
**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: ANTHONY SPECIALE, DIRECTOR OF PUBLIC WORKS
BRAD MERKEL, DEPUTY DIRECTOR OF PUBLIC WORKS
SUBJECT: ORDINANCE: AMENDING SECTION 7-5-15 OF THE VILLAGE CODE OF
ORDINANCES REQUIRING REAR YARD INSTALLATION FOR CERTAIN
UTILITIES
AGENDA: MAY 19, 2020 REGULAR BOARD MEETING
DATE: MAY 7, 2020

ISSUE

Should the Village Board amend section 7-5-15 of the Village Code of Ordinances Requiring Rear Yard Installation for Certain Utilities.

DISCUSSION

At the May 5, 2020 Regular Village Board meeting the Village Board Discussed Amending Ordinance Section 7-5-15 to require certain utility facilities be located in the rear yard of properties. Staff recommends this requirement as front yard utilities such as electric create the following issues.

1. Conflicts with existing Village owned Utilities locations (Water, Sewer, Storm Sewer and Street lights).
2. Conflicts with existing Gas main locations.
3. Unsightly above ground transformers and pedestals located in the front of the lot.

Cables will be required to be in conduit which is provided and paid for by the developer.

Staff recommends that the Village Board Amend the Village Ordinance 7-5-15 to require rear yard installation for Certain Utilities. The Amended Ordinance is attached for approval.

COST

The cost for the Village Attorney to draft the Ordinance and the Village Engineer to review the Ordinance is approximately \$2,000.

RECOMMENDATION

The Village Board approve an ordinance requiring the placement of certain utilities in the rear yard.



**VILLAGE OF SUGAR GROVE
KANE COUNTY, ILLINOIS**

Ordinance No. 20200519A

**An Ordinance Amending Section 7-5-15 of the Village Code of Ordinances
(Requiring Rear Yard Installation for Certain Utilities)
Village of Sugar Grove, Kane County, Illinois**

Adopted by the
Board of Trustees and President
of the Village of Sugar Grove
this 19th day of May, 2020.

Published in Pamphlet Form
by authority of the Board of Trustees
of the Village of Sugar Grove, Kane County,
Illinois, this 19th day of May, 2020.

ORDINANCE NO. 20200519A

**An Ordinance Amending Section 7-5-15 of the Village Code of Ordinances
(Requiring Rear Yard Installation for Certain Utilities)
Village of Sugar Grove, Kane County, Illinois**

BE IT ORDAINED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows:

WHEREAS, the Village of Sugar Grove (“Village”) is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution, and accordingly, seeks to act pursuant to the powers granted to it under 65 ILCS 5/1-1 *et seq.*; and,

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations governing the use of public right-of-way and that protect the public health, safety, and welfare of its citizens; and,

WHEREAS, pursuant to the authority granted under the Illinois Municipal Code (65 ILCS 5/*et seq.*) and the Public Utilities Act (220 ILCS 5/*et seq.*), the Village finds it necessary and appropriate to promulgate additional regulations with regard to the installation of certain utilities.

NOW, THEREFORE, be it ordained by the corporate authorities of the Village of Sugar Grove as follows.

**SECTION ONE: AMENDMENT TO SECTION 7-5-15 TO REQUIRE REAR YARD
INSTALLATION FOR CERTAIN UTILITIES**

The following provision of the Village of Sugar Grove Code of Ordinances shall be amended as follows to include the following provision:

Section 7-5-15(H) Requiring Rear Yard Installation for Certain Utilities:

Easements for utility services shall be provided as required by the utility companies, the Village, or the State, centered along the rear of each lot, and along side lot lines where necessary, to provide for proper continuity of utility lines from lot to lot and block to block. For all new utilities, including electrical distribution lines, wires of all kinds shall be placed underground in the rear yard. The Director of Public Works or his or her designee, in his or her sole discretion, may approve side-yard or other alternative locations on a case-by-case basis in instances where a rear yard installation is not technically feasible and/or warranted by exigent circumstances. Appurtenances to these systems that require aboveground installation, including utility panel boxes, are exempt from this requirement. All utility infrastructure shall be concealed from public view wherever possible.

Section 7-5-15(I) Appearance Standards:

1. The village may prohibit the installation of facilities in particular locations in order to preserve visual quality.
2. A facility may be constructed only if its construction does not require extensive removal or alteration of trees or terrain features visible to the right of way user or to adjacent residents and property owners, and if it does not impair the aesthetic quality of the lands being traversed.

Any provision or subsections thereof not specifically enumerated herein shall remain in full force and effect.

SECTION TWO: GENERAL PROVISIONS

REPEALER: All ordinances or portions thereof in conflict with this Ordinance are hereby repealed.

SEVERABILITY: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction; the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

EFFECTIVE DATE: This Ordinance shall be in full force and effect on and after its approval, passage and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, this 19th day of May, 2020.

 P. Sean Michels
 President of the Board of Trustees
 of the Village of Sugar Grove, Kane County, Illinois

ATTEST: _____

Alison Murphy, Clerk, Village of Sugar Grove

	Aye	Nay	Absent	Abstain
Trustee Heidi Lendi	___	___	___	___
Trustee Jennifer Konen	___	___	___	___
Trustee Sean Herron	___	___	___	___
Trustee Ted Koch	___	___	___	___
Trustee Rick Montalto	___	___	___	___
Trustee Ryan Walter	___	___	___	___
Village President P. Sean Michels	___	___	___	___