parkway tree planting issue.~~

(Ord. No. 07-181, § 1, 12-3-2007)

~~Sec. 80-43. Tree preservation.~~

- (a) ~~It shall be unlawful for any person to remove, injure, or undertake any procedure which will cause death or substantial damage to any tree protected by this article.~~
- (b) ~~All trees within construction areas or areas where future construction is expected shall be protected until otherwise stated upon approval of a submitted tree survey, tree preservation plan and landscape plan.~~
- (c) ~~Fifty percent of existing trees of greater than four inch diameter, as shown on the required tree survey, will be required to be replaced within all construction areas. If the property cannot accommodate the replacement tree or trees, then the village may allow payment as approved by the village forester, equal to the cost that would have been incurred, in order to purchase and install the replacement tree or trees elsewhere. The village shall then use such funds to purchase and plant trees elsewhere within the village.~~

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(Supp. No. 22, Update 2)

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- (d) —It shall be unlawful for any person to remove, injure, or undertake any procedure which will cause death or substantial damage to any tree on construction areas or areas where future construction is expected prior to approval of a submitted tree survey, tree preservation plan and landscape plan. Trees that are removed prior to approval of the tree survey and landscape plan will be valued on a tree for tree basis and will be required to be replaced within the construction area after construction has commenced. If the property cannot accommodate the replacement tree or trees, then the village may require payment as approved by the village forester, equal to the cost that would have been incurred, in order to purchase and install the replacement tree or trees elsewhere. The village shall then use such funds to purchase and plant trees elsewhere within the village.
- (e) —The village shall retain jurisdiction to ensure compliance with this section and shall have the right to issue a stop work order for non-compliance. No stop work order issued pursuant to this section shall be removed except by the village.

(Ord. No. 07-181, § 1, 12-3-2007)

Sec. 80-44. Tree protection.

- (a) —In instances where construction or other site work may affect trees and their root zones on a given parcel or on adjacent parcels, all appropriate tree protection measures must be taken. Village of Westmont Tree Preservation Guidelines are contained in the Village of Westmont Standard Specifications, January 2006, and as they may, from time to time, be amended. The applicant must consider and the village may require, the following specific protective measures for all development, or work requiring a permit, on properties with trees subject to regulation. Violation will result in the stoppage of all work and fines each day for each separate violation until corrections have been made to the satisfaction of the village.
- (1) —Protective fencing is required for protection of any tree to be preserved in place within 15 feet of any construction or construction material or construction equipment storage, including trees on adjacent properties, and is to be shown on the tree preservation plan. The entire parkway, except the access point, must be properly fenced off from sidewalk to curb. All required protective fencing must be in place and approved by the village before a demolition permit will be issued. All fencing must remain in place during the entire construction period. All fencing shall be snow fence of four feet in height unless otherwise specified by the village. All fencing must be secured to metal posts driven into the ground and spaced no further than ten feet apart. Fencing shall not be removed or relocated unless authorized in writing by the village. The general contractor shall be responsible for the construction, erection, and maintenance of tree protection fencing in accordance with the conditions of the building permit around tree preservation areas. The approved tree preservation plan shall be available on the building site before work commences and always during construction of the project. The general contractor shall be responsible for giving written notice of the tree preservation plan to all contractors or subcontractors prior to their entering the site.
- (2) —Pumping of concrete for the foundation or other protective measures such as crown pruning and root pruning may be required for preservation of the existing trees. These measures must be indicated on the tree preservation plan.
- (3) —During construction all reasonable steps necessary to prevent the destruction or damaging of trees to be preserved and their root zones shall be taken. No vehicle or equipment shall be driven nor parked within the tree protection zone.
- (4) —During construction, unless otherwise authorized by the approved tree preservation Plan, no excess soil, additional fill, equipment, liquids, or construction debris, shall be placed within the root zone of any tree that is required to be preserved in its present location.

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(5) ~~No attachments, fences or wires, other than approved materials for bracing, guying or wrapping, shall be attached to any tree which is being preserved during the construction period.~~

(6) ~~All measures shall be taken to maintain the health of trees which are transported to the site.~~

(7) ~~Because construction damage to trees can sometimes take a number of years before becoming apparent, any violation of the tree preservation specifications will deem the tree injured. The contractor will then have the option to remove and replace the tree as specified in this chapter or post a bond for a period of three years for the associated cost of alleviating said construction damage within the three year period (pruning or removal and replacement). Contractors shall retain no responsibility after the construction process is completed for trees which have been properly protected throughout the entire construction process.~~

(b) ~~The village shall retain jurisdiction to ensure compliance with this section and shall have the right to issue a stop work order for non compliance. No stop work order issued pursuant to this section shall be removed except by the village.~~

(Ord. No. 07-181, § 1, 12-3-2007)

~~Sec. 80-45. Replacement of removed trees.~~

~~When issuing a site development permit authorizing the removal of a tree, the village may require the property owner to replace the tree or trees so removed in accordance with the following minimum standards.~~

(1) ~~For parkway tree removal please see section 80-10.~~

(2) ~~If removal of a tree, which was to be preserved according to the approved tree preservation plan, off of village owned property was granted for the proposed development or improvement of a property or to alleviate a hardship on the property, it shall be replaced with a new tree of approved species with a minimum DBH of four inches. If the property cannot accommodate the replacement tree or trees, then the village may require payment as approved by the village forester, equal to the cost that would have been incurred, in order to purchase and install replacement trees elsewhere. The village shall then use such funds to purchase and plant trees elsewhere within the village.~~

(3) ~~If a tree, which is to be preserved according to the approved tree preservation plan, is damaged or injured by other than natural causes to the extent that it is likely to die or become diseased, or if it continues a hazard to persons or property, it shall be removed and replaced with a new tree, which shall have a minimum DBH of four inches. If the property cannot accommodate the replacement tree or trees, then the village may require payment as approved by the village forester, equal to the cost that would have been incurred, in order to purchase and install replacement trees elsewhere. The village shall then use such funds to purchase and plant trees elsewhere within the village.~~

(4) ~~The village forester shall approve all species of trees to be planted on the property when planting of replacement trees is required.~~

(Ord. No. 07-181, § 1, 12-3-2007)

~~Sec. 80-46. Landscape standards.~~

~~The planting of trees and beautification of the village is essential to the quality of life for Westmont and its residents. Improved landscapes can increase property values, improve air quality, residents will have a more positive view of their surroundings and the "heat island" effect on the urban environment can be reduced. It is the intent of this chapter to make Westmont more beautiful and a healthier place to live. Landscapes with diversity and seasonal interest are encouraged.~~

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(1) ~~Residential, minimum standards for commercial and multi-family construction.~~

- a. ~~In front, side or rear yards, a minimum of two shrubs with a minimum height of 24 inches at the time of planting, must be planted for every ten linear feet of foundation along the portion of the building facing a public or private street.~~
- b. ~~In addition to the above, two of the following must also be satisfied:~~
 - ▲ ~~One shade tree must be planted on the site for each 100 linear feet of foundation, or portion thereof, along the front and corner side yards.~~
 - ▲ ~~Two under story or ornamental trees must be planted on the site for each 100 linear feet of foundation, or portion thereof, along the front and corner side yards.~~
 - ▲ ~~Two six to eight foot tall evergreens must be planted on the site for each 100 linear feet of foundation, or portion thereof, along the front and side yards.~~
- c. ~~Planting beds must be covered with ground cover or mulch.~~
- d. ~~Tree planting in private areas should be done in a solar conscious design, emphasizing the benefits of shade during the summer months and warming sunlight in the winter.~~

(2) ~~Ability to waive requirements for residential landscape plan.~~ The village may waive the minimum landscape requirement and the requirement for a landscape plan if the petitioner demonstrates that one or more of the following conditions are satisfied:

- a. ~~Sufficient mature trees and vegetation exist on the site in a manner that meets the intent of this chapter with plans to properly protect said trees or vegetation and protection measures are carried out properly throughout the entire construction process.~~
- b. ~~Installing plant material would compromise the health, vitality, or ecology of the existing vegetation on the site, or on neighboring sites.~~
- c. ~~Significant open space or vistas would be negatively impacted by the installation of the required plants.~~

(3) ~~Non-residential, minimum standards for commercial and multi-family construction.~~

- a. ~~At least 50 percent of the open space on the site shall be landscaped.~~
- b. ~~At least one tree shall be planted for every 500 square feet of the area required to be landscaped. One third of the trees shall be evergreens of a minimum six feet in height, one third of the trees shall be ornamental a minimum of three inch caliper or six feet in height, and one third of the trees shall be shade trees, a minimum of three inch DBH.~~
- c. ~~One shrub shall be planted for every 50 square feet of the area required to be landscaped. For shrubs that mature less than five feet in height, minimum installation size shall be two feet tall. For shrubs that mature greater than five feet in height, minimum installation size shall be three feet tall.~~
- d. ~~Foundation plantings of a minimum width of six feet shall be provided on all sides of the main structure except where sidewalks, driveways or other hardscape abuts the structure. Foundation plantings shall be comprised of a combination of shade trees, ornamental trees, evergreens, shrubs, ground covers and flowers.~~

{Ord. No. 07-181, § 1, 12-3-2007}

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Sec. 80-47. Parking lots.

- (a) ~~Parking lot interior.~~ At least one tree of not less than three inches DBH shall be planted for every 1,500 square feet of pavement area between zero and 6,000 square feet. For pavement areas exceeding 6,000 square feet at least one tree of not less than three inches DBH shall be planted each additional 3,000 square feet. Fifty percent of tree placement shall be within the pavement area as opposed to perimeter planting.
- (b) ~~Parking lot screening.~~ All off street parking areas containing more than four parking spaces and non-residential driveways adjacent to lot lines shall be suitably screened on each side and rear lot line by a screen fence or wall not less than four feet in height plus a planting strip of four feet minimum width in accordance with the following, or on an alternate arrangement as approved by the village board. Suitable landscaping and ground cover shall be provided and maintained on a continuing basis within the planting strip. On the street lot line, a planting screen not less than three feet in height shall be installed, unless said screen interferes with the corner visibility triangle which requires a maximum height of less than 24 inches. Such planting screen shall be adjacent to the parking area. Suitable landscaping and groundcover shall be provided and maintained on a continuing basis between the screen fence and curb line. Planting screens, or hedges, fences or walls shall not exceed two feet in height where location is such that sight lines are necessary for vehicular movement across pedestrian ways.

(Ord. No. 07-181, § 1, 12-3-2007)

Sec. 80-48. Native/natural areas plantings.

The Village of Westmont is committed to improving and enhancing the environment and quality of life in Westmont. Native landscaping and the naturalization of detention basins contribute greatly to the improvement of the local environment. The village encourages the implementation of these "Best Management Practices" (BMP's) wherever possible and practical. The benefits include:

- Filtration and removal of nutrients and other contaminants from stormwater runoff;
 - Reduction of erosion and sedimentation;
 - Reduction of pollution, resulting from less mowing activity;
 - Reduction of long term maintenance costs;
 - Reduction of congregating nuisance waterfowl on sites;
 - Provide habitat for local wildlife;
 - Help meet the goals of the National Pollution Discharge Elimination System (NPDES) Phase II of the Clean Water Act.
- (1) ~~The design and installation of "BMP's" shall be performed by a practitioner with at least five years experience in the practice of native landscaping or ecological restoration.~~
- (2) ~~Native plants require a longer establishment period than turf grass and therefore, the developer will be required to provide a management and maintenance bond with services for a period of no less than three years. Upon the completion and acceptance of the three year maintenance period, responsibility for long term maintenance will be assumed by the owner of the development or the homeowners association.~~
- (3) ~~Long term maintenance will require controlled burns as the primary management tool and be required once every three years. Spot herbicide application may also be employed where burning is not effective in controlling invasive species. All person(s) employed or contracted to perform a controlled~~

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burn shall have the proper certification and insurance and be responsible for acquiring the necessary Open Burn Permit through the Illinois Environmental Protection Agency (IEPA). The Westmont Police and Fire Departments must be notified of the controlled burn two weeks prior to the activity.

(Ord. No. 07-181, § 1, 12-3-2007)

Sec. 80-49. Maintenance.

- (a) ~~Responsibility.~~ All required landscaping on private property to be maintained throughout the life of the project, obligation assumed by subsequent owners. All required landscaping to be replaced throughout the life of the project, as required, obligation assumed by subsequent owners.
- (b) ~~Weeds.~~ Refer to chapter 86 of this Code for information regarding the village's rules regarding vegetation/weeds.

(Ord. No. 07-181, § 1, 12-3-2007)

Sec. 80-50. Conflict in regulations.

In the event of a conflict between the terms and conditions of this tree and landscape chapter and the terms and conditions of any other village ordinance, the terms of this tree and landscape chapter shall prevail.

(Ord. No. 07-181, § 1, 12-3-2007)

Secs. 80-51—80-89. Reserved.

ARTICLE III. HERITAGE TREES

Sec. 80-90. Heritage tree chart.

Heritage trees are those trees defined in section 80-2 of this chapter and further identified by species and size in the heritage tree chart below.

HERITAGE TREES		
Species		Size (Inches)
Scientific Name	Common Name	Diameter at Breast Height (DBH)
Acer spp (excluding Acer saccharinum and Acer negundo)	Maple (excluding Silver Maple and Boxelder Maple)	20"
Aesculus spp	Buckeye, Horsechestnut	20"
Carpinus spp	Musclewood, Hornbeam	6"
Carya spp	Hickory	10"
Castanea spp	Chestnut	10"
Catalpa spp	Catalpa	20"
Celtis spp	Hackberry	20"
Cercidiphyllum japonicum	Katsuratree	10"
Cladrastis kentukea	American Yellowwood	10"
Corylus columna	Turkish Filbert	10"

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<i>Fagus</i> spp	Beech	10"
<i>Ginkgo biloba</i>	Ginkgo	20"
<i>Gleditsia triacanthos</i>	Honeylocust	20"
<i>Gymnocladus dioica</i>	Kentucky Coffeetree	20"
<i>Juglans</i> spp	Walnut	20"
<i>Liquidambar styraciflua</i>	Sweetgum	10"
<i>Liriodendron tulipifera</i>	Tulip poplar, Tuliptree, Yellow Poplar	20"
<i>Metasequoia glyptostroboides</i>	Dawn Redwood	10"
<i>Nyssa sylvatica</i>	Tupelo, Blackgum	6"
<i>Ostrya virginiana</i>	Hophornbeam, Ironwood	6"
<i>Parrotia</i> spp	Parrotia, Ironweed	6"
<i>Phellodendron amurense</i>	Corktree	20"
<i>Picea</i> spp	Spruce	20"
<i>Pinus</i> spp	Pine	20"
<i>Platanus</i> spp	Sycamore, Plaintree	20"
<i>Quercus</i> spp	Oak	10"
<i>Robinia</i> spp	Black Locust	20"
<i>Taxodium</i> spp	Cypress	10"
<i>Tilia</i> spp	Linden, Basswood	20"
<i>Ulmus</i> spp	Elm	20"
<i>Zelkova</i> spp	Zelkova	10"

(Ord. No. 17-157, § 2, 10-26-2017)

~~Sec. 80-91. Heritage tree identification.~~

Tree preservation plans required by this chapter shall provide the following information regarding heritage trees:

- ~~(1) Identification of location, diameter and species of all heritage trees on the site.~~
- ~~(2) Identification of which heritage trees are (i) to be protected, preserved or undisturbed, (ii) to be removed or disturbed, and (iii) exempt from the calculation.~~
- ~~(3) Identification of all heritage trees which are dead, diseased or have been damaged.~~
- ~~(4) Areas proposed to be designated as natural preserves where all natural vegetation, including heritage trees, will be protected and preserved.~~
- ~~(5) Proposed disturbance zones.~~
- ~~(6) Proposed locations and details of tree protection fencing to be installed for all trees to be preserved. No excavation or other activity shall occur within the critical root zone or within the drip line, whichever is greater, of any heritage tree that is to be preserved.~~

(Ord. No. 17-157, § 2, 10-26-2017)

~~Sec. 80-92. Heritage tree preservation.~~

~~Heritage trees to be saved shall be evaluated by considering preserving clusters of trees and their understory, species and condition (maintain slower growing trees in good condition), long term suitability of the tree for its present location, length of time to mitigate losses, cost of mitigating tree losses, and related factors.~~

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(Supp. No. 22, Update 2)

(Ord. No. 17-157, § 2, 10-26-2017)

~~Sec. 80-93. Heritage tree replacements.~~

The village finds that larger trees provide larger benefits that promote the purpose of these heritage tree regulations. The village further finds that it will take decades for the planting of young trees to mature in order to replace the value of mature trees and, for this reason, efforts should be made to preserve and protect existing heritage trees where they are growing.

Should an applicant request the removal of a tree classified as a heritage tree, the tree must be replaced with three inches of replacement caliper for every one inch DBH that is removed. Replacement trees shall be a minimum of two inches caliper and a maximum of three inches caliper at the time of installation (example: a 24 inch heritage tree must be replaced with 36 two inch caliper trees (a total of 72 inches caliper)). All replacement species shall be approved by the village forester prior to planting.

- (1) ~~If the property cannot accommodate the required replacement trees (as determined by the village forester), then the village may allow payment equal to the cost that would have been incurred to purchase and install replacement trees, so that the village may purchase and install the replacement tree(s) elsewhere within the village.~~
- (2) ~~Replacement plantings shall be guaranteed for a period of three years following initial installation.~~
- (3) ~~Replacement trees shall be properly cared for a period of three years following installation, including weekly watering (minimum five gallons per tree) and maintaining the tree's mulch bed (avoiding volcano mulching).~~

(Ord. No. 17-157, § 2, 10-26-2017)

~~Sec. 80-94. Heritage tree fines; replacement; remediation; bond.~~

A property owner or occupant who removes or permits to be removed heritage trees without a permit, or who damages or permits to be damaged heritage trees, shall be subject to a \$1000.00 fine per tree removed or damaged, along with double the associated required replacement of total removed diameter (DBH). If there is no way to determine the DBH of the removed tree or trees, the diameter will be determined by measuring the diameter of the remaining stump, along with associated fines/penalties. If no stump remains, the tree diameter will be determined by measuring the diameter of the area which is ground out, or backfilled with soil and valued at double the diameter of said area. Heritage trees that are damaged due to owner's or occupant's conduct to the point that the village forester requires removal will also subject the owner or occupant to the fines and replacement obligations of this section.

Heritage trees that are damaged due to owner's or occupant's conduct in violation of this article to a point that the village forester does not require removal, but does require remediation measures to ensure the best chance of survival for said tree or trees, will require a cash bond in an amount to cover the potential costs of removal and replacement, and all associated costs of required remediation measures for a three year period. In addition, the owner or occupant shall pay a fine as specified in this section for each damaged tree. The owner or occupant must take all reasonable remediation measures required by the village forester. At the end of this three year bond period, the tree or trees will be reevaluated by the village forester. If removal is then required, the village shall confiscate the bond, except that the village shall return the portion of the bond representing removal and replacement costs once the owner or occupant demonstrates that he or she has removed and replaced the tree(s) in compliance with this article. If further remediation is needed after the initial three year bond period expires, then the village shall continue to hold the bond for another three year bond period and the owner or occupant shall take the necessary additional remediation measures. If no further measures are needed, the

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(Supp. No. 22, Update 2)

remaining bond shall be returned. With the owner's or occupant's consent, the village may utilize the confiscated bond money to enter upon the property and plant replacement trees.

Each tree cut down, destroyed, damaged, removed or moved shall constitute a separate offense. The remedies provided for in this article are in addition to any other lawful or equitable remedies available to the village. The village may issue a stop work order on any construction due to a violation of this article, and may allow construction to resume once the owner or occupant has complied with the requirements of this article.

The fines and requirements of this section shall not apply to an emergency situation caused by a hazardous tree that endangers life or property and where removal is authorized by the order of the fire department, police department or village forester. Further, any franchised public utility or representative of the village may remove or prune trees which interfere with the safe and efficient operation of the public service for which they are responsible, but only to the extent made necessary by such interference.

(Ord. No. 17-157, § 2, 10-26-2017)

Sec. 80-95. Heritage tree removal/disturbance in residential districts.

No owner or occupant developing property shall remove or cause to be removed any heritage tree unless (i) such tree is located within the area of the property on which there is proposed the construction of physical improvements including, but not limited to, the building, deck, accessory buildings or structures, porch, patio, driveway, and any utility/drainage easement ("building area"), and (ii) every effort shall be made to locate the building area so as to avoid damage to or removal of such tree or trees. The burden is on the owner or occupant to provide the village with evidence to establish that it is not feasible to relocate the building area based upon the physical characteristics or condition of the property or that such relocation creates undue hardship and financial expense.

(Ord. No. 17-157, § 2, 10-26-2017)

Sec. 80-96. Conflict in provisions.

The requirements and provisions of this article III are in addition to all other requirements and provisions of this chapter and the village code of ordinances. In the event of a conflict between the requirements and provisions of this article and the requirements and provisions found elsewhere in this chapter or in the village code of ordinances, the regulations and provisions of this article shall control and govern.

(Ord. No. 17-157, § 2, 10-26-2017)

~~Sec. 80-97. Severability.~~

In the event any term or provision of this article is held invalid or unenforceable, the remainder of this article will be considered valid and enforceable to the fullest extent permitted by law.

(Ord. No. 17-157, § 2, 10-26-2017)

Section 3: Chapter 86 “Vegetation” of the Westmont Code of Ordinances is hereby deleted in its entirety and replaced with “Reserved”, as follows (amendments are shown by underlined and shaded text; deletions are shown by ~~strikeouts~~):

Chapter 86-~~VEGETATION~~²-RESERVED

ARTICLE I. IN GENERAL

~~Sec. 86-1. Certain weeds prohibited; declared nuisance.~~

Weeds such as jimson, burdock, ragweed, thistle, cocklebur, or other weeds of a like kind, found growing in any lot or tract of land in the village are hereby declared to be a nuisance, and it shall be unlawful to permit any such weeds to grow or remain in any such place.

(Code 1972, § 26-1)

Cross-reference(s)—Nuisances, § 38-81 et seq.

~~Sec. 86-2. Excessive height of weeds, plants and grass; declared nuisance.~~

- (a) ~~It shall be unlawful for any person to permit weeds, grass or plants, other than trees, bushes, flowers, ornamental plants or approved native/natural landscaping, to grow to a height exceeding eight inches anywhere in the village. Any such plants or weeds exceeding such height are hereby declared to be a nuisance.~~
- (b) ~~Property owners, tenants and/or homeowners' associations shall maintain the entire public parkway area abutting and between their private property and the public roadway or alley (for the full width or span of their property), so the minimum vegetation in such public parkway areas includes healthy grass not more than eight inches in height. The failure to maintain the public parkway as required by this section is hereby declared to be a nuisance.~~

²Cross reference(s)—Engineering and flood control, ch. 34; planting of certain trees prohibited near storm sewers, bypass channels and stormwater storage areas, § 34-63; environment, ch. 38; health and sanitation, ch. 46; streets, sidewalks and other public places, ch. 70; land development, app. B.

State law reference(s)—Weeds in municipalities, 65 ILCS 5/11-20-6, 5/11-20-7; trees and forestry in municipalities, 65 ILCS 5/11-72-1 et seq.; Illinois Exotic Weed Act, 525 ILCS 10/1 et seq.

(Code 1972, § 26-2; Ord. No. 05-46, § 1, 3-7-2005; Ord. No. 18-143, § 2, 9-13-2018)

~~Sec. 86-3. Barberry bushes prohibited; declared nuisance.~~

It shall be unlawful and is declared a nuisance to plant or permit the growth of the bush of the species of tall, common or European barberry, further known as *barberis vulgaris*, or its horticultural varieties within the village.

(Code 1972, § 26-3)

~~Sec. 86-4. Notice to abate unlawful weeds and plants.~~

It shall be the duty of the code enforcement officer to serve or cause to be served a notice upon the owner or occupant of any premises on which weeds or plants are permitted to grow in violation of the provisions of this article, and to demand the abatement of the nuisance within ten days.

(Code 1972, § 26-4)

~~Sec. 86-5. Abatement of nuisance by village; expenses.~~

If the person served a notice pursuant to section 86-4 does not abate the nuisance within ten days after receiving such notice, the village manager may proceed to abate the nuisance, keeping an account of the expense thereof, and such expense shall be charged to and paid by such owner or occupant of the premises.

(Code 1972, § 26-5)

State law reference(s) — Authority of village to provide for destruction of weeds at expense of owner of property upon which weeds are growing, 65 ILCS 5/11-20-7.

~~Secs. 86-6—86-30. Reserved.~~

ARTICLE II. TREES AND SHRUBS

~~Sec. 86-31. Permit—Required for planting and removal in public places.~~

It shall be unlawful to plant or remove any tree or shrub in any public street or parkway or other public place without first having secured a permit therefor.

(Code 1972, § 26-16)

Cross reference(s) — Businesses, ch. 22.

~~Sec. 86-32. Same—Application.~~

Applications for any permit required by this article shall be made to the street division for approval or disapproval.

(Code 1972, § 26-17; Ord. No. 07-105, § 1, 6-4-2007)

~~Sec. 86-33. Supervision of planting.~~

All trees and shrubs planted in public places shall be planted subject to the directions of the street division.
(Code 1972, § 26-18; Ord. No. 07-105, § 1, 6-4-2007)

~~Sec. 86-34. Certain trees prohibited.~~

It shall be unlawful to plant on any parkway or public property in the village any of the following species of trees:

- (1) ~~Silver maple (acer saccharinum).~~
- (2) ~~Box elder (acer negundo).~~
- (3) ~~Eastern cottonwood (populus deltoides).~~
- (4) ~~Weeping willow (salix babylonica).~~
- (5) ~~American elm.~~

(Code 1972, § 26-19)

~~Sec. 86-35. Spacing of trees.~~

No tree shall be planted less than 30 feet from any other tree on any parkway or public property.
(Code 1972, § 26-20)

~~Sec. 86-36. Injuring trees.~~

It shall be unlawful to prune or injure any tree or shrub planted in any public place.
(Code 1972, § 26-21)

~~Sec. 86-37. Attaching signs, notices to trees, shrubs.~~

It shall be unlawful to attach any sign, advertisement or notice to any tree or shrub in any street, parkway or other public place.
(Code 1972, § 26-22)

Cross-reference(s) — Advertising, ch. 6.

~~Sec. 86-38. Wires on or near trees.~~

- (a) ~~It shall be unlawful to attach any wire or rope to any tree without permission of the village president and board of trustees.~~
- (b) ~~Any person given the right to maintain poles and wires in the streets, alleys or other public ways in the village shall, in the absence of provision in the franchise concerning the subject, keep such wires and poles free from and away from any trees or shrubs in such places so far as may be possible and shall keep all such trees~~

and shrubs properly trimmed, subject to the supervision of the public works superintendent, so that no injury shall be done to the poles or wires or shrubs and trees by contact.

(Code 1972, § 26-23)

~~Sec. 86-39. Excavations near trees and shrubs.~~

In making excavations in streets or other public places proper care shall be taken to avoid injury to the roots of any tree or shrub wherever possible.

(Code 1972, § 26-24)

Cross-reference(s) — Excavations generally, § 70-101 et seq.

~~Sec. 86-40. Removal of undesirable trees by village.~~

~~The village shall have the right to remove from any parkway or other village property any tree considered undesirable or dangerous to the public welfare and safety.~~

~~(Code 1972, § 26-25)~~

~~Sec. 86-41. Dangerous and diseased trees, duty of owner to remove or trim; removal or trimming by village.~~

- ~~(a) Any tree or shrub which overhangs any sidewalk, street or other public place in the village in such a way as to impede or interfere with traffic or travel on such public place shall be trimmed by the owner of the abutting premises on which such tree or shrub grows so that the obstruction shall cease.~~
- ~~(b) Any limb of a tree which has become likely to fall on or across any public way or place shall be removed by the owner of the premises on which such tree or shrub grows or stands.~~
- ~~(c) Any tree on private property which has been found to be diseased or in such condition as to constitute a hazard to the persons, property, or health of the adjacent property owners, or of the village generally, shall be removed by the owners of such private property.~~
- ~~(d) If any private owner fails to comply with this section within ten days after formal notice by the village manager, the village shall take the necessary steps to remove such trees and shall be entitled to reimbursement for services in connection therewith from the owner of the premises.~~

~~(Code 1972, § 26-26)~~

Section 4: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of the conflict.

Section 5: This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED AND APPROVED by the Mayor and Board of Trustees of the Village of Westmont, DuPage County, Illinois, this 20th day of March, 2025.

Ayes: _____ Nays: _____ Absent: _____

APPROVED:

Ronald J. Gunter, Mayor

ATTEST:

Amanda Szymiski, Village Clerk