

VILLAGE OF BARTLETT

COMMITTEE AGENDA

JANUARY 21, 2020

BUILDING & ZONING, CHAIRMAN HOPKINS

Establish Trailer/Semitrailer Storage Lots and Service Tax Text Amendment

EXECUTIVE SESSION

To Discuss Sale of Village Owned Property
Pursuant to Section 2(c)6 of the Open Meetings Act

To Discuss Security and Public Safety
Pursuant to Section 2(c)8 of the Open Meetings Act

To Discuss Pending, Probable or Imminent Litigation
Pursuant to Section 2(c)11 of the Open Meetings Act



Agenda Item Executive Summary

Item Name Establishing Trailer and Semitrailer Storage Lots and a Service Tax - Text Amendment Committee or Board Committee

BUDGET IMPACT

Amount: N/A Budgeted N/A

List what fund N/A

EXECUTIVE SUMMARY

Recognizing the increase in logistic businesses associated with the rise of e-commerce, Staff has received inquiries for establishing Trailer and Semitrailer Storage Lots in the Village. Currently, the Village is home to one (1) such storage lot (as part of an annexation agreement); however, an application has been submitted for a second truck/trailer storage yard currently under review by the Staff.

Staff researched how other communities regulate these potentially impactful businesses and modeled the attached draft Ordinance utilizing several regulations implemented by these other communities. The proposed text amendment includes the following regulations for Trailer and Semitrailer Storage Lots:

- Establishing aesthetic controls such as, but not limited to, paving, fencing (security), and landscaping
- Establishing a service tax of \$300.00 per parking/storage space levied annually
- Establishing licensing criteria for storage lot owners
- Allowing trailer and semitrailer storage lots by Special Use within the I-1 and I-2 EDA Zoning Districts and the PD Planned Development Zoning District that allows for I-1 or I-2 EDA uses or uses allowed under the former I-2 General Industrial Zoning District
- Limiting the number of trailer and semitrailer storage lots to a total of three (3) in the Village
- Prohibiting this use in Commercial and Public Lands Zoning Districts

The Zoning Board of Appeals reviewed the Zoning Text Amendment and held the requisite public hearing. There were no members of the public present to speak for or against the amendment. **The Zoning Board voted unanimously to recommend approval of the Zoning Text Amendment.**

ATTACHMENTS (PLEASE LIST)

PDS Memo, Minutes from the Zoning Board of Appeals (in Draft Form) and the Draft Ordinances Amending Title 3 *Business and License Regulations* and Title 10 *Zoning* of the Bartlett Municipal Code

ACTION REQUESTED

- Discussion Only – For review and forward to the Village Board for action.
- Resolution
- Ordinance
- Motion

Staff Roberta Grill, Planning & Development Services Director Date: 01/13/2020

PLANNING AND DEVELOPMENT SERVICES

20-2

DATE: January 13, 2020
TO: Paula Schumacher, Village Administrator
FROM: Roberta B. Grill, PDS Director 
RE: Trailer and Semitrailer Storage Lots and Service Tax

BACKGROUND

The increase in logistic businesses that we are experiencing in the area has brought an increase in the demand for trailer and semitrailer storage lots. Currently, there is one existing storage lot located in the Village of Bartlett and Staff is working with an applicant to finalize their zoning application to start the zoning process to establish a second lot. Just outside our corporate limits, trailer and semitrailer storage lots exist in both Kane County and the City of Elgin.

In considering the potential impact to traffic, police services, and property maintenance services, Staff researched how other communities are regulating these uses. The Town of Cicero charges an annual service tax on this use within their jurisdiction.

Staff has drafted an amendment to the Municipal Code which will:

- Require lot owners to become licensed with the Village and pay an annual licensing fee of \$500.00.
- Require owners to pay an annual service tax of \$300.00 per parking/storage space annually. This tax will be increased to \$500.00 after December 31, 2025.
- Regulate aesthetics of the parking/storage lot (i.e. fencing, landscaping)
- Establish Trailer and Semitrailer Storage Lots as a Special Use in the I-1 Light Industrial, I-2 EDA Economic Development Overlay Area Zoning Districts, the PD Planned Development Zoning District that allows for I-1, I-2 EDA or former I-2 uses and/or any property issued a Special Use Permit for a Planned Unit Development that allows such uses.
- Prohibit these lots in the Commercial and Public Lands Zoning Districts.
- Limit the number of storage lots to a total of three (3) at any given time.

RECOMMENDATION

1. The Zoning Board of Appeals reviewed the Draft Zoning Ordinance Text Amendment and conducted the public hearing at their meeting on January 2, 2020. The Zoning Board recommended **approval**.
2. Draft Ordinances and the minutes of the January 2, 2020 Zoning Board of Appeals public hearing (in draft form) are attached for your review.



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January 2, 2020

(#19-16) Trailer and Semi-trailer Storage Lots

Zoning Text Amendments:

- a) Definitions: Section 10-2-2
Add "trailer and semi-trailer storage lot" and "Truck tractor"
- b) Prohibited Uses: Commercial Districts:
Sections 10-6A-6, 10-6B-6, 10-6C-6, 10-6D-6, and
Public Lands District: 10-8A-6
Add "Trailer and semi-trailer storage lot" and "Truck tractor"
- c) Special Uses: Industrial Districts:
Sections 10-7A-4 and 10-7C-4 add "Trailer and semi-trailer storage lot"

PUBLIC HEARING

**The following exhibits were presented:
Exhibit A – Notification of Publication**

M. Werden opened the Public Hearing portion of the meeting.

R. Hanlon stated that the increase in E-commerce that we are experiencing in the area has brought an increase in the demand for trailer and semi-trailer storage lots. Currently, there is one (1) existing storage lot located in the Village of Bartlett (approved as part of an annexation agreement) and staff is working with another land owner to finalize their zoning application request to establish a second lot. Just outside the Village's corporate limits, trailer and semi-trailer storage lots exist in both Kane County and the City of Elgin.

The existing storage lot was approved through the annexation and Planned Unit Development process in 2003 in the Bluff City Industrial Park. The current Zoning Ordinance does not clearly identify or define this use. The purpose of this Zoning Ordinance text amendment is to clarify how these lots may be permitted in the future.

We have added the following definitions to the text amendment; defined the terms "Trailer and Semi-trailer Storage Lot" and "Truck Tractor", added Trailer and Semi-trailer Storage Lots as a Special Use in the I-1 Light Industrial and I-2 EDA Economic Development Overlay Area Zoning Districts, and expressly prohibit these lots in the Commercial and Public Lands Zoning Districts.

An amendment to Municipal Code Title 3 *Business and License Regulations* is also proposed that would regulate licensing, lot development standards, and business operations. Trailer and semi-trailer storage lots would be reviewed by the Plan Commission and Village Board under the Special Use Permit provisions to which site specific conditions may be attached. After zoning approval, lot owners would be required to comply with all the regulatory provisions of Title 3.



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There would be site design regulations to include: security fencing with a locked gate, landscape materials around the fence and interior of the lot, hard surface paving, curb and storm water management, security lighting, toilet facilities and trash receptacles, and striped parking spaces.

M. Werden asked if the lot would be cement or asphalt. **R. Hanlon** stated that the lot would be finished with a binder course at a minimum and dust proof. **B. Bucaro** commented that the requirement of striping for the parking spaces is a good idea. **R. Grill** added that our site will be the nicest site in the area. **B. Bucaro** asked staff if they thought that all of the regulations would be a turn off to potential business. **R. Grill** said no, she did not think so and that these regulations were modeled after another community. **B. Bucaro** stated that the proposed regulations allow a maximum of three lots like this and that we already have one. **R. Hanlon** confirmed that is correct. **B. Bucaro** asked if Bluff City was paved. **R. Grill** stated no, but we conduct monthly code inspections at that site to keep it clean. **M. Werden** stated that he liked the fact that this will be paved to control the dust. **M. Sarwas** asked how many truck parking spaces will be in the lot. **R. Hanlon** answered there will be 300 to 350 spaces. **B. Bucaro** commented that the proposed regulation will require the lot owners to pay about \$25 per month tax to the village, per space. He asked if this tax will apply whether the space is filled or not. **R. Hanlon** stated, yes, the tax will apply to the total number of spaces on the lot. **B. Bucaro** added that this is restrictive and asked if other lots have the same requirements. **R. Grill** confirmed that this will be strictly for truck and trailers only with no other type of storage allowed. **G. Koziol** asked if this site will have sewers for run-off. **R. Hanlon** stated that this will have sewers. **B. Bucaro** asked if staff thought there would be any other potential applications. **R. Grill** stated possibly, but again this is to clearly identify a use for truck and trailer storage only. **G. Koziol** stated that he thought the final result of this is that the use is clear and straight forward. **M. Werden** asked how long it will be before the existing facility is in compliance. **R. Grill** stated that they are working on it and are about 70% there. **M. Werden** asked if staff thought there would be problems with this type of use that would require the police. **R. Grill** stated possibly, that is why we are requiring this site to be lit, fenced, and secure. **G. Koziol** asked staff what was the reaction of the owner proposing a new facility to the requirement that the lot must be paved. **R. Grill** stated that the reaction was good and the owner is considering the use only as a temporary one for approximately ten (10) years. **B. Bucaro** stated that he sees that there is a growing demand for this type of site.

G. Koziol made a motion to pass along to the **Village Board a positive recommendation** to approve case (#19-16) Trailer and Semi-trailer Storage Lots Zoning Text Amendment.

Motioned by: G. Koziol
Seconded by: M. Sarwas

M. Werden closed the Public Hearing portion of the meeting.



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Roll Call

Ayes: G. Papa, B. Bucaro, J. Banno, M. Werden, G. Koziol, M. Sarwas, and C. Deveaux

The motion carried.

ORDINANCE 2020 - _____

**AN ORDINANCE AMENDING THE BARTLETT MUNICIPAL CODE
TITLE 10 ZONING TO ADD REGULATIONS FOR THE ESTABLISHMENT OF
TRAILER AND SEMI-TRAILER STORAGE LOTS**

BE IT ORDAINED by the President and Board of Trustees of the Village of Bartlett, Cook, DuPage and Kane Counties, Illinois, as follows:

SECTION ONE: That Section 10 of the Bartlett Municipal Code, entitled "ZONING" is hereby amended to add the following use, in alphabetical order, to Section 10-2-2 entitled, "DEFINITIONS":

Add the following definitions in alphabetical order:

TRAILER AND SEMI-TRAILER STORAGE LOT: Any real property where trailers, semi-trailers, and/or truck tractors are stored, repaired, services, loaded, unloaded or otherwise parked. All trailer and semi-trailer lots shall be made of a constructed surface, including paved, asphalt, concrete surfaces, and other hard impermeable surfaces, and shall not include any soft ground, including compressed gravel or road grindings. Parking lots shall be required to be appropriately lined or striped for parking spaces consistent with its use and the Village Code, including all zoning and parking regulations.

TRUCK TRACTOR: Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn, or a power unit that carries as property motor vehicles when operating in combination with a semi-trailer in transporting motor vehicles or any other commodity, including cargo or general freight, on a backhaul.

SECTION TWO: That Section 10 of the Bartlett Municipal Code, entitled "Zoning" is hereby amended to add the following use, in alphabetical order, to Section 10-6A-6 entitled, "Prohibited Uses":

Trailer and semi-trailer storage lots.

SECTION THREE: That Section 10 of the Bartlett Municipal Code, entitled "Zoning" is hereby amended to add the following use, in alphabetical order, to Section 10-6B-6 entitled, "Prohibited Uses":

Trailer and semi-trailer storage lots.

SECTION FOUR: That Section 10 of the Bartlett Municipal Code, entitled “Zoning” is hereby amended to add the following use, in alphabetical order, to Section 10-6C-6 entitled, “Prohibited Uses”:

Trailer and semi-trailer storage lots.

SECTION FIVE: That Section 10 of the Bartlett Municipal Code, entitled “Zoning” is hereby amended to add the following use, in alphabetical order, to Section 10-6D-6 entitled, “Prohibited Uses”:

Trailer and semi-trailer storage lots.

SECTION SIX: That Section 10 of the Bartlett Municipal Code, entitled “Zoning” is hereby amended to add the following use, in alphabetical order, to Section 10-7A-4 entitled, “Special Uses”:

Trailer and semi-trailer storage lots

SECTION SEVEN: That Section 10 of the Bartlett Municipal Code, entitled “Zoning” is hereby amended to add the following use, in alphabetical order, to Section 10-7C-4 entitled, “Special Uses”:

Trailer and semi-trailer storage lots

SECTION EIGHT: That Section 10 of the Bartlett Municipal Code, entitled “Zoning” is hereby amended to add the following use, in alphabetical order, to Section 10-8A-6 entitled, “Prohibited Uses”:

Trailer and semi-trailer storage lots.

SECTION NINE: That Section 10 of the Bartlett Municipal Code, entitled “Zoning” is hereby amended to add the following to Section 10-9A-4: entitled “Special Uses:”

Special uses, as hereinafter listed, may be allowed subject to the issuance of special use permits, or amendments to special use permits, in accordance with the provisions of [Chapter 13](#) of this Title. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those itemized uses listed under the said major category.

The following uses are special uses in the PD District:

- A. Planned unit developments in accordance with a plan for the entire area within the PD District.

1. Any use or combination of uses permitted or specially permitted in one or several of the districts under this Title, including the ER-1, ER-2, ER-3, SR-1, SR-2, SR-3, SR-5, SR-6, O-R, B-1, B-2, B-3, B-4, I-1, I-2 EDA, P-1 Districts and the former I-2 District, provided that the Plan Commission finds that:
 - a. The planned unit development will be consistent with the Comprehensive Plan of the Village;
 - b. That all uses, as arranged, are likely to be compatible with each other use within the planned unit development; and
 - c. The development is likely to be compatible with development permitted under this Title on substantially all land in the vicinity of the proposed planned unit development.
2. Any temporary use of land which meets the requirements of the preceding paragraph, relating to the period during which said temporary uses are permitted under the planned unit development.

SECTION TEN: SEVERABILITY. The various provisions of this Ordinance are to be considered as severable, and if any part or portion of this Ordinance shall be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance.

SECTION ELEVEN: REPEAL OF PRIOR ORDINANCES. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION TWELVE: EFFECTIVE DATE. This Ordinance shall be in full force and effect upon its passage and approval.

ROLL CALL VOTE:

AYES:

NAYS:

ABSENT:

PASSED:

APPROVED:

Kevin Wallace, Village President

ATTEST:

Lorna Giles, Village Clerk

CERTIFICATION

I, Lorna Giles, do hereby certify that I am the Village Clerk of the Village of Bartlett, Cook, DuPage and Kane Counties, Illinois, and that the foregoing is a true, complete and exact copy of Ordinance 2020-_____ enacted on_____, 2020 and approved on_____, 2020 as the same appears from the official records of the Village of Bartlett.

Lorna Giles, Village Clerk

ORDINANCE 2020 - _____

AN ORDINANCE AMENDING THE BARTLETT MUNICIPAL CODE
TITLE 3 BUSINESS AND LICENSE REGULATIONS
BY ADDING CHAPTER 33: TRAILER AND SEMITRAILER STORAGE LOT AND
SERVICE TAX

BE IT ORDAINED by the President and Board of Trustees of the Village of Bartlett, Cook, DuPage and Kane Counties, Illinois, as follows:

SECTION ONE: That Title 3 of the Bartlett Municipal Code is hereby amended to add Chapter 33 thereto entitled "TRAILER AND SEMITRAILER STORAGE LOT AND SERVICE TAX" as follows:

Chapter 33
TRAILER AND SEMITRAILER STORAGE LOT AND
SERVICE TAX

3-33-1: DEFINITIONS:

3-33-2: ADMINISTRATION:

3-33-3: APPLICABILITY:

3-33-4: IMPOSED:

3-33-5: RATE AND VIOLATIONS:

3-33-6: LOT REQUIREMENTS AND RESTRICTIONS

3-33-7: LICENSE REQUIRED

3-33-8: LIABILITY INSURANCE:

3-33-9: REVOCATION:

3-33-1: DEFINITIONS:

The following words and terms shall have the meaning set forth, except where otherwise specifically indicated. Words and terms not defined shall have the meaning indicated by common dictionary definition.

MOTOR VEHICLE: Any vehicle which is self-propelled by mechanical or electrical power but not operated upon rails.

SEMITRAILER: A non-motorized, portable container on wheels that is designed to be attached and pulled for the purpose of transporting primarily goods and materials

customarily for commercial purposes over public roads. The size and weight of a semi-trailer enables it to only be pulled by a large truck or semi-tractor. Semi-trailers may be tankers, flatbeds or enclosed.

TRAILER: Any vehicle without motive power in operation designed for carrying persons or property and for being drawn by a motor vehicle.

TRAILER AND SEMITRAILER STORAGE LOT: Any real property where trailers, semitrailers, and/or truck tractors are stored, repaired, serviced, loaded, unloaded or otherwise parked. All trailer and semitrailer lots shall be made of a constructed surface, including paved, asphalt, concrete surfaces, and other hard impermeable surfaces, and shall not include any soft ground, including compressed gravel or road grindings. Parking lots shall be required to be appropriately lined or striped for parking spaces consistent with its use and the Village Code, including all zoning and parking regulations.

TRUCK TRACTOR: Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn, or a power unit that carries as property motor vehicles when operating in combination with a semitrailer in transporting motor vehicles or any other commodity, including cargo or general freight, on a backhaul.

3-33-2 ADMINISTRATION:

The village administrator shall administer collection of the tax imposed in this article and shall prescribe such regulations regarding payment and reporting of the tax as he or she may from time to time deem necessary.

33-3-3 APPLICABILITY:

Nothing contained in this article shall be construed as in any manner repealing or modifying any provision of the municipal code relating to any particular business that is licensed by the village wherein motor vehicles or other vehicles are being used upon the public ways of the village. This article shall not apply to any person who stores, repairs, services, load or unloads any trailer or semitrailer owned or leased by said person on real property owned, leased or legally occupied by said person where such trailer or semitrailer is used in furtherance of any business conducted by the person on said property.

33-3-4 IMPOSED:

Any person residing or operating within the village who stores any trailer, semitrailer, or truck tractor, or who causes or permits any of his agents, employees, lessees, licensees or bailees to store any trailer, semitrailer, or truck tractor on a semitruck and trailer storage lot within the village shall pay to the village the tax described in this article.

33-3-5 RATE AND VIOLATIONS:

- A. The tax payable under this article shall be \$300.00 per parking space per year beginning on January 1, 2020 through December 31, 2025; thereafter the tax payable under this article shall be \$500.00 per parking space per year. The owner or operator of the trailer and semitrailer lot shall also be responsible for obtaining any and all applicable license(s) required by village code to operate within the village. This tax is payable on or before May 1st of each year.
- B. Failure to comply with this section shall result in a minimum fine of \$250.00 and a maximum fine of \$1,000.00. Each day of noncompliance shall be considered a separate and distinct violation. The village reserves the right to suspend or revoke the licenses of owners or operators who are found to have repeatedly violated this section.

33-3-6 LOT REQUIREMENTS AND RESTRICTIONS

- A. Vertical storage of trailers or containers is expressly prohibited.
- B. Trailer and semitrailer storage lots shall be completely fenced on the border of the property and shall have at least one gate for entering and exiting the property. The gate shall be secured and locked at all times, except when vehicles or persons are entering or exiting the property. The trailer and semitrailer storage lot owner or operator shall keep the property secured at all times and shall either provide an attendant at all operating gates at all times or install and maintain in operational order a secured entry system which keeps a record of all trailers, semitrailers, truck tractors, or motor vehicles entering the trailer and semitrailer storage lot. The owner shall establish and maintain emergency access to the lot by arrangement with the Village of Bartlett Police Department and the Bartlett and/or Countryside Fire Protection District.
- C. Trailer and semitrailer storage lots shall post at all entry gates the name and contact information of the owner, authorized leasing agent, or management of the lot. This signage shall be kept current with any change in ownership, leasing agent, or management of the lot.
- D. The required fence surrounding the trailer and semitrailer storage lot shall be no less than six feet (6') in height and no more than eight feet (8') in height. The fencing shall be made of non-combustible material. No barbed wire or razor wire may be installed on the fence.
- E. All required fencing shall either be solid fencing or if not solid, shall also be screened by landscape materials and subject to the approval of the zoning administrator.
- F. In addition to the requirements of subsections D and E above, rights of way shall also be screened from public view by landscaping to screen the view of the operations on the property. Fencing along rights of way shall be setback to meet

the building setback as prescribed by the Village of Bartlett Zoning Ordinance for the zoning district in which the storage lot is located.

- G. Any portion of the fence abutting any property or area zoned for commercial or residential use shall be solid and shall include landscaping along the outside of the fence.
- H. No repair work may be performed on any truck, trailer, semitrailer, truck tractor, or any vehicle on the property except in an enclosed structure located on the trailer and semitrailer storage lot. This shall not include emergency tire repairs. Repair work may only be performed on the property if the owner or operator of the business(es) located on the property is properly licensed by the village.
- I. No inoperable motor vehicles shall be stored in any trailer and semitrailer storage lot. All motor vehicles stored on the lot shall display a valid license.
- J. All parking spaces shall be clearly marked and shall measure at least ten feet (10') in width by fifty feet (50') in depth. Spaces shall be numbered and each user of the property shall be assigned a parking space(s) by number.
- K. All trailer and semitrailer storage lots shall be made of a constructed surface including paved, asphalt, concrete surfaces, and other hard impermeable surfaces, and shall not include any soft ground, including compressed gravel or road grindings or as otherwise required by applicable building codes or other village ordinances. A six inch (6") barrier curb shall be constructed and maintained around the perimeter of the storage lot and around all interior landscape islands.
- L. Clear and unobstructed access drives shall be provided between all parking rows. Access drives shall measure at least seventy five feet (75') in width.
- M. Landscape islands shall be provided at each twenty (20) continuous spaces. Landscape islands shall be planted and maintained with a mix of ornamental grasses and shrubs.
- N. Tandem parking is strictly prohibited.
- O. All trailer and semitrailer storage lots shall be illuminated in accordance with the village code for parking lot illumination standards.
- P. All trailer and semitrailer storage lots shall contain restroom facilities at a rate of one (1) stall per each one hundred (100) parking spaces. Restroom facilities shall be routinely maintained.
- Q. All trailer and semitrailer storage lots shall contain trash receptacles at a rate of one (1) per each fifty (50) parking spaces. Trash shall be routinely collected and removed from the lot and the site shall remain free of debris and trash at all times.

- R. Every trailer and semitrailer storage lot shall have established driveways for entrance and exit in conformity with this section and all other applicable requirements of the village code. Application shall be made to the village engineer for a permit to secure any necessary curb cuts including but not limited to removing curbing or to cutting down or altering any street curb or where the driveway will depress or elevate the established grade of a public sidewalk or parkways, or both. The driveways shall be built with either asphalt or concrete of the quality and in the manner provided in the applicable building codes or other town ordinances. It shall be illegal for any person to drive any motor vehicle into or out of any parking lot except upon such driveway so established by the operator or owners of the parking lot or to permit ingress or egress of motor vehicles from any public alley from or to such trailer and semitrailer storage lot.
- S. Every trailer and semitrailer storage lot shall comply with all stormwater ordinances enacted by the village and shall apply to the village engineer for stormwater control approval. Every trailer and semitrailer storage lot shall be designed and maintained to provide positive drainage. Surface water shall be discharged into an adequate stormwater collection system approved by the village engineer.

3-33-7 LICENSE REQUIRED

- A. No person shall operate a trailer or semitrailer storage lot without having first obtained a written license therefor from the village clerk. This license is renewable annually on May 1st each year. There shall be no more than four (4) total trailer and semitrailer storage lot licenses issued by the village at any given time.
- B. All applicants for said licenses must first file with the village clerk an application in writing for a license on forms supplied by the village for that purpose.
- C. Minimally, the application shall request and require the applicant to disclose the following information. The application shall further set out the following:
- i. The capacity of the lot in the number of trailers and semitrailers;
 - ii. A complete schedule of rates to be charged, if any;
 - iii. The name and address of the applicant;
 - iv. Whether the applicant is a firm, partnership, or corporation;
 - v. The names and addresses of all officers;
 - vi. Whether the premises are owned or leased by the applicant, and if leased, for what duration and purpose;
 - vii. The name and address of the lessor;

- viii. The applicant shall submit evidence of ownership (deed or title policy) or of a valid lease, and shall file a copy thereof with the village clerk;
- ix. The application shall be signed and worn to by the applicant, if an individual or a partnership, or by its authorized agent or officer, if a corporation.

D. A copy of the ordinance approving the special use for the trailer and semitrailer storage lot shall be submitted with the completed application.

3-33-8 LIABILITY INSURANCE

Before any license required by this article or otherwise by village ordinances shall be issued or the construction of a trailer or semitrailer storage lot or any driveway thereto commenced, the applicant shall file, in duplicate, with the village clerk a public liability insurance policy issued by a solvent insurance company authorized by the state and possessed with a certificate of such authorization issued under state laws in the form acceptable by the underwriter's code of the state department of insurance for such policies. The policy shall insure not only the licensee but also the village against liability for damage or injury to persons or property arising out of the construction, conduct, operation and maintenance of the parking lot and any driveway leading thereto across any public way, walk or street in an amount of \$50,000 for one person injured and not less than \$100,000.00 for each accident and not less than \$100,000.00 for all property damaged in any one accident. Such policy of insurance shall contain endorsements thereon that such policy shall not be canceled for any cause without notice being first served on the village clerk at least thirty (30) days prior to the date of such cancellation. All such policies submitted shall be first approved by the village attorney before being accepted for such filing with the village clerk. All such bonds shall be kept in full force and effect during the life of such license or renewals thereof.

3-33-9 REVOCATION

- A. Any license for the operation of a trailer or semitrailer storage lot may be revoked by the president and board of trustees after a hearing on ten days' written notice to the licensee of such hearing for the following acts, conduct, or omissions:
 - a. Failure to provide or maintain for the trailer or semitrailer storage lot an adequate wall, barrier, or gate along public walks or streets adjacent to the storage lot to limit points of ingress and egress.
 - b. Failure to keep ground surfaces paved as required by this article. Failure to keep and maintain such surfaces of such parking lot and driveways free from the accumulation of dust, dirt, rubbish, debris, and litter.

- c. Failure to provide and maintain a minimum of .5 foot-candles of light over the entire ground area of such parking lot, including the area not allocated for storing trailers and motor vehicles.
- d. Parking or permitting nonworking or disabled or inoperative motor vehicles or abandoned motor vehicles or junked motor vehicles or any other such similar vehicles to be stored or parked upon such storage lot or to remain on such storage lot for more than twenty-four (24) hours.
- e. Parking, storing, or permitting the parking or storage of trailers, semitrailers, truck tractors, or motor vehicles on the storage lot in excess of the delineated and acknowledged capacity of such storage lot; permitting of or maintaining an arrangement for the parking of trailers and semitrailers on or removal of trailers and semitrailers from such trailers and semitrailer storage lots which necessitates or results in the backing or driving of cars onto adjacent public sidewalks or other public ways, parkways, or alleys.
- f. Making or permitting any material change in the operation, physical construction or layout of such trailers and semitrailers storage lot inconsistent with the licensee's initial application for the license and such license without first submitting for approval to and without obtaining approval from the zoning administrator of such material changes and/or alterations.
- g. Using or permitting the use of any trailer and semitrailer storage lot to store or park a trailer or semitrailer or any other vehicle for the purpose of displaying the vehicle for sale or using or permitting the use of such storage lot as a motor vehicle repair shop or for the conduct of any other business whatsoever by the licensee or by any lessee of the licensee, including the vending of goods, wares or merchandise or services in connection therewith upon such storage lot.
- h. Violating or knowingly permitting the violation of any village ordinance or any felony state penal law regarding theft, larceny, the conversion of any motor vehicle or the operation thereof without the owner's consent, or any other crime or moral turpitude whether or not such licensee or any other person is convicted of such violation.
- i. Making or permitting the making of any false or misleading statements or representations or misrepresentations in the application or plat or drawing accompanying the application.
- j. The acts or omissions elicited in subsections (A)(a) through (A)(j) of this section shall, in addition of being grounds for revocation of the parking lot license also, be punishable by a fine of no less than \$250.00 and not more than \$1,000.00 and may further be subject to revocation.

SECTION TWO: That SECTION 3-1-1-E of the Bartlett Municipal Code is hereby amended to add the following in alphabetical order to the license fee schedule:

<u>Business, Trade Or Occupation</u>	<u>II License Fee</u>	<u>III Special Regulations In This Title</u>
Trailer and semitrailer storage lot	\$500.00 per year	Chapter 33

SECTION THREE: SEVERABILITY. The various provisions of this Ordinance are to be considered as severable, and if any part or portion of this Ordinance shall be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance.

SECTION FOUR: REPEAL OF PRIOR ORDINANCES. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION FIVE: EFFECTIVE DATE. This Ordinance shall be in full force and effect upon its passage and approval.

ROLL CALL VOTE:

AYES:

NAYS:

ABSENT:

PASSED:

APPROVED:

Kevin Wallace, Village President

ATTEST:

Lorna Giles, Village Clerk

CERTIFICATION

I, Lorna Giles, do hereby certify that I am the Village Clerk of the Village of Bartlett, Cook, DuPage and Kane Counties, Illinois, and that the foregoing is a true, complete and exact copy of Ordinance 2020-_____ enacted on _____, 2020 and approved on, _____, 2020 as the same appears from the official records of the Village of Bartlett.

Lorna Giles, Village Clerk