



PRESIDENT AND BOARD OF TRUSTEES  
Committee of the Whole Meeting

Monday, June 3, 2024

6:00 PM

East Dundee Police Station, 2<sup>nd</sup> Floor Meeting Room  
115 E. 3<sup>rd</sup> Street, East Dundee, IL 60118

1. Call to Order
2. Roll Call
3. Public Comment  
*Please keep comments to 5 minutes or less*
4. Agenda Items
  - a. [Continued Discussion Regarding Regulating Food Trucks](#)
  - b. [Discussion with Baxter & Woodman Regarding Lead Service Line Replacement](#)
5. Adjournment

## Memorandum



**To:** Village President and Board of Trustees

**From:** Caleb Haydock, Management Intern

**Subject:** Continued Food Truck Discussion

**Date:** June 3, 2024

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### **Action Requested:**

Staff requests the Village Board continue its discussion and provide staff with direction regarding the operation of food trucks within the Village.

### **Summary:**

In July 2019, Black & Gray Brewing sought temporary permission to host food trucks in support of their business operations. The primary reasons for this request were detailed in a 7/8/2019 staff memo:

- Difficulty in securing permanent and consistent food partners with local East Dundee businesses [ie. "Pop ups"].
- Current trend consisting of brew pub and food truck partnerships.

To accommodate Black & Gray's request, the Village Board created a pilot program (Ordinance 19-28). It reserved five (5) parking spaces outside of the Depot for a single food truck if a local business hosted one in town ("Depot Food Truck Zone"). In a 12/16/2019 staff memo, it was reported only two (2) food trucks utilized the pilot program from August 2019 – December 2019. Therefore, it was extended to the end of 2020 for further assessment (Ordinance 19-37). Staff have no record of other food trucks utilizing the program.



Depot Food Truck Zone

## Image 1: The Food Truck Zone of the approved 2019-2020 Pilot Program

### The 2024 Season

After the 2023 season, trustees were again approached by a few local businesses and asked to allow food trucks in the downtown area. The approaching businesses didn't sell food but wanted to explore other options for their customers. The organizers of Motor Mondays also expressed a desire for more food options, and they believed food trucks would be a great addition to their Monday events.

In lieu of these requests, staff has been working with the Community Events & Depot Committee ("the Committee") to create new regulations regarding food trucks, hoping to have a program ready for the 2024 season. The Committee met on three (3) separate occasions to draft new language that simplifies code definitions and to carve out an application process that would create 2-3 zones near the downtown area, replacing the previous Depot Food Truck Zone. In preparation for these meetings, staff researched the policies of nearby communities to compare (see attached table).

### Food Truck Program Opposition

During the 05/06/2024 Board Meeting when the new regulations were being presented, many downtown business owners and local officials expressed opposition to a food truck program proposed by the Committee. They believed food trucks in the downtown area would significantly hurt sales of already existing brick-and-mortar businesses. They also wanted to correct a misassumption that no downtown restaurants were open on Mondays. Currently, Tequila Val's, DC Cobb's, Diamond Jim's, and Bandito Barney's are all open on Mondays. Although most business owners who attended the May 6<sup>th</sup> Board meeting said they are not opposed to food trucks entirely, they are currently against the proposed locations and hours. After the meeting, staff met with these business owners to discuss compromises for the location and times of permitted food trucks. It was the consensus of the group that the Village explore the idea of hosting food trucks during Motor Mondays that didn't sell what their brick-and-mortars sold.

### Motor Mondays

The food truck discussions have often referenced the Motor Monday events as well. After deliberation with local businesses and officials, staff believe this event is an excellent opportunity to test the Village's permissance of food trucks. The event organizers have already scheduled a hot dog vendor and an Italian ice vendor for their 2024 season and have gone through the appropriate channels to work with existing businesses who sell similar items. While no other vendors are currently scheduled for Motor Mondays, staff recommends the Village Board consider allowing food trucks on Mondays only (between 5p – Dusk) so event organizers

could bring in at least one additional vendor. It is still unclear where these vendors will be placed during the events, but staff recommends placing them in front of the lumberyard for the 2024 season on a limited-time basis. This would allow Motor Mondays to get additional food options while also not being directly next to existing businesses. This placement also allows Railroad Street to remain open during Motor Mondays, which was a priority for event organizers.



Potential Food Truck  
Zone for Motor Mondays

### Code Changes

After several meetings with its legal team, both the Committee and Village staff believe the current definitions outlined in Chapter 113 generate confusion and contradict other areas of the code that outline the now defunct pilot program (Chapter 120). Regardless of how the Board chooses to proceed with a food truck program, staff recommends updating the code's definitions (proposed language attached) to provide clarity for future discussions and clearly defines what a food truck is. Changing these definitions on their own would do nothing to further the allowance of food trucks in the downtown area as the pilot program remains expired.

As it stands in Section 37.01, even if food trucks were allowed today, they would still have to pay \$300 for a new application fee (or \$150 for a renewal application fee). If the Depot Food Truck Zone was still active, it would be \$75 per day plus a \$100 deposit for participating food trucks. Both the Committee and Village Staff found the different costs confusing and burdensome due to the costs food trucks already pay the County.

Therefore, the Committee recommends the Village Board lower and simplify the costs for these applications, even if it decides not to move forward with food trucks in the downtown area. Additionally, staff recommends the Village Board consider signage for any food truck location to clearly reserve the area if needed. Staff does not have a formal recommendation on signage at this time but acknowledges any food truck zone in a public area would need to be equipped with such.

### Next Steps

Staff emailed downtown businesses on 05/28/2024, inviting them to come and participate in discussions at the 06/03/2024 Committee of the Whole meeting. The hope is to have a productive conversation amongst local businesses to find a compromise in allowing food trucks on certain days and times. Staff believe this very discussion is an excellent opportunity for downtown businesses to partner together and provide new, innovative ways to help each other increase sales (i.e. pop up tents, etc.). The Village will supervise any program enacted to guarantee food trucks offering specific items are not next to brick-and-mortar businesses already offering those items.

Therefore, staff recommends allowing food trucks on Motor Mondays only for the 2024 season with the ability to reassess after September 16, 2024 to begin preparing for the 2025 season. This would allow for food trucks only on 3 dates for the 2024 calendar year.

While there is no evidence to suggest food trucks are necessary to the East Dundee economy, there is regional evidence to suggest food trucks attract people from other towns/areas. If the Board decides not to allow food trucks in the downtown area, perhaps there is another area or parking lot in which the Village can build its own food truck event or program that can advance its local interests as well as regional interests.

### **Attachments:**

Food Truck Research Table

7.8.19 Staff Memo

8.5.19 Staff Memo

12.16.19 Staff Memo

Previously Proposed Ordinance

Drafted Food Truck Application

Ordinance 19-28

Ordinance 19-37

Ordinance 17-10

	St. Charles	Huntley	Carpentersville	Elgin	South Elgin	Schaumburg	Hampshire	Lake Zurich	Crystal Lake
<b>Permit required?</b>	No, but included for special events/temporary outdoor sales permit.	1-day, 1 location.	Yes, for Special Events	Yes, 90-day permit	No	Yes. Including Business Sponsorship	Yes	Yes	Yes
<b>Authority</b>	-	Development Services Department	Community Development department	Community Engagement Committee & Special Events Coordinator. neighborhood services department	Parks Department	Community Development Department	Village Clerk	Parks and Rec Dept But run by Volunteers.	Community Development Department
<b>Times</b>	Business hours of permanent business	9am-9pm; Monday-Saturday	Only for Special Events	9am – sunset for all days	Wednesday 6p-8p	-	7am – 10 pm	Wednesday 4p-7p	Business hours of permanent business
<b>Fees</b>	No	\$100 on the annual operator permit	Mobile food vendors (first truck) \$100. Additional truck:\$50. Operator BG checks: \$35	\$10 application fee	No fees	\$50 annual location permit	\$250 (\$50 for ice cream) – annual fee?	\$25	\$50
<b>Restrictions</b>	Only for Private events, city events, events with temporary outdoor sales permit, or in association with restaurant.  Operation of each food truck shall be limited to no more than two (2) days in any seven-day period and shall not serve customers outside of the business hours of the permanent business.	No alcoholic beverages  1-day, 1-location  1≤ toilet 300ft away.  <2 food trucks in Village per day	A mobile food vendor shall not conduct sales from a stationary location on any roadway or sidewalk for more than thirty (30) minutes.	Only for special events.	Unless part of special event, limited to 3 days in a 7-day period.	Only Private Property in certain districts No more than 3 trucks on one property.  <3 hrs per day unless associated with a special event.	Each truck can only operate 1 day / week	Only for special events	May not operate within the City for more than 8 hours during any 24 -hour period and can't exceed the hours of operation for the business on the property if private property.
<b>Distance</b>	-	500ft	-	-	-	-	150ft	-	-
<b>Locations</b>		Village/Public Property - only Special Events	Carpenter Park	Block Party permitted streets	Near Concert Pavilion	Only private properties unless special event	Public roadways, parks, parking lots, etc.	Paulus Park Parking Lot	Private Property
<b>Links</b>	<a href="#">St. Charles Code</a>	<a href="#">Huntley Code</a>	<a href="#">Carpenterville Code</a>	<a href="#">Elgin Code</a>	<a href="#">South Elgin Code</a>	<a href="#">Schaumburg Guide</a>	<a href="#">Hampshire page</a>	<a href="#">Lake Zurich Page</a>	<a href="#">Crystal Lake Code</a>

	Arlington Heights	Bolingbrook	Glenview	Northbrook	Oswego	Rockford	Lakemoor	Lake in the Hills
<b>Permit required?</b>	Yes	Yes	Yes	Yes, and business sponsorship besides a few areas.	Yes. 1-year.	Yes, Select Areas	No	Yes
<b>Authority</b>	-	-	-	-	Village Clerk's Office	Rockford Parks District	Village Staff but run by a volunteer	Community Development Department
<b>Times</b>	9:00am-9:00pm. No Sundays.	7:00 am - 9:00 pm, Monday through Friday, and 8:00 am - 9:00 pm, Saturday and Sunday	No overnight parking	6:30 am - 10:30 pm, Monday through Friday, and 8:00 am - 10:00 pm, Saturday and Sunday.	6am – 8:30p every day.  Only 90 minutes in a public loc.	5/7 – 8/29 4p-9p  9/3-10/29 4p-8p	Daily. 9am - 10pm	N/A
<b>Fees</b>	\$260 for 5 employees or less  \$360 for 6-21 employees	\$50 License Fee	\$100 annual license fee	\$70, \$140, \$210 depending on Risk Type	\$100 application fee & \$40 background check	\$120 for first session  \$60 for second session	\$40/day rental fee	Yes, but amounts unknown
<b>Restrictions</b>	Can only stay in one spot for 1 hour, including private property and then must move to a new location at least 1000 ft away	No alcoholic beverages.  5ft – ramps, entrances, etc.  15ft - Hydrants	Must be self-contained.  5ft. pedestrian clear zone	Different restrictions for different risk-types.  Prep/clean-up Restrictions	Must face curb, not street.  Specific loc. restrictions	Operates under Food Truck Tuesdays Program.  Up to 14 trucks in 4 areas	No more than 3 consecutive days	Only 2 food truck permits are issued per year outside of special events.
<b>Distance</b>	-	300ft	-	500ft	200ft/school.	-	-	-
<b>Locations</b>				On Meadow Rd. between Cherry Lane and North side of the Bridge.	Specific prohibited locations are carved out (see link below)	Various Locations along Rock River	Morrison Park – share lot with Dunkin Donuts	Wherever the special event is located.
<b>Links</b>	<a href="#">Arlington Heights Code</a>	<a href="#">Bolingbrook Code</a>	<a href="#">Glenview Code</a>	<a href="#">Northbrook Code</a>	<a href="#">Oswego Webpage</a>	<a href="#">Conservatory webpage</a>	Ordinance attached	N/A

**Village of East Dundee  
Memorandum**

**To:** Village President and Board of Trustees  
**CC:** Brad Mitchell, Assistant Village Administrator  
**From:** Jennifer Johnsen, Village Administrator  
**Subject:** Temporary Food Truck Request  
**Date:** July 8, 2019

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**Background**

Attached, please find an email from Black and Gray Brewing requesting permission for temporary food trucks. The primary reasons for the request are as follows:

- Difficulty in securing permanent and consistent food partners with local East Dundee businesses.
- Current trend consisting of brew pub and food truck partnerships.  
*See the attached screenshots provided by Black and Gray highlighting these food truck partnerships.*

At the request of a food truck establishment seeking to become a nonmobile food truck stationed within the Village, in 2017, the Village Board approved Ordinance 17-10 regulating the use of both mobile and nonmobile food trucks defined as follows:

*MOBILE VENDING UNIT.*

*A vending unit designed and operated to be readily movable (e.g. a mobile truck moving from location to location continuously). The unit shall return daily to a commissary for supplies, cleaning and for all servicing operations. The unit shall not have permanent potable water, wastewater, or electric connections.*

*NONMOBILE VENDING UNIT. A vending unit that maintains one fixed location. The vending unit shall be provided with permanent potable water, wastewater and electric connections at the fixed location to ensure no interruption in operations.*

In an effort to support the local brick and mortar businesses, the ordinance restricts both mobile and nonmobile food trucks to the manufacturing districts within the Village. As such, neither mobile nor nonmobile food trucks are permitted in the downtown which is a business district.

Black and Gray's food truck request for limited food trucks on Saturdays only is not a true mobile vending unit (e.g. ice cream truck) or a true nonmobile vending unit (e.g. caboose). Their request is more closely associated with a special event license that includes the rental of a portion of the municipal parking lot directly north of 311 Barrington. However, in the absence of more specific regulations, I have to conclude their request for a temporary food truck in the Village's parking lot would be denied based upon the aforementioned ordinance.

### **Village Administrator Recommendation**

I have met with owner Teresa Kennedy to discuss this issue at length. After understanding her very real difficulty in partnering with East Dundee businesses, due to their need to promote their own establishments, and understanding the current brewery/food truck trends, I am recommending that the Village Board consider allowing for a limited and temporary use of food trucks within the downtown and rental of Village-owned property, similar to the Depot Rental

Should the Village Board concur, an ordinance will be drafted and brought back to the Village Board for your consideration.

**Attachment:** Request from Black and Gray and Brewery/Food Truck Screenshots



**Fw: Black & Gray Brewing Co.**  
**Jennifer Johnsen** to: Jennifer Johnsen

07/05/2019 10:44 AM

From: Jennifer Johnsen/EDundee  
To: Jennifer Johnsen/EDundee@WDundee

Jennifer Johnsen  
Village Administrator  
Village of East Dundee  
120 Barrington Avenue  
East Dundee, IL 60118  
(847) 426-2822 x6120  
jjohnsen@eastdundee.net

----- Forwarded by Jennifer Johnsen/EDundee on 07/05/2019 10:33 AM -----

From: "Teresa Kennedy" <t.kennedy@blackandgraybrewing.com>  
To: "Jennifer Johnsen" <jjohnsen@eastdundee.net>, "Brad Mitchell" <BMitchell@eastdundee.net>  
Cc: "Chris Kennedy" <c.kennedy@blackandgraybrewing.com>  
Date: 06/27/2019 02:21 PM  
Subject: Black & Gray Brewing Co.

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June 27, 2019

To Whom it May Concern:

We are writing you to request permission to schedule food trucks for Black & Gray Brewing Co. at our East Dundee tap room location on Saturdays. Business models are constantly evolving and the old model of having a "brew pub" that has an in-house kitchen and brewery is not sustainable in today's market (recent closures of business such as The Ram are evidence of this). To help defray start up costs and ongoing overhead, breweries now focus on doing what they do best (brewing beer), while partnering with food trucks and pop-ups to offer their patrons food options. Our goal when opening was to focus our efforts for food by partnering with East Dundee businesses to create symbiotic relationships that benefitted all parties. What we did not expect was the lack of interest from most local businesses to partner with us due to their motivation to drive customers to their place of business. Most local businesses were not interested in doing "pop ups" in our taproom and have not been willing to work with us on delivery. The exception is Duke's Blues n' BBQ who has been a great partner but now can only partner in a limited way that does not include weekends.

Bringing food vendors in has a direct impact on sales. For example, without Duke's participation, our Saturday sales dropped 40%-50%. Now that Duke is back for Taco Tuesdays, our sales on Tuesday increased by 300% to 400%. These changes in sales affect our ability to be a viable business, and—obviously—impact how much sales tax we produce for the village.

We are requesting the ability to bring food trucks in on Saturdays and park them in the municipal lot behind our building. The food truck/brewery combo is a trend that is seeing success all over the Chicagoland area (see attached events) and will drive foot traffic to East Dundee's downtown square and show that East Dundee is vibrant and competitive with neighboring communities.

We appreciate you looking into this and look forward to your response.

Sincerely,  
Teresa and Chris Kennedy



fwdfoodtruckevents.zip



**TOMORROW, JUN 20 AT 12 PM...**

# **Tighthead Thursday**

Tighthead Brewing  
Company · Mundelein



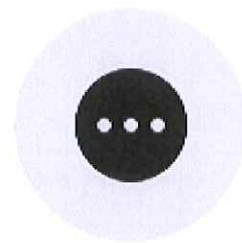
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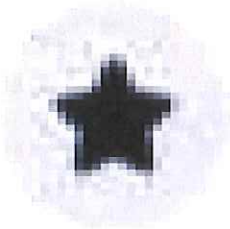
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**FRI, JUN 21 AT 5 PM - 8:30 PM**

# **Crystal Lake Brewing**

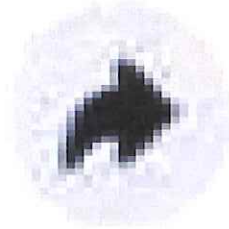
Crystal Lake Brewing



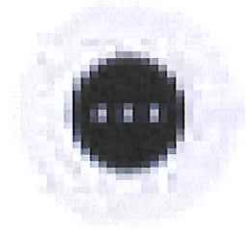
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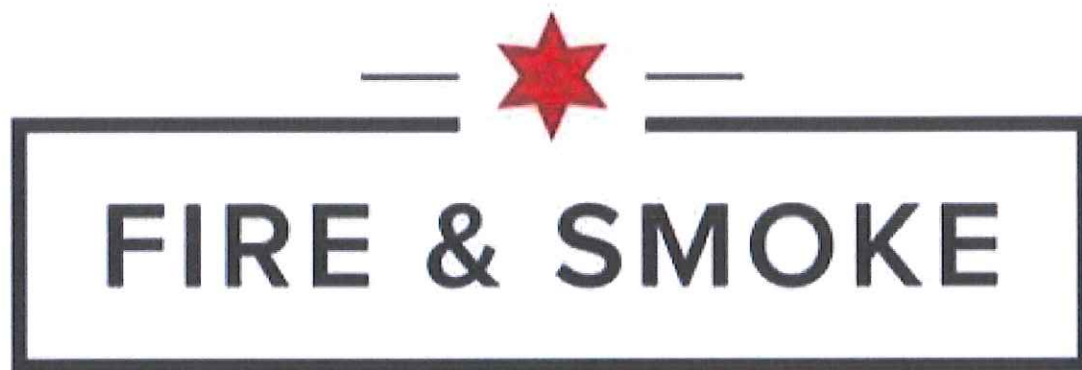
**Public event by Your  
Sister's Tomato**



# Plank Road Tap Room added an event.



May 25 at 2:23 PM • 



BBQ COMPANY

[fireandsmokebbq.com](http://fireandsmokebbq.com)

FRI, SEP 13 AT 5 PM...

**BBQ + Beer Night**

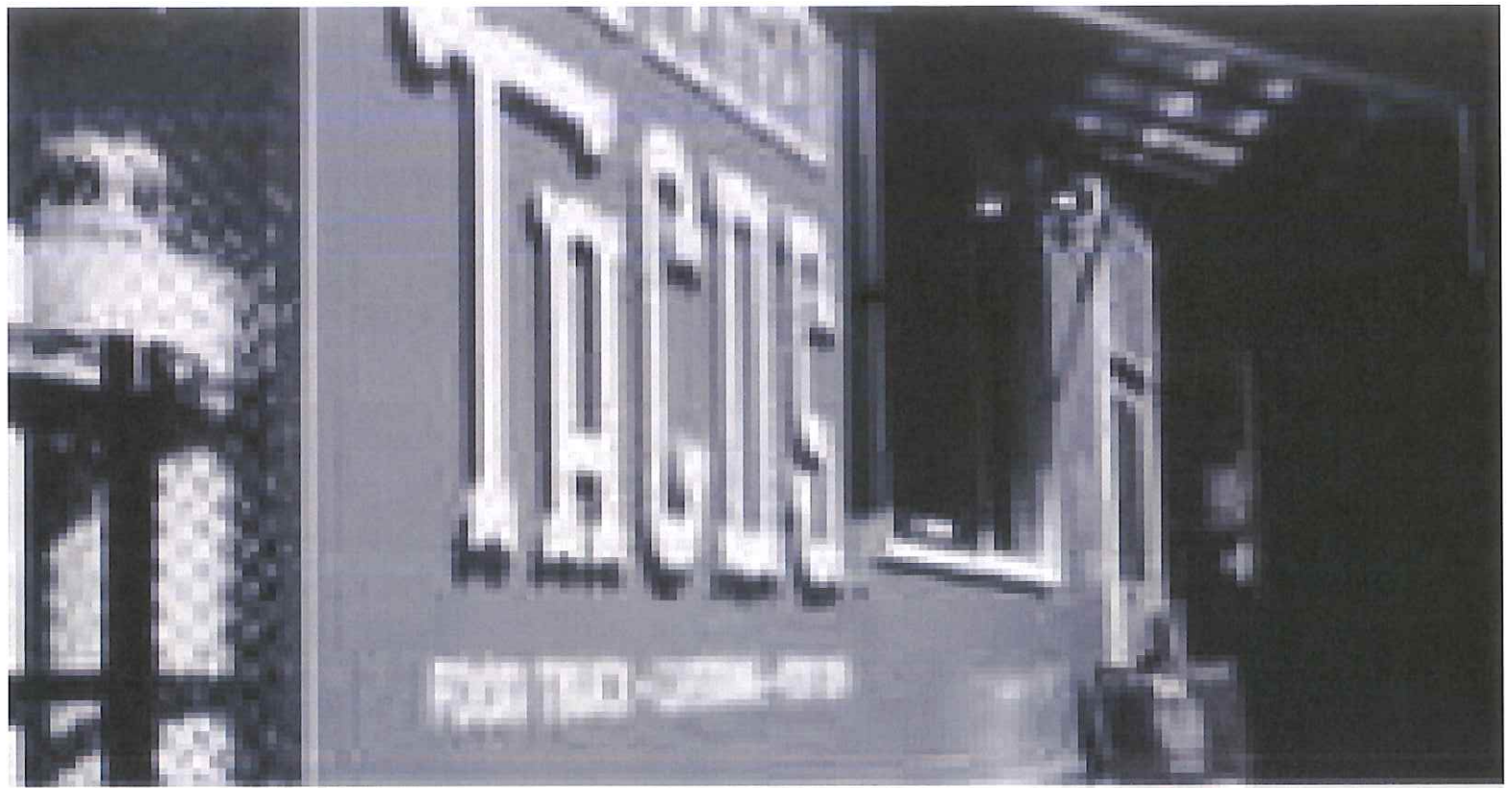
Plank Road Tap R...

Food

INTERESTED



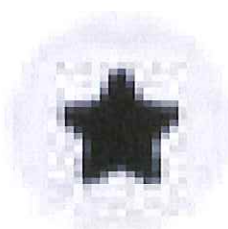
18



MAR 5, 2019 - MAR 10, 2019

## **Food Truck Residency at Alarmist**

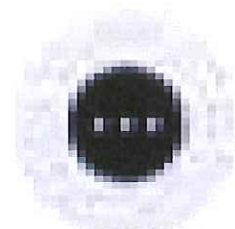
**Three Legged Tacos -  
Chicago**



**Interested**



**Going**



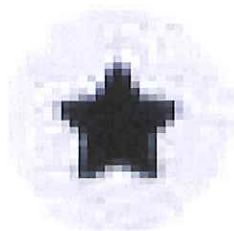
**More**



**FRI, JUL 26 AT 4 PM - 10 PM**

# **Bricks on Wheels at NWBCo**

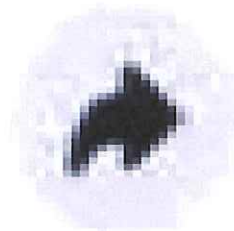
Noon Whistle Brewing -  
Lombard



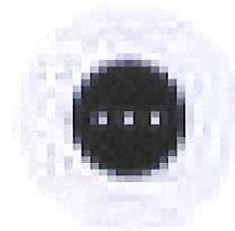
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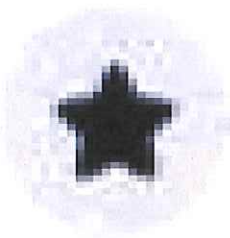
**Public event by Bricks on**



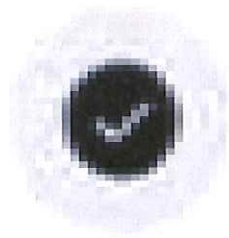
**SAT, JUL 20 AT 5 PM - 8 PM**

# **Food Truck: Golden Eagle Hot Dogs**

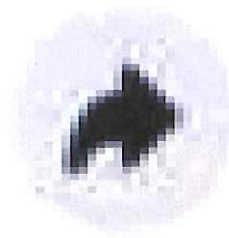
**Plank Road Tap Room - Elgin**



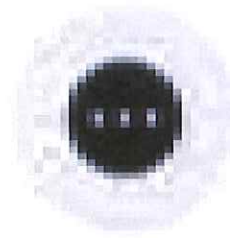
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MAC & MORE AT ONLY CHILD

THU, JUN 20 AT 4 PM CDT

**Mac & More at Only Child Bre...**

Only Child Brewing Company

Food

☆ Interested



6 PM – 8 PM

☆ Interested

6 PM –

☆ I



## Chuck's BBQ Pop Up Events

**BBQ Pop Up Tour- Pollyanna  
Brewery**

**SAT, JUL 6**

**2 PM – 6 PM**

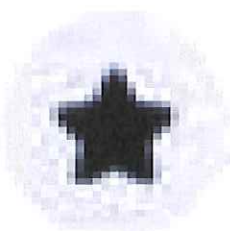
☆ Interested



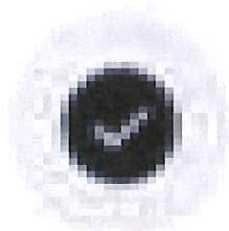
**SAT, JUN 22 AT 5 PM**

# **Mujo Ramen at Mikerphone Brewing**

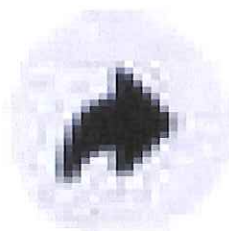
Mikerphone Brewing - Elk  
Grove Village



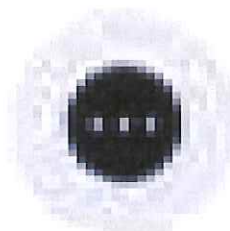
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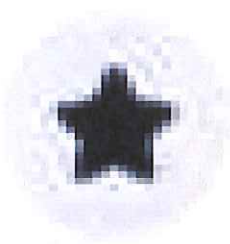
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# STIX & NOODLES

TOMORROW, JUN 21 AT 5 PM -...

## Stix and Noodles @Roaring Table

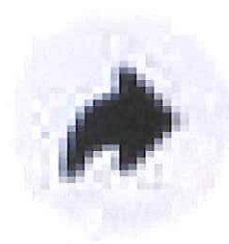
Roaring Table Brewery - Lake  
Zurich



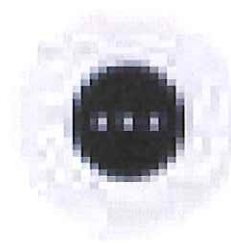
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Public event by Roaring  
Table Brewery and Stix



**Heather S Bormann** 



recommends **Penrose  
Brewing.**

1 year ago · 

**5 stars**

The staff are so friendly, the beer is so yummy, and the food trucks are so fun! I love living so close. I have so many faves, but I've been on a Tangerine Whip streak, and I can't stop!



Like



Comment



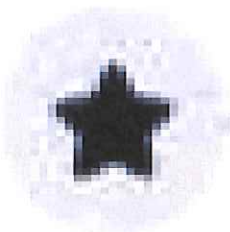
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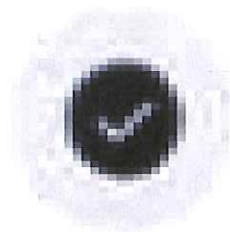
**FRI, JUN 28 AT 5 PM - 8 PM**

# **Food Truck: Chuck's Wood Fired Pizza**

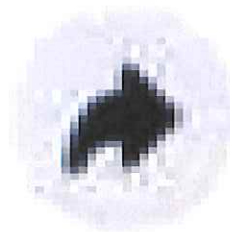
**Plank Road Tap Room - Elgin**



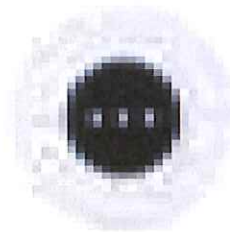
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# CHEESIE'S FOOD TRUCK

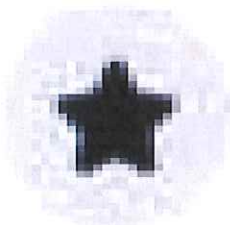
TOMORROW, JUN 21 AT 4 PM -...

**Food Truck:**

**Cheesie's**

Riverlands Brewing

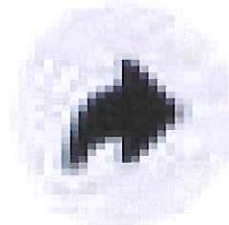
Company - Saint Charles



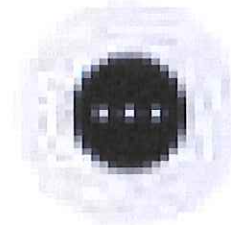
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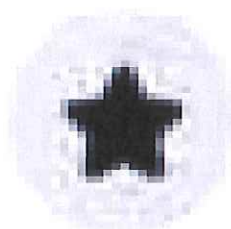
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**4 Times · MAY 17, 2019 - SEP 20**

# **Toasty Cheese is Back!**

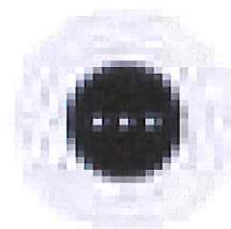
**Scorched Earth Brewing Co -  
Algonquin**



**Interested**



**Share**



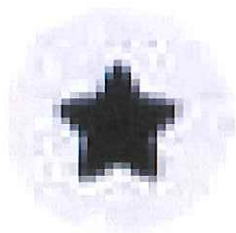
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**FRI, JUN 21 AT 5 PM - 8 PM**

# **Food Truck Friday: Fat Tomato, Inc.**

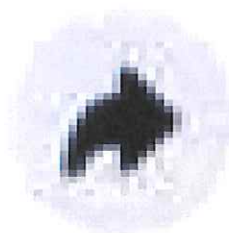
**Sew Hop'd - Huntley**



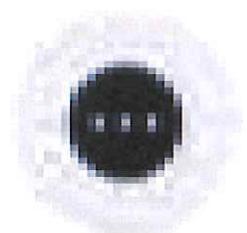
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SCHOOL DISTRICT 75, 2018  
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in Monroeville Hills. A nearly  
building a full gym.

## lanned hool ills

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l North Principal  
lins said. "It's nec-  
ause of the volume  
Currently we use  
a for gym."

# More food trucks in Barrington?

*Board might alter  
rules to attract them*

BY BOB SUSNJARA  
[bsusnjara@dailyherald.com](mailto:bsusnjara@dailyherald.com)

Barrington officials are con-  
sidering tweaking local law to  
attract more food trucks to the  
village.

"We're taking it under  
advisement, as we say," Vil-  
lage President Karen Darch  
said as an informal food truck  
discussion concluded this  
week.

Current village code allows  
ice cream vendors but places  
limitations on food trucks.  
To operate in Barrington, a  
licensed truck must be asso-  
ciated with a special event as  
defined by the village or be  
from a permanent food estab-  
lishment in town.

Darch said it's natural for  
towns to want to protect brick-  
and-mortar restaurants by  
restricting food trucks.

"You almost have that head-  
to-head competition if you put  
that food truck in," she said.

As researched by Melanie  
Marcordes, assistant to the  
village manager, one option  
would be to only allow food  
trucks adjacent certain fav-  
erns. The licensed trucks  
would be allowed to use vil-



PAUL VALADEZ / paul.valadez@dailyherald.com

Barrington officials are mulling the concept of breaking local  
law in an effort to attract more food trucks to the village. This  
was the scene recently at Food Truck Friday in Lincolnshire.

times a year. Food trucks are  
part of the Flesk Fest outdoor  
beer garden on the second  
Thursday of the month, which  
began in May.

Trustee Todd Sholeen said  
a business such as Flesk could  
benefit if food trucks were reg-  
ularly allowed.

"I kind of wonder how  
many people go into Flesk  
brewery and say, 'Oh, I'm  
going to order a pizza from  
Pizza Factory or I'm going to  
get this from Shakou and I'm  
going to have it brought over  
here,' where they might have  
more activity."

regulations constitutional  
and allowing the city to shield  
brick-and-mortar restaurants  
from mobile vendor compe-  
tition. The case arose during  
the Barrington food truck  
discussion.

Marcordes said village hall  
has received inquiries from  
businesses wanting food truck  
visits.

"And to be honest, some-  
times I think they're doing it  
without even asking," Mar-  
cordes said. "So I think a lot of  
that's happening as well."

Lincolnshire is among the  
municipalities that have passed local

## **Village of East Dundee Memorandum**

**To:** Village President and Board of Trustees  
**CC:** Brad Mitchell, Assistant Village Administrator  
**From:** Jennifer Johnsen, Village Administrator  
**Subject:** Temporary Food Truck Request  
**Date:** August 5, 2019

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### *Background*

As you recall, Black and Gray Brewing has requested permission for temporary food trucks to support their business. The primary reasons for the request are as follows:

- Difficulty in securing permanent and consistent food partners with local East Dundee businesses.
- Current trend consisting of brew pub and food truck partnerships.

At the July 8, 2019 Village Board meeting, the Village Board reached a consensus to consider regulations for allowing the use of temporary food trucks to accommodate Black and Gray's request. At the meeting, the Village Board provided direction to encourage food trucks and their visibility in the downtown.

### *Proposed Location*

Teresa Kennedy, the owner of Black and Gray brewery, has contacted local food trucks and has determined that they will need approximately 5 parking spaces to accommodate a food truck. The owners of 311 Barrington have confirmed that they would be agreeable to having the food truck parked in front of their furthest east unit which is currently vacant (Unit A). They are only agreeable to this location until the unit has been leased. In addition to this being a temporary location, I am also concerned with the following:

- As shown in the picture below, the food truck would not be visible from the majority of River Street and visibility was expressed as a priority by the Village Board at the July 8<sup>th</sup> meeting.



- The food truck requires up to five parking spaces. As shown below, there is five spaces worth of distance in front of Unit A but two spaces worth is for a handicapped accessible parking spot that should remain accessible.



As such, it is my recommendation that there be a designated Depot Food Truck Zone in the downtown as highlighted on the map below for the following reasons:

- There are five spaces available for the food truck and the parking spaces are not directly in front of an existing business and therefore do not obstruct the view of an existing business or severely impact the parking demand for an existing business.
- There is adequate visibility from River Street.
- There is adequate electricity available for the food truck.
- There are currently no food establishments located directly across from the Depot Food Truck Zone.
- The food truck can be parked there in conjunction with rental of the Depot and grounds.
- The presence of a food truck adjacent to the Depot grounds becomes part of the appeal of gathering at the Depot and in the downtown in general.

- The proposed location does not impede the use of the southern half of the Depot grounds and adjacent portion of River Street typically used for events.
- The consistent location will assist in branding the rental of the Depot Food Truck Zone and residents and visitors will begin looking to see if the Food Truck Zone has been rented.



### *Proposed Policy*

The request from Black and Gray is being made to accommodate a current trend involving brewery and food truck partnerships. However, at the July 8<sup>th</sup> meeting, the Village Board expressed an interest to allow other existing East Dundee businesses to bring a food truck into the downtown. This direction should be balanced with the Village's commitment to support our existing brick and mortar businesses and the Village's caboose concession stand. As such, I am proposing that the Village permit the rental of the Depot Food Truck Zone on the weekends only (Friday, Saturdays and Sundays) to any food truck that is being sponsored by an existing East Dundee business or nonprofit organization serving the residents of East Dundee.

I believe that allowing existing businesses to sponsor a food truck will allow the Village as an organization to capitalize on the current food truck trend by creating a regular food truck presence that will pair well with the caboose, events, and fun activities that the Village is known for and is striving to enhance. A regular food truck presence aligns with following Strategic Planning Goal with the corresponding objectives:

Goal: *Create a Well Known, Livable, Walkable Community*

Objectives:

- Rebrand with a focus on family, fun outdoor recreation, and dining
- Enhance East Dundee's regional reputation

### *Proposed Licensing Restrictions*

The Village Code includes the following applicable regulations regarding vending units (food trucks):

- **Application.** Application for a vending unit license shall be made upon a form provided by the Village and filed with such. Said license shall be carried by the applicant while operating the vending unit and shall be displayed at all times in a place readily visible to all customers. The applicant shall truthfully state in full the information requested on the application.
- **Hours.** Licensed vending units may be operated from 8:00 a.m. to 8:00 p.m. Sunday through Saturday, including holidays.
- **Commissary.** Mobile vending units shall operate from a commissary and shall report at least daily to such location for all supplies and for all cleaning and servicing operations. An applicant for a vending unit license for a mobile vending unit shall supply the name and address of the commissary where the vending unit will be cleaned and serviced, and if such vending unit is not stored at the commissary, the name and address of the place where such vending unit will be stored when not in use. The Department of Health must approve of such locations.
- **Health Department.** Prior to the issuance of a vending unit license, the applicant shall comply with any and all requirements or regulations maintained by the Kane County Health Department relating to food handling and the operation of a vending unit, which may include a consultation to review the proposed business practices, the vending unit and other equipment to be used, and food safety operations.
- **Insurance.** Before a vending unit license is issued, a vending unit owner must provide a certificate of insurance evidencing the vending unit owner has obtained a commercial general liability insurance policy for liability arising in any way from the issuance of the vending unit license or activities conducted pursuant to the vending unit license with limits of not less than \$1,000,000 per occurrence, combined single limit, for bodily injury and property damage. The certificate shall name the Village of East Dundee as an additional insured.
- **Driver's License.** No person shall be employed as a vending unit operator without a valid driver's license.

- **Eligibility.** No vending unit license shall be issued to any person, or to any entity employing any person as a vending unit operator, who has been convicted of the commission of a felony under the laws of the State of Illinois or any other state or federal law of the United States, within the previous five years or convicted at any time of a crime requiring registration on any sex offender list or database or a felony involving drugs, the use of a firearm in the commission of an offense, or any violent felony; nor to any person who has been convicted of a violation of any of the provisions of this chapter, nor to any person whose vending unit license issued hereunder has previously been revoked as herein provided.

The following additional regulations are proposed for the rental of the designated Depot Food Truck Zone. I would encourage discussion regarding the appropriate rental limits for food trucks and business/nonprofit sponsors.

- **License.** The application shall be reviewed and approved by the Village Administrator or his/her designee.
- **Location.** Food trucks will only be permitted in the Depot Food Truck Zone which shall be rented as described below.
- **Number of Days:** No one food truck will be authorized to rent the Depot Food Truck Zone for more than 12 days per year to ensure a variety in the food truck offerings.
- **Weekends.** Rental of the designated Depot Food Truck Zone will be permitted on Fridays, Saturdays, and Sundays only.
- **Hours.** At the discretion of the Village Administrator, the hours of operation of a food truck in the Depot Food Truck Zone may be expanded if rented in conjunction with the rental of the Depot or Depot grounds.
- **Business/Nonprofit Sponsor.** A food truck must be sponsored by a local business or nonprofit organization serving the residents of East Dundee in order to rent the Depot Food Truck Zone. No business or nonprofit may sponsor more than 24 food truck days per year.
- **Fee.** The rental of the Depot Food Truck Zone is \$75.00/day. This fee includes the use of electricity and cost of administering the program. This cost will be charged to the food truck not the business or nonprofit sponsor.
- **Deposit and Barricades.** The rental of the Depot Food Truck Zone will require a deposit of \$100.00 for the rental of barricades to block off the parking spaces. The food truck, business or nonprofit sponsor will be required to block off the spaces to ensure that the spaces remain available for the use by the food truck.
- **Placement.** The window of the food truck where food sales are made shall be facing west adjacent to the Depot lawn for the safety of the patrons. The patrons shall not be permitted to stand in the street.
- **Liquor.** The sale of liquor from any food truck shall be prohibited.

- **Denial.** Rental of the designated Depot Food Truck Zone may be denied by the Village for any reason including the hosting of community events.
- **Village Events.** At its discretion, the Village may rent the Depot Food Truck Zone to a food truck for any community event sponsored by the Village regardless of the day of the week or hours of operation.

**Action Requested:** Discussion of a proposed Depot Food Truck Zone and regulations and consensus to direct staff to draft an ordinance creating such zone and adopting said regulations.

## **Village of East Dundee Memorandum**

**To:** Village President and Board of Trustees  
**CC:** Brad Mitchell, Assistant Village Administrator  
**From:** Jennifer Johnsen, Village Administrator  
**Subject:** Temporary Food Truck Request  
**Date:** December 16, 2019

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### **Background**

As you recall, on August 19, 2019, the Village Board approved Ordinance 19-28 creating a Depot Food Truck Zone. Per the request of the Village Board, the ordinance included a sunset clause of December 31, 2019.

### **Village Administrator Recommendation**

As Ordinance 19-28 was approved at the end of the summer season, only two food trucks have operated out of the Depot Food Truck Zone. As such, staff is recommending that Ordinance 19-28 be amended to extend the sunset clause to December 31, 2020 so that this pilot program can further evaluated.

**Action Requested:** Discussion and consideration of an Ordinance Extending the Sunset Clause for the Depot Food Truck Zone Ordinance (Ordinance 19-28)

**Attachment:** Ordinance Extending the Sunset Clause for the Depot Food Truck Zone Ordinance (Ordinance 19-28)

**ORDINANCE NUMBER 19 - \_\_**

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK  
AND KANE COUNTIES, ILLINOIS  
EXTENDING THE SUNSET CLAUSE FOR THE  
DEPOT FOOD TRUCK ZONE ORDINANCE  
(ORDINANCE 19-28)**

**WHEREAS**, the Village of East Dundee ("Village") is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the Village Board approved Ordinance 19-28, An Ordinance Amending Chapters 37, 113 and 120 of the Village of East Dundee Village Code Creating a Depot Food Truck Zone on August 19, 2019; and

**WHEREAS**, Ordinance 19-28 included a Sunset Clause repealing the ordinance on December 31, 2019 without further action by the Village Board; and

**WHEREAS**, the President and Board of Trustees of the Village have deemed it to be in the best interests of the Village to extend the Sunset Clause of Ordinance 19-28 to December 31, 2020;

**NOW THEREFORE BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:**

**SECTION 1: Incorporation.** That each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Ordinance.

**SECTION 2: Ordinance Amendment.** That Section 7, Sunset Clause, of Ordinance 19-28 is hereby amended to read as follows, with additions underlined and deletions struck through:

This Ordinance shall be repealed without further action by the President and Board of Trustees on December 31, ~~2019~~2020.

**SECTION 3: Continuation.** That all provisions of the Village Code not amended herein shall remain in full force and effect.

**SECTION 4: Severability.** That if any Section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

**SECTION 5: Repeal.** That all ordinances, resolutions, motions or parts thereof in conflict with this Ordinance shall be and the same are hereby repealed.

**SECTION 6: Effect.** That this Ordinance shall be in full force and effect upon its adoption, approval and publication in pamphlet form as provided by law.

**ADOPTED** this \_\_th day of \_\_\_\_\_, 2019 pursuant to a roll call vote as follows:

AYES: \_\_\_\_\_

NAYES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED** by me this \_\_th day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Lael Miller, Village President

**ATTEST:**

\_\_\_\_\_  
Katherine Holt, Village Clerk

Published in pamphlet form this \_\_th day of \_\_\_\_\_, 2019, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on \_\_\_\_\_, 2019.

**ORDINANCE NUMBER 24-\_\_\_\_\_**  
**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE,**  
**COOK AND KANE COUNTIES, ILLINOIS, AMENDING VILLAGE CODE**  
**SECTION 37.01, AND CHAPTERS 113 AND 120, CONCERNING FOOD TRUCKS**

**WHEREAS**, the Village of East Dundee ("Village") is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, Section 37.01 of the "Code of the Village of East Dundee," as amended ("Village Code"), sets forth the fees and fines for Food Trucks in the Village; and

**WHEREAS**, Chapter 113 of the Village Code governs use of vending units in the Village; and

**WHEREAS**, Chapter 120 of the Village Code governs use of the Village's Depot and Depot Park; and

**WHEREAS**, the Village desires to amend Chapters 37, 113, and 120 of the Village Code to clarify the regulations governing the operation of Food Trucks in the Village; and

**WHEREAS**, the President and Board of Trustees have determined it to be in the best interest of the Village to amend the Village Code;

**NOW THEREFORE BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:**

**SECTION 1: Incorporation.** That the recitals above shall be and are hereby incorporated as Section 1 as if restated herein.

**SECTION 2: Amendment to Section 37.01.** That Section 37.01, titled "Fee and Fine Schedule," of Chapter 37, titled "Fees and Fines," of the Village Code is hereby amended as follows, with additions **bold** and double-underlined and deletions ~~struck through~~:

"§37.01        FEE AND FINE SCHEDULE.

\*        \*        \*

(R)    ~~Vending unit~~ **Food Truck** licenses (Chapter 113 ~~and Chapter 120~~).

      (1) ~~New application: \$300~~ **\$100**

      (2) ~~New application received June 30: \$150~~

      (3) ~~Renewal: \$150~~

      (4) ~~Renewal application received after January 1: \$150 plus \$10/business day after January 1~~

(5) ~~Depot Food Truck Zone application: \$75 per day plus \$100 security deposit~~

\* \* \*

**SECTION 3: Amendment to Chapter 113.** That Chapter 113, titled “Vending Units,” of the Village Code is hereby amended as follows, with additions **bold** and double-underlined and deletions struck through:

~~“CHAPTER 113: VENDING UNITS~~ **FOOD TRUCKS**

§ 113.01 Definitions.

For purposes of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

~~COMMISSARY. Any duly licensed food establishment in which food, containers or supplies are kept, handled, prepared, packaged, or stored and directly from which mobile vending units are serviced, and where mobile vending units are cleaned.~~

~~MOBILE VENDING UNIT~~ **FOOD TRUCK**. A vending unit **vehicle or trailer mounted food establishment without permanent potable water, wastewater, or electric connections**, designed and operated to be readily movable (e.g. a mobile truck moving from location to location continuously). ~~The unit shall return daily to a commissary for supplies, cleaning and for all servicing operations. The unit does not have permanent potable water, wastewater, or electric connections.~~

~~NONMOBILE VENDING UNIT. A vending unit that maintains one fixed location. The vending unit shall be provided with permanent potable water, wastewater and electric connections at the fixed location to ensure no interruption in operations.~~

**FOOD TRUCK LICENSE. The license issued under this chapter.**

**FOOD TRUCK OPERATOR. Any person who physically operates a Food Truck for purposes of vending.**

**FOOD TRUCK ZONES. Those portions of the public right-of-way designated by the Village with signage for the operation of Food Trucks, as depicted in Figure 1 and described as follows: (i) the east portion of Meier Street, south of Railroad Street; (ii) adjacent to 311 Barrington Avenue; (iii) the east portion of the public right-of-way on Fourth Street, south of Barrington Avenue.**

**[insert figure 1]**

OWNER. The titleholder of the vending unit **Food Truck**.”

PERSON. Any individual, partnership, firm, corporation, trust, association or other entity.

PUSHCART. A self-propelled vehicle, either by foot or bicycle, serving food.

VENDING. The act of selling, or offering to sell, any food or beverage for human consumption from a vending unit Food Truck or pushcart on private property.

~~VENDING UNIT. A vehicle mounted food establishment from which the retail sale of food or beverage for human consumption is conducted. A vending unit includes what is commonly referred to as a FOOD TRUCK.~~

~~VENDING UNIT OPERATOR. Any person who physically operates a vending unit or pushcart.~~

~~VENDING UNIT LICENSE. The license issued under this chapter.~~

#### § 113.02 LICENSE REQUIRED.

(A) No person shall engage in, conduct, maintain, operate or carry on any vending unit Food Truck business, occupation, activity or establishment without first obtaining a vending unit Food Truck license.

(B) In the event that the applicant will be operating more than one such vending unit Food Truck, the applicant must file separate applications and obtain separate vending unit Food Truck licenses for each such vending unit Food Truck.

#### § 113.03 GENERAL REQUIREMENTS AND RESTRICTIONS.

(A) Vending unit Food Truck licenses shall be annual, **commencing no earlier than** from January 1 to **and terminating no later than** December 31 **of each year**.

(B) Licensed vending units Food Trucks may be operated from **10:00 a.m. to 6:00 p.m., Friday to Monday, and as otherwise approved by the Village Administrator** 8:00 a.m. to 8:00 p.m. Sunday through Saturday, including holidays.

(C) An applicant for a vending unit license for a mobile vending unit shall supply the name and address of the commissary where the vending unit will be cleaned and serviced, and if such vending unit is not stored at the commissary, the name and address of the place where such vending unit will be stored when not in use. The Department of Health must approve of such locations.

(D) Prior to the issuance of a vending units Food Trucks license, the applicant shall comply with any and all requirements or regulations maintained by the Kane County Health Department **and the Village Fire**

Protection District relating to food handling and the operation of a vending unit, which may include a consultation to review the proposed business practices, the ~~vending units~~ Food Truck and other equipment to be used, and food safety operations.

(E) ~~Mobile vending units shall operate from a commissary and shall report at least daily to such location for all supplies and for all cleaning and servicing operations.~~ Outside of private property for private use, Food Trucks are permitted only in the designated Food Truck Zones.

(F) Pushcarts shall be are prohibited.

(G) Before a ~~vending unit~~ Food Truck license is issued, a ~~vending unit~~ Food Truck owner must provide a certificate of insurance evidencing the ~~vending unit~~ Food Trucks owner has obtained a commercial general liability insurance policy for liability arising in any way from the issuance of the ~~vending unit~~ Food Truck license or activities conducted pursuant to the vending unit license with limits of not less than \$1,000,000 per occurrence, combined single limit, for bodily injury and property damage. The certificate shall name the Village of East Dundee as an additional insured. If a ~~vending unit~~ Food Truck license is issued, the licensee shall maintain the insurance described herein in full force and effect for the duration of the license period, Certificates shall contain an agreement signed by the insurance company that prior to modification, cancellation or termination of the subject policy, written notice shall be sent to the Village Clerk by said insurance company.

(H) No person shall be employed may operate as a ~~vending unit~~ Food Truck operator without a valid driver's license.

(I) No ~~vending unit~~ Food Truck license shall be issued to any person, or to any entity employing any person as a ~~vending unit~~ Food Truck operator, who has been convicted of the commission of a felony under the laws of the State of Illinois or any other state or federal law of the United States, within the previous five years or convicted at any time of a crime requiring registration on any sex offender list or database or a felony involving drugs, the use of a firearm in the commission of an offense, or any violent felony; nor to any person who has been convicted of a violation of any of the provisions of this chapter, nor to any person whose ~~vending unit~~ Food Truck license issued hereunder has previously been revoked as herein provided.

(J) The Village President, Police Chief of the East Dundee Police Department or Village Administrator may from time to time reasonably restrict the locations within the municipal limits of the Village of East Dundee in which ~~vending units~~ Food Trucks may be operated in order to promote the public safety. Any ~~vending units~~ Food Trucks operator failing to comply with the direction of a duly authorized village official regarding the ~~vending units~~ Food Truck's location of operation may be subject to suspension and revocation as provided herein.

(K) Door to door sales are prohibited.

(L) Vending is allowed only when the Food Truck is lawfully stopped.

(M) Vending is allowed only from the side of the Food Truck away from moving traffic and as near as possible to the curb or side of the street. Vending to a person standing in the roadway is prohibited.

(N) The Food Truck shall contain a convex mirror mounted on the front so the driver, in his/her normal seating position, can see the area in front of the Food Truck.

(O) Food Trucks operating within any of the Food Truck Zones may only operate within the area of the Village right-of-way designated for use for the operation of Food Trucks.

(P) Food Trucks may operate within a Food Truck Zone only on Fridays, Saturdays, Sundays, and Mondays, from 10:00 a.m. to 6:00 p.m. These hours may be extended or reduced at the discretion of the Village Administrator or his/her designee.

(P) Food Trucks operating outside of a Food Truck Zone may operate only within a parking lot and with the consent of the owner of the parking lot.

(Q) No person or entity operating or maintaining a vending unit will be issued a license for operation within the Food Truck Zone for more than 15 days per year.

(R) The Food Truck license fee shall be set pursuant to Chapter 37 of this Code.

(S) The sale of liquor from any Food Truck is prohibited.

(T) The issuance of Food Truck licenses is at the discretion of the Village Administrator or his/her designee and may be denied by the village for any reason.

(U) At its discretion, the Village may issue a Food Truck license for the Food Truck zone for any community event sponsored by the village regardless of the day of the week or hours of operation.

(V) Food Truck operators may not use tents in the operation of their Food Trucks."

§ 113.04 MOBILE VENDING UNIT REQUIREMENTS AND RESTRICTIONS Reserved.

~~—In addition to the general restrictions and requirements found at § 113.03 hereof, the following requirements and restrictions shall apply to mobile vending units.~~

~~(A) Door to door sales shall be prohibited.~~

~~(B) Vending is allowed only when the mobile vending unit is lawfully stopped.~~

~~(C) Vending is allowed only from the side of the mobile vending unit away from moving traffic and as near as possible to the curb or side of the street. Vending to a person standing in the roadway is prohibited.~~

~~(D) The mobile vending unit shall contain a stop signal arm that can be extended horizontally from the left side of the vending unit duplicating the design and size of a standard octagonal stop sign as set forth in the State of Illinois Manual of Uniform Traffic Control Devices.~~

~~(E) The mobile vending unit shall contain a convex mirror mounted on the front so the driver, in his/her normal seating position, can see the area in front of the vending unit.~~

~~(F) Mobile vending units shall be prohibited from vending in any Business District within the village, as described in Chapter 157 of the Code of Ordinances of the Village of East Dundee.~~

#### ~~§ 113.05 NONMOBILE VENDING UNIT REQUIREMENTS AND RESTRICTIONS~~ **Reserved.**

~~—(B) Temporary vending unit licenses for nonmobile vending units to operate on a fixed location on public property may be issued for village recognized community events. Temporary vending unit licenses for nonmobile vending units to operate within the Depot Food Truck Zone may be issued in accordance with § 120.08.~~

~~—(C) Prior to the issuance of a vending unit license, a nonmobile vending unit must obtain a lease agreement for the location to be licensed if the location is not owned by the vending unit license applicant.~~

#### ~~§ 113.06 APPLICATION.~~

~~(A) Application for a vending unit **Food Truck** license shall be **filed with the Village** made upon a form **as** provided by the office of the Village Clerk and filed with such. Said license shall be carried by the applicant while operating the vending unit **Food Truck** and shall be displayed at all times in a place readily visible to all customers. The applicant shall truthfully state in full the **provide in full the** information requested on the application:~~

\* \* \*

(3) Description of the proposed ~~vending unit operation~~ **of the Food Truck**;

(4) Proposed route for mobile vending unit (including location of commissary) or site plan of location for nonmobile vending units;

~~(5)~~**(4)** **All required state and county certificates, including, without limitation, the** The applicant's certificate of registration under the Illinois Retailers' Occupation Tax Act;

~~(6)~~**(5)** Any vending unit operator shall be **All** required to obtain a food handling permits and mobile vending unit permits (if applicable) from the Kane County Health Department **and the Fire Protection District**;

~~(7)~~**(6)** A lease agreement for nonmobile vending units located on private property under the ownership of others, or proof of ownership of the private property;

~~(8)~~**(7)** Certificate of insurance;

~~(9)~~**(8)** Whether a vending unit **Food Truck** license issued under this chapter has ever been revoked;

~~(10)~~**(9)** Whether the applicant has ever been convicted of a violation of any of the provisions of this chapter or the ordinance of any other Illinois municipality regulating the activities of vending unit **Food Truck** operators;

~~(11)~~**(10)** A sworn statement from the applicant and any person to be employed as a vending unit **Food Truck** operator that he/she has not been convicted of the commission of a felony under the laws of the State of Illinois or any other state or federal law of the United States, within the previous five years, and that he/she has not been convicted, at any time, of a crime requiring registration on any sex offender list or database or a felony involving drugs, the use of a firearm in the commission of an offense, or any violent felony."

\* \* \*

## § 113.07 ISSUANCE OF LICENSE.

(A) The ~~office of the Village Clerk~~, after consideration of the application and all information obtained relative thereto, shall, within ~~ten~~ **15** business days of application, approve or deny the application. If the person does not possess the qualifications for such certificate, as herein required, and the ~~issuance of a certificate of registration to~~ **approval of** the applicant would not be in accord with the intent and purpose of this chapter, then the ~~office of the Village Clerk~~ shall deny the application. Endorsement shall be made

~~by the office of the Village Clerk upon the application of the denial of the application. If the applicant is found to be fully qualified, the certificate of registration shall be issued within five business days of the application approval so long as the application fees have been fully paid. Any certificate of registration issued pursuant to this chapter shall expire one year after issuance.~~

~~–(B)– The office of the Village Clerk shall cause to be kept an accurate record of every application received and acted upon together with all other information and data pertaining thereto and all licenses issued under the provisions of this chapter and of the denial of applications.~~

**SECTION 4: Amendment to Section 120.08.** That Section 120.08, titled Depot Food Truck Zone, of Chapter 120, titled “Requests for the Use of the Depot and Depot Park,” of the Village Code is hereby amended as follows, with additions **bold** and double-underlined and deletions struck through:

~~“§ 120.08 DEPOT FOOD TRUCK ZONE.~~

~~(A) For purposes of this Code the Depot Food Truck Zone shall be defined as the area designated by the Village for temporary nonmobile vending units which is located within the furthest north parking spaces on the west side of River Street and adjacent to Depot Park. The Depot Food Truck Zone is depicted below:~~

~~(B) Vending units operating within the depot pursuant to this chapter shall only be permitted in the depot Food Truck zone which vending units licenses shall be issued as described in this chapter.~~

~~(C) Only nonmobile vending units shall be permitted to operate within the Depot Food Truck Zone.~~

~~(D) All vending units operating within the Depot Food Truck Zone are subject to the terms and provisions of this Chapter as well as Chapter 113 of this Code. If there is ever a conflict between the provisions of this Chapter and the provisions of Chapter 113, the provisions of this Chapter shall control.~~

~~(E) Only one vending unit shall be permitted to operate within the Depot Food Truck Zone at any given time.~~

~~(F) No person shall engage in, conduct, maintain, operate or carry on any vending unit business, occupation, activity or establishment within the Depot Food Truck Zone without first obtaining a vending unit license. The application shall be made pursuant to the provisions of § 113.06 and shall be reviewed and approved by the Village Administrator or his/her designee. All licenses issued pursuant to this Chapter shall only be valid for the day designated on the license.~~

~~(G) No person or entity operating or maintaining a vending unit will be issued a license for operation within the Depot Food Truck Zone for more than 12 days per year.~~

~~(H) The issuance of vending unit licenses for the designated Depot Food Truck Zone will be permitted on Fridays, Saturdays, and Sundays only.~~

~~(I) The hours of operation of a vending unit within the Depot Food Truck Zone are 8:00 a.m. to 10:00 p.m. on Fridays and Saturdays and 8:00 a.m. to 8:00 p.m. on Sundays. These hours may be extended or reduced at the discretion of the Village Administrator or his/her designee.~~

~~(J) A vending unit must be sponsored by a local business or nonprofit organization serving the residents of East Dundee in order to be issued a license for the Depot Food Truck Zone. The determination of whether a vending unit meets this requirement shall be at the discretion of the Village Administrator or his/her designee. No business or nonprofit may sponsor more than 24 Food Truck days per year.~~

~~(K) The vending unit license fee and deposit for the Depot Food Truck Zone shall be set pursuant to Chapter 37 of this Code.~~

~~(L) The window of the vending unit where food sales are made shall be facing west adjacent to the Depot lawn for the safety of the patrons. The patrons shall not be permitted to stand in the street.~~

~~(M) The sale of liquor from any vending unit shall be prohibited.~~

~~(N) The issuance of vending unit licenses for the designated Depot Food Truck Zone is at the discretion of the Village Administrator or his/her designee and may be denied by the village for any reason.~~

~~(O) At its discretion, the village may issue a vending unit license for the depot Food Truck zone to a vending unit for any community event sponsored by the village regardless of the day of the week or hours of operation."~~

**SECTION 5: Continuation.** That all provisions of the Village Code not amended herein shall remain in full force and effect.

**SECTION 6: Severability.** That if any Section, paragraph, or provision of this Ordinance shall be held to be invalid and unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance.

**SECTION 7: Repeal.** That all ordinances, resolutions, motions or parts thereof in conflict with this Ordinance shall be hereby repealed.

**SECTION 8: Effect.** That this Ordinance shall be in full force and effect upon its adoption, approval and publication in pamphlet form as provided by law.

[SIGNATURE PAGE FOLLOWS]

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_ 2024 pursuant to a roll call vote as follows:

AYES: \_\_\_\_\_

NAYES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED** by me this \_\_\_\_\_ of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Jeffrey Lynam, Village President

**ATTEST:**

\_\_\_\_\_  
Katherine Diehl, Village Clerk



## **Food Truck Permit Application & Agreement**

The undersigned ("Applicant") requests to be considered by the Village of East Dundee, Illinois ("Village") for approval to operate a food truck ("Food Truck") within the Village, subject to the terms and conditions of this Food Truck Permit Application and Agreement ("Agreement").

### **SECTION 1. APPLICANT INFORMATION**

Applicant Name(s): \_\_\_\_\_ DOB: \_\_\_\_\_  
Driver License #: \_\_\_\_\_ License Expiration Date: \_\_\_\_\_  
Truck Year/Make/Model: \_\_\_\_\_ VIN #: \_\_\_\_\_  
Business Legal Name: \_\_\_\_\_  
Business D/B/A Name: \_\_\_\_\_  
License Plate # and State: \_\_\_\_\_ Applicant Email Address: \_\_\_\_\_  
Business Phone #: \_\_\_\_\_ Applicant's Cell #: \_\_\_\_\_  
Business Website: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Web Address: \_\_\_\_\_ Facebook Address: \_\_\_\_\_  
On-Site Supervisor During Event: \_\_\_\_\_ On-Site Employee Cell #: \_\_\_\_\_

### **SECTION 2. FOOD TRUCK ZONES**

Food truck operations are limited to 15 days annually unless otherwise specified by Village Administrator. Assignment of Food Truck Zone and scheduling is on a first-come-first-serve basis, and may be adjusted at the sole discretion of the Village. Applicant understands that their preferred Food Truck Zone and dates are not guaranteed to be assigned.

#### **Food Truck Zones:**

Please rank your preferred Food Truck Zone:

☐ **Meier Street Zone**      ☐ **Barrington Avenue Zone**      ☐ **4<sup>th</sup> Street Zone**

If interested in multiple dates and/or Food Truck Zones, list in priority order, from most desired to least desired: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Proposed Dates and Hours:**

Food trucks hours of operation in the Village within the Food Truck Zones are Friday – Monday, from 10:00 am to 6:00 pm. Applicant may only operate the Food Truck during the dates and hours set forth below, as approved by the Village. Food Trucks operating on private property must have the consent of the property owner and must follow the business hours of that property.

Please indicate your preferred dates for operation of the Food Truck, from most desired to least: \_\_\_\_\_

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Please indicate hours of operation of the Food Truck: \_\_\_\_\_

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**SECTION 3. REPRESENTATIONS**

If the answer is yes to any of the following questions, provide information on the violation, including description of the violation, the municipality in which the violation occurred, the date of the violation, and penalty imposed. Attach an additional sheet if needed.

1. Has your food truck license or permit ever been revoked in any jurisdiction? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. Have you ever been convicted of a violation of any regulation, ordinance, or law of any Illinois municipality regulating the activities of food trucks / vending unit? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Have you or your food truck operator been convicted of a felony under the laws of the State of Illinois, or any other state, or federal law, within the previous five years? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. Have you or your food truck operator ever been convicted of a misdemeanor or felony that required registration on a sex offender list or database? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. Have you or your food truck operator ever been convicted of a felony involving drugs, the use of a firearm in the commission of an offense, or a violent felony? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION 4. FOOD TRUCK OPERATION DETAILS**

What side of the Food Truck do you serve the public: Driver-Side or Passenger-Side? \_\_\_\_\_

List and describe all products that will be sold from the food truck:

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## SECTION 5. PAYMENT & REQUIRED DOCUMENTATION

### **Food Truck Permit Fees:**

Applying for the Food Truck Zone requires a \$100 application fee. The fee can be paid online via *eastdundee.net* or at Village Hall (120 Barrington Ave., East Dundee, IL 60118). Make checks payable to the Village of East Dundee. If emailing your application, payment shall be received in the office or made online, no later than the Monday of your designated event date. Food trucks are limited to 15 days annually unless otherwise specified by Village Administrator.

### **Required Documents:**

Incomplete applications will not be considered. This Agreement must include the following documents in order to be considered complete:

- Applicant's Driver's License or government-issued photo identification;
- Applicant's certificate of registration under the Illinois retailers' occupation tax act;
- Food Handling Permits and Mobile Vending Unit Permits from the County Health Department;
- Approved Fire Inspection/Permit from East Dundee Fire Protection District;
- A valid ACORD Certificate of Liability Insurance policy equal to or greater than \$1,000,000 aggregate. The following language must be included on the certificate of liability: *The Village of East Dundee and its elected and appointed officers, officials, agents, and employees are included as additional insureds*; and
- Comprehensive list of all items to be sold.

The Village reserves the right to require any other documentation from Applicant in issuing a Food Truck Permit.

## SECTION 6. RULES & REGULATIONS

Applicant agrees to adhere to the rules and regulations set forth in this Section, and all applicable local, county, state, and federal laws and Village ordinances. Applicant agrees to abide by the Code of the Village of East Dundee and the following regulations:

1. **Alcohol Concessions.** Food Trucks may not sell alcoholic beverages.
2. **Push Carts & Other Vending Units.** Food Trucks may not sell from any vending unit other than the permitted food truck of this application.
3. **Tents.** Applicant may not use tents or operate in any other location other than inside the Food Truck.
4. **Music/Noise.** No recorded or live music, bullhorns, or speakers of any kind are allowed in any form.

5. **Vendor Space.** Each vendor is assigned one 30 x 15 space. All items and equipment shall fit into and remain within that space. Items outside that area are subject to removal. The Village is not responsible for any items or equipment owned by Applicant or used for the operation of the Food Truck.
6. **Placement.** Food Truck Zone(s) will be assigned at the sole discretion of the Village, pending availability.
7. **Water.** The Village does not provide any water for the operation of the food truck.  
  
**Sidewalks.** The sidewalk around each food truck shall be kept clear for pedestrian traffic. All boxes, supplies, cooking items, etc., need to be kept within your space.
8. **Set-up/Additional Information:** Vendors will receive communication prior to the event detailing when and where they can set-up.
9. **Spot Inspections.** Local, state, and all other applicable permits are the responsibility of the applicant. All vendors may be subject to spot inspections. All permits from the County and the East Dundee Fire Protection District must be visibly and clearly posted on the Food Truck and visible to the public.

## **SECTION 7. GENERAL PROVISIONS**

### **Hold Harmless and Indemnification:**

The applicant(s) shall be responsible for all actions and inactions of its guests, agents, or any third-party present at the site. In consideration for the Village granting Applicant a Food Truck Permit and entering into this Agreement, Applicant agrees to indemnify and hold harmless the Village of East Dundee and its officers, employees and agents from any liability incurred and/or claims made by any acts, directly or indirectly, of applicant and all people participating with the applicant in the event.

### **Severability:**

If any term, covenant, condition, or provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Agreement and the validity, enforceability, and application to any person, firm, corporation, or property will not be impaired thereby, but the remaining provisions are to be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Agreement to the greatest extent permitted by applicable law.

### **Entire Agreement:**

This Agreement constitutes the entire agreement between the parties and supersedes any and all previous or contemporaneous oral or written agreements and negotiations between the Village and the Consultant with respect to the Scope of Services and the Services.

**Non-Waiver:**

No waiver of any provision of this Agreement will be deemed to or constitute a waiver of any other provision of this Agreement (whether or not similar) nor will any waiver be deemed to or constitute a continuing waiver unless otherwise expressly provided in this Agreement.

Signature of Authorized Representative of Applicant: \_\_\_\_\_

Printed Name of Authorized Representative of Applicant: \_\_\_\_\_

Title of Authorized Representative of Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

ORDINANCE NUMBER 19 - 28

AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK  
AND KANE COUNTIES, ILLINOIS, AMENDING CHAPTERS 37, 113 AND 120 OF  
THE VILLAGE OF EAST DUNDEE VILLAGE CODE CREATING  
A DEPOT FOOD TRUCK ZONE

**WHEREAS**, the Village of East Dundee ("Village") is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the Village desires to amend the Village Code to allow for and regulate food trucks within the Depot/Depot Park area of the Village; and

**WHEREAS**, the President and Board of Trustees of the Village have deemed it to be in the best interests of the Village that the Village of East Dundee Village Code ("Village Code") be amended to allow for the operation and regulation of food trucks within the Depot/Depot Park area of the Village;

**NOW THEREFORE BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:**

**SECTION 1: Incorporation.** That each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Ordinance.

**SECTION 2: Village Code Amendments.** That the Village Code is hereby amended as follows:

**Amendment One:**

Section 37.01(R) of the Village Code is hereby amended to read as follows, with additions underlined and deletions struck through:

(R) *Vending unit licenses (Chapter 113 and Chapter 120).*

- (1) New application: \$300
- (2) New application received June 30: \$150
- (3) Renewal: \$150
- (4) Renewal application received after January 1: \$150 plus \$10/business day after January 1

(5) Depot Food Truck Zone application: \$75/day plus \$100 security deposit

**Amendment Two:**

Section 113.05(B) of the Village Code is hereby amended to read as follows, with additions underlined and deletions struck through:

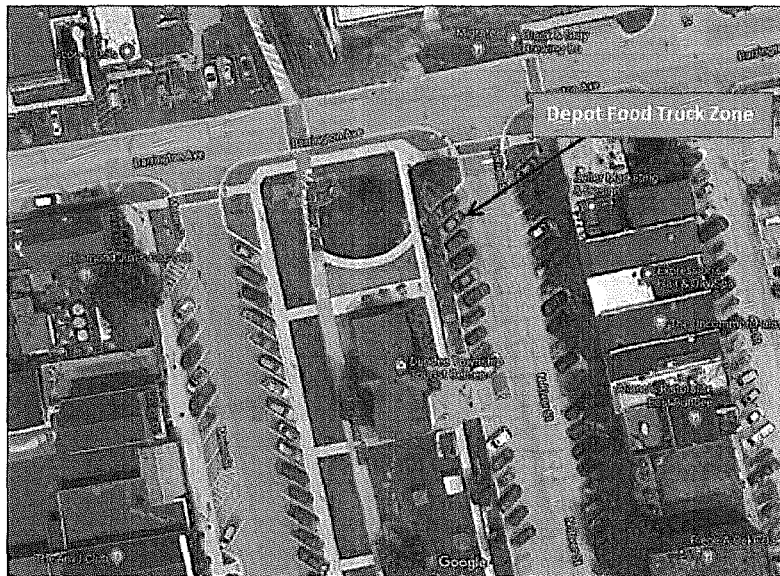
- B) Temporary vending unit licenses for nonmobile vending units to operate on a fixed location on public property may be issued for village recognized community events. Temporary vending unit licenses for nonmobile vending units to operate within the Depot Food Truck Zone may be issued in accordance with Section 120.08.

**Amendment Three:**

Section 120.08 is hereby added to the Village Code to read in its entirety as follows, with additions underlined and deletions struck through:

120.08 DEPOT FOOD TRUCK ZONE.

- A) For purposes of this Code the Depot Food Truck Zone shall be defined as the area designated by the Village for temporary nonmobile vending units which is located within the furthest north parking spaces on the west side of River Street and adjacent to Depot Park. The Depot Food Truck Zone is depicted below:



- B) Vending units operating within the Depot pursuant to this Chapter shall only be permitted in the Depot Food Truck Zone which vending units licenses shall be issued as described in this Chapter.
- C) Only nonmobile vending units shall be permitted to operate within the Depot Food Truck Zone.
- D) All vending units operating within the Depot Food Truck Zone are subject to the terms and provisions of this Chapter as well as Chapter 113 of this Code. If there is ever a conflict between the provisions of this Chapter and the provisions of Chapter 113, the provisions of this Chapter shall control.
- E) Only one (1) vending unit shall be permitted to operate within the Depot Food Truck Zone at any given time.
- F) No person shall engage in, conduct, maintain, operate or carry on any vending unit business, occupation, activity or establishment within the Depot Food Truck Zone without first obtaining a vending unit license. The application shall be made pursuant to the provisions of Chapter 113.06 and shall be reviewed and approved by the Village Administrator or his/her designee. All licenses issued pursuant to this Chapter shall only be valid for the day designated on the license.
- G) No person or entity operating or maintaining a vending unit will be issued a license for operation within the Depot Food Truck Zone for more than twelve (12) days per year.
- H) The issuance of vending unit licenses for the designated Depot Food Truck Zone will be permitted on Fridays, Saturdays, and Sundays only.
- I) The hours of operation of a vending unit within the Depot Food Truck Zone are 8:00 AM to 10:00 PM on Fridays and Saturdays and 8:00 AM to 8:00 PM on Sundays. These hours may be extended or reduced at the discretion of the Village Administrator or his/her designee.
- J) A vending unit must be sponsored by a local business or nonprofit organization serving the residents of East Dundee in order to be issued a license for the Depot Food Truck Zone. The determination of whether a vending unit meets this requirement shall be at the discretion of the Village Administrator or his/her designee. No business or nonprofit may sponsor more than twenty-four (24) food truck days per year.
- K) The vending unit license fee and deposit for the Depot Food Truck Zone shall be set pursuant to Chapter 37 of this Code.
- L) The window of the vending unit where food sales are made shall be facing west adjacent to the Depot lawn for the safety of the patrons. The patrons shall not be permitted to stand in the street.
- M) The sale of liquor from any vending unit shall be prohibited.
- N) The issuance of vending unit licenses for the designated Depot Food Truck Zone is at the discretion of the Village Administrator or his/her designee and may be denied by the Village for any reason.

- O) At its discretion, the Village may issue a vending unit license for the Depot Food Truck Zone to a vending unit for any community event sponsored by the Village regardless of the day of the week or hours of operation.

**SECTION 3: Continuation.** That all provisions of the Village Code not amended herein shall remain in full force and effect.

**SECTION 4: Severability.** That if any Section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

**SECTION 5: Repeal.** That all ordinances, resolutions, motions or parts thereof in conflict with this Ordinance shall be and the same are hereby repealed.

**SECTION 6: Effect.** That this Ordinance shall be in full force and effect upon its adoption, approval and publication in pamphlet form as provided by law.

**SECTION 7: Sunset Clause.** This Resolution shall be repealed without further action by the President and Board of Trustees on December 31, 2019.


ADOPTED this 19th day of Aug, 2019 pursuant to a roll call vote as follows:

AYES: Trustees Selep, Mahony, Andresen and Kunze

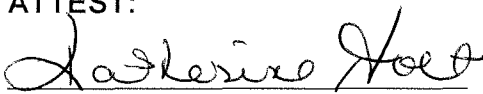
NAYES: Trustee Lynam

ABSENT: Trustee Wood

APPROVED by me this 19th day of August, 2019.

  
Lael Miller, Village President

ATTEST:

  
Katherine Holt, Village Clerk

Published in pamphlet form this 20th day of August, 2019, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on August 20, 2019.

ORDINANCE NUMBER 19 - 37

AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK  
AND KANE COUNTIES, ILLINOIS  
EXTENDING THE SUNSET CLAUSE FOR THE  
DEPOT FOOD TRUCK ZONE ORDINANCE  
(ORDINANCE 19-28)

**WHEREAS**, the Village of East Dundee ("Village") is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the Village Board approved Ordinance 19-28, An Ordinance Amending Chapters 37, 113 and 120 of the Village of East Dundee Village Code Creating a Depot Food Truck Zone on August 19, 2019; and

**WHEREAS**, Ordinance 19-28 included a Sunset Clause repealing the ordinance on December 31, 2019 without further action by the Village Board; and

**WHEREAS**, the President and Board of Trustees of the Village have deemed it to be in the best interests of the Village to extend the Sunset Clause of Ordinance 19-28 to December 31, 2020;

**NOW THEREFORE BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:**

**SECTION 1: Incorporation.** That each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Ordinance.

**SECTION 2: Ordinance Amendment.** That Section 7, Sunset Clause, of Ordinance 19-28 is hereby amended to read as follows, with additions underlined and deletions struck through:

This Ordinance shall be repealed without further action by the President and Board of Trustees on December 31, ~~2019~~2020.

**SECTION 3: Continuation.** That all provisions of the Village Code not amended herein shall remain in full force and effect.

**SECTION 4: Severability.** That if any Section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

**SECTION 5: Repeal.** That all ordinances, resolutions, motions or parts thereof in conflict with this Ordinance shall be and the same are hereby repealed.

**SECTION 6: Effect.** That this Ordinance shall be in full force and effect upon its adoption, approval and publication in pamphlet form as provided by law.

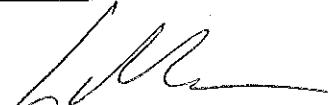
**ADOPTED** this 14<sup>th</sup> day of Decem<sup>ber</sup>, 2019 pursuant to a roll call vote as follows:

AYES: Trustees Selep, Wood, Mahony, Andresen and Kunze


NAYES: Ø

ABSENT: Trustee Lynam

**APPROVED** by me this 14<sup>th</sup> day of Dec., 2019.

  
\_\_\_\_\_  
Lael Miller, Village President

**ATTEST:**

  
\_\_\_\_\_  
Katherine Holt, Village Clerk

Published in pamphlet form this 17<sup>th</sup> day of Dec, 2019, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on Dec 17, 2019.

Ordinance No. 17-10

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, ILLINOIS, COOK AND KANE COUNTIES, ILLINOIS, AMENDING THE CODE OF ORDINANCES OF THE VILLAGE OF EAST DUNDEE TO ADD A CHAPTER FOR THE LICENSING OF MOBILE AND NONMOBILE VENDING UNITS**

**WHEREAS**, the Village of East Dundee (the "*Village*") is a duly organized and validly existing home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

**WHEREAS**, the Village pursuant to its home rule powers has the authority to exercise any power and perform any function pertaining to its government and affairs including the power to regulate for the protection of the public health, safety and welfare; and,

**WHEREAS**, pursuant to its home rule authority, the Village has determined that it is in the best interests of the health, safety and welfare of its residents to amend the Code of Ordinances of the Village of East Dundee by setting forth licensing requirements and regulations for mobile and nonmobile vending units.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of East Dundee, Cook and Kane County, Illinois, as follows:

*Section 1.* That Title XI of the Code of Ordinances of the Village of East Dundee is hereby amended by adding the following Chapter 113:

**CHAPTER 113: VENDING UNITS**

**§ 113.01 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**COMMISSARY.** Any duly licensed food establishment in which food, containers or supplies are kept, handled, prepared, packaged, or stored and directly from which mobile vending units are serviced, and where mobile vending units are cleaned.

**VENDING UNIT.** A vehicle mounted food establishment from which the retail sale of food or beverage for human consumption is conducted. A vending unit includes what is commonly referred to as a "food truck."

**MOBILE VENDING UNIT.** A vending unit designed and operated to be readily movable (e.g, a mobile truck moving from location to location continuously). The unit shall return daily to a commissary for supplies, cleaning and for all servicing operations. The unit shall not have permanent potable water, wastewater, or electric connections.

**NONMOBILE VENDING UNIT.** A vending unit that maintains one fixed location. The vending unit shall be provided with permanent potable water, wastewater and electric connections at the fixed location to ensure no interruption in operations.

**OWNER.** The titleholder of the vending unit.

**PERSON.** Any individual, partnership, firm, corporation, trust, association or other entity.

**PUSHCART.** A self-propelled vehicle, either by foot or bicycle, serving food.

**VENDING.** The act of selling, or offering to sell, any food or beverage for human consumption from a vending unit or pushcart on private property.

**VENDING UNIT OPERATOR.** Any person who physically operates a vending unit or pushcart.

**VENDING UNIT LICENSE.** The license issued under this Chapter 113.

#### § 113.02 LICENSE REQUIRED.

- (A) No person shall engage in, conduct, maintain, operate or carry on any vending unit business, occupation, activity or establishment without first obtaining a vending unit license.
- (B) In the event that the applicant will be operating more than one such vending unit, the applicant must file separate applications and obtain separate vending unit licenses for each such vending unit.

#### § 113.03 GENERAL REQUIREMENTS AND RESTRICTIONS.

- (A) Vending unit licenses shall be annual from January 1<sup>st</sup> to December 31<sup>st</sup>.
- (B) Licensed vending units may be operated from eight o'clock (8:00) a.m. to eight o'clock (8:00) p.m. Sunday through Saturday, including holidays.

- (C) An applicant for a vending unit license for a mobile vending unit shall supply the name and address of the commissary where the vending unit will be cleaned and serviced, and if such vending unit is not stored at the commissary, the name and address of the place where such vending unit will be stored when not in use. The department of health must approve of such locations.
- (D) Prior to the issuance of a vending unit license, the applicant shall comply with any and all requirements or regulations maintained by the Kane County Health Department relating to food handling and the operation of a vending unit, which may include a consultation to review the proposed business practices, the vending unit and other equipment to be used, and food safety operations.
- (E) Mobile vending units shall operate from a commissary and shall report at least daily to such location for all supplies and for all cleaning and servicing operations.
- (F) Pushcarts shall be prohibited.
- (G) Before a vending unit license is issued, a vending unit owner must provide a certificate of insurance evidencing the vending unit owner has obtained a commercial general liability insurance policy for liability arising in any way from the issuance of the vending unit license or activities conducted pursuant to the vending unit license with limits of not less than \$1,000,000 per occurrence, combined single limit, for bodily injury and property damage. The certificate shall name the Village of East Dundee as an additional insured. If a vending unit license is issued, the licensee shall maintain the insurance described herein in full force and effect for the duration of the license period. Certificates shall contain an agreement signed by the insurance company that prior to modification, cancellation or termination of the subject policy, written notice shall be sent to the Village Clerk by said insurance company.
- (H) No person shall be employed as a vending unit operator without a valid driver's license.
- (I) No vending unit license shall be issued to any person, or to any entity employing any person as a vending unit operator, who has been convicted of the commission of a felony under the laws of the state of Illinois or any other state or federal law of the United States, within the previous five (5) years or convicted at any time of a crime requiring registration on any sex offender list or database or a felony involving drugs, the use of a firearm in the commission of an offense, or any violent felony; nor to any person who has been convicted of a violation of any of the provisions of this chapter, nor to any person whose vending unit license issued hereunder has previously been revoked as herein provided.
- (J) The Village President, Police Chief of the East Dundee Police Department, or Village Administrator may from time to time reasonably restrict the locations within the municipal limits of the Village of East Dundee in which vending units

may be operated in order to promote the public safety. Any vending unit operator failing to comply with the direction of a duly authorized village official regarding the vending unit's location of operation may be subject to suspension and revocation as provided herein.

#### § 113.04 MOBILE VENDING UNIT REQUIREMENTS AND RESTRICTIONS.

In addition to the general restrictions and requirements found at § 113.03 hereof, the following requirements and restrictions shall apply to mobile vending units:

- (A) Door to door sales shall be prohibited.
- (B) Vending is allowed only when the mobile vending unit is lawfully stopped.
- (C) Vending is allowed only from the side of the mobile vending unit away from moving traffic and as near as possible to the curb or side of the street. Vending to a person standing in the roadway is prohibited.
- (D) The mobile vending unit shall contain a stop signal arm that can be extended horizontally from the left side of the vending unit duplicating the design and size of a standard octagonal stop sign as set forth in the State of Illinois Manual of Uniform Traffic Control Devices.
- (E) The mobile vending unit shall contain a convex mirror mounted on the front so the driver, in his/her normal seating position, can see the area in front of the vending unit.
- (F) Mobile vending units shall be prohibited from vending in any Business District within the Village, as described in Title XV Chapter 157 of the Code of Ordinances of the Village of East Dundee.

#### § 113.05 NONMOBILE VENDING UNIT REQUIREMENTS AND RESTRICTIONS.

In addition to the general restrictions and requirements found at § 113.03 hereof, the following requirements and restrictions shall apply to nonmobile vending units:

- (A) Annual vending unit licenses for nonmobile vending units shall be issued for one fixed location on private property. The fixed location for an annual vending unit license for a nonmobile vending unit must be located within a Manufacturing District within the Village, as described in Title XV Chapter 157 of the Code of Ordinances of the Village of East Dundee. Nonmobile vending units are strictly prohibited from vending in any other zoning district.
- (B) Temporary vending unit licenses for nonmobile vending units to operate on a fixed location on public property may be issued for Village recognized community events.

- (C) Prior to the issuance of a vending unit license, a nonmobile vending unit must obtain a lease agreement for the location to be licensed if the location is not owned by the vending unit license applicant.

#### § 113.06 APPLICATION.

- (A) Application for a vending unit license shall be made upon a form provided by the office of the Village Clerk and filed with such. Said license shall be carried by the applicant while operating the vending unit and shall be displayed at all times in a place readily visible to all customers. The applicant shall truthfully state in full the information requested on the application:

- (1) If the applicant is an individual or sole proprietorship, the application shall contain his or her name, date of birth, business name, if any, business and residence addresses and business and residence telephone numbers. If the applicant is a partnership or other non-corporate business entity, the application shall contain the business names, if any, address and telephone number of the partnership or other entity, and the names, dates of birth and residence addresses and residence telephone numbers of each partner or member thereof. If the applicant is a corporation, the application shall contain the name of the corporation and its address and telephone number and the names, residence addresses and residence telephone numbers of each officer and director thereof, and if a majority in interest of the stock of such corporation is owned by one person or his or her nominee or nominees, the application shall also contain the name, date of birth, residence address and residence telephone number of such person.
- (2) Copy of current applicant's photo identification or driver's license;
- (3) Description of the proposed vending unit operation;
- (4) Proposed route for mobile vending unit (including location of commissary) or site plan of location for nonmobile vending units;
- (5) The applicant's certificate of registration under the Illinois retailers' occupation tax act.
- (6) Any vending unit operator shall be required to obtain a Food Handling Permit and Mobile Vending Unit Permit (if applicable) from the Kane County Health Department;
- (7) A lease agreement for nonmobile vending units located on private property under the ownership of others; or proof of ownership of the private property.
- (8) Certificate of insurance;
- (9) Whether a vending unit license issued under this chapter has ever been revoked;

- (10) Whether the applicant has ever been convicted of a violation of any of the provisions of this chapter or the ordinance of any other Illinois municipality regulating the activities of vending unit operators;
- (11) A sworn statement from the applicant and any person to be employed as a vending unit operator that he/she has not been convicted of the commission of a felony under the laws of the state of Illinois or any other state or federal law of the United States, within the previous five (5) years, and that he/she has not been convicted, at any time, of a crime requiring registration on any sex offender list or database or a felony involving drugs, the use of a firearm in the commission of an offense, or any violent felony; and
- (B) All statements made by the applicant upon the application or in connection therewith shall be under oath.
- (C) Application fee as set forth in this Chapter.

#### § 113.07 ISSUANCE OF LICENSE.

- (A) The office of the Village Clerk, after consideration of the application and all information obtained relative thereto, shall, within ten (10) business days of application, approve or deny the application. If the person does not possess the qualifications for such certificate, as herein required, and the issuance of a certificate of registration to the applicant would not be in accord with the intent and purpose of this chapter, then the office of the Village Clerk shall deny the application. Endorsement shall be made by the office of the Village Clerk upon the application of the denial of the application. If the applicant is found to be fully qualified, the certificate of registration shall be issued within five (5) business days of the application approval so long as the application fees have been fully paid. Any certificate of registration issued pursuant to this chapter shall expire one year after issuance.
- (B) The office of the Village Clerk shall cause to be kept an accurate record of every application received and acted upon together with all other information and data pertaining thereto and all licenses issued under the provisions of this chapter and of the denial of applications.

#### § 113.08 FEES.

Each applicant shall pay the application fees required in the fee and fine schedule.

#### § 113.09 LICENSE RENEWAL.

In all subsequent years, the applicant must file a renewal application covering such vending unit. License renewals not received by January 1 shall be subject to the penalty contained within the

fee and fine schedule. License renewals not received by February 1 shall require a new application.

§ 113.10 LICENSE NONTRANSFERABLE.

The vending unit license issued hereunder shall not be transferable to any other person as defined herein.

§ 113.11 WAIVER OF LICENSE REQUIREMENT.

- (A) The Village Administrator may waive any and all requirements of this chapter for a temporary vending unit operating upon public property during a Village recognized community event or a temporary vending unit sponsored by or working for a religious, educational, or charitable organization where such organization is entirely a nonprofit organization.
- (B) The requirements of this chapter shall not apply to the Caboose Concession Stand owned by the Village of East Dundee.

§ 113.12 REVOCATION AND SUSPENSION.

Revocation and suspension of vending unit licenses shall be regulated by Section 110.12 of the Village Code.

*Section 2:* That Title III, Chapter 37, Section 37.01 of the Code of Ordinances of the Village of East Dundee is hereby amended by adding the following to subpart R thereof:

*Vending Unit Licenses (Chapter 113).*

- (1) New Application: \$300.00
- (2) New Application Received June 30: \$150.00
- (3) Renewal: \$150.00
- (4) Renewal Application Received After January 1: \$150.00 plus \$10.00 per business day after January 1.

*Section 3:* This Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form as provided by law.

ADOPTED this 13<sup>th</sup> day of Feb, 2017 pursuant to a roll call vote as follows:

AYES: Trustees Gorman, Lynam, Selep, Wood and Hall

NAYS: Ø

ABSENT: Ø

APPROVED by me this 13<sup>th</sup> day of Feb, 2017.

Attest:

Daphne Holt  
Village Clerk

[Signature]  
Village President

Published in pamphlet form:

February 14, 2017

## Memorandum



**To:** Village President and Board of Trustees  
**From:** Phil Cotter, Director of Public Works  
**Subject:** Discussion of Lead Water Service Lines  
**Date:** June 3, 2024

---

### **Action Requested:**

Staff recommends Village Board discussion involving compliance with the Illinois Lead Service Line Replacement and Notification Act (Act) and requests direction on funding options for the replacement of lead service lines.

### **Summary:**

On June 26, 2023, staff and a representative from Baxter & Woodman Consulting Engineers gave a presentation to the Village Board on the Illinois Lead Service Line Replacement and Notification Act (415 ILCS 5/17.12) and the requirements associated with replacing lead water service lines. The following is a summary of what has occurred since the June 26<sup>th</sup> meeting and what is required going forward:

- April 15, 2024 compliance deadline -
  - Submitted updated *Water Service Material Inventory* to the Illinois Environmental Protection Agency (IEPA)
  - *Developed and Submitted Draft Lead Service Line Replacement Plan* to the IEPA – a copy of the *Plan* is attached hereto

Going forward, the Village will be required to submit annual updates to the *Water Service Material Inventory* and the *Draft LSL Replacement Plan* to the IEPA by April 15, 2025 and April 15, 2026. By April 15, 2027, the Village will submit an updated *Water Service Material Inventory*, a Final LSL Replacement Plan, and will be required to replace lead service lines in accordance with *LSL Replacement Plan* at the designated replacement rate (projected to be 7% annually).

The Village's *Water Service Material Inventory* indicated that there are 1,491 service connections in East Dundee. Ongoing survey records indicate that there are 222 known lead water service lines and the type of service line material for 332 services is unknown. Staff anticipates that there are closer to 300 lead services in the Village that will need to be replaced.

## **Funding Options**

Below are some of the funding options for replacing lead service lines (LSL):

- A. Resident pays for 100% of replacing the entire LSL.
- B. Village pays for 100% of replacing the entire LSL.
- C. Property owner pays 100% to replace the LSL from the meter to the parkway valve and the Village pays 100% from (and including) the parkway valve to the water main.
- D. Cost share between the Village and the property owner to replace the entire LSL. Examples include 60%-40%, 70%-30%, or 80%-20%.
- E. Reimbursement program of up to 50% of the cost, not to exceed a designated amount (\$5,000 for example) for the replacement of the entire LSL or for the replacement of the LSL between the parkway valve and inside the building.
- F. Village offer payment plans or low/zero interest loans to property owners for partial or full replacements.

## **Recommendation**

During last year's discussion with the Village Board, staff recommended that the Village pursue low interest loans through the IEPA and consider adjusting/increasing water rates to pay back such loans. Baxter & Woodman is currently developing a Project Plan for pursuing low interest loans through the IEPA for various projects – including the replacement of lead services. If approved for loan funding, the soonest that loans funds would be available for replacing lead service lines is July 2025. Baxter & Woodman is also performing a Water and Sewer Rate Study for the Village. The Study will be completed late summer/early fall and will incorporate rate recommendations for the various projects – including LSL replacements.

Staff is recommending that the Village 1) begin replacing lead services as soon as possible; 2) incur 100% of the cost to replace each lead service (from the water main to inside the building); and 3) utilize low interest loan funds (if approved) over the next 3 to 5-year period for LSL replacements. The reasons for this recommendation are as follows:

- Incentivize participation from property owners;
- Align LSL replacements with, and/or ahead of, capital improvement projects – i.e. road resurfacing/reconstruction (particularly in the Flats and along Barrington Ave);
- Substantial cost savings (inflation) with labor and materials;
- Contractor and materials availability; and
- If the Village elects to use IEPA low interest loan funds, an expedited LSL replacement schedule would fit into the 5-year loan project planning period.

A representative from Baxter & Woodman will attend Monday night's meeting to review the slideshow presentation (attached hereto) and discuss these recommendations in more detail.

**Attachments**

Draft Lead Service Line Replacement Plan

Slideshow Presentation

**(IL0890250) Village of East Dundee**

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# **Draft Lead Service Line Replacement Plan**

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*Prepared by:*

**BAXTER & WOODMAN**  
Consulting Engineers

[www.baxterwoodman.com](http://www.baxterwoodman.com)

April 2024



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## LIST OF DEFINITIONS & ABBREVIATIONS

**Action Level (AL):** The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a CWS must follow. The current Action Level for lead is 15 parts per billion, in accordance with the Lead and Copper Rule.<sup>2</sup>

**Community Water System/Supply (CWS):** A public water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.<sup>2</sup>

**Corrosion Control Treatment (CCT):** A treatment that utilizes a corrosion inhibitor which is a substance that can reduce the corrosivity of water toward metal plumbing materials, especially lead and copper, by forming a protective film on the interior surface of those materials.<sup>3</sup>

**Emergency Repair:** Any unscheduled water main, water service, or water valve repair or replacement that results from failure or accident.<sup>1</sup>

**Full Lead Service Line Replacement (LSLR):** Replacement of a lead service line (or galvanized service lines requiring replacement) that results in the entire length of the water service line, regardless of ownership, being free of lead.<sup>2</sup> A full lead service line replacement could leave a lead service line in place in the ground but out of service if using a new non-lead service line.<sup>3</sup>

**Galvanized Requiring Replacement (GRR):** A galvanized service line that is or ever was downstream of a lead service line or is currently downstream of a lead status unknown service line.<sup>3</sup>

*Note: Galvanized water service lines have a rough interior surface. If the galvanized service line is or has been in contact with lead, then it likely has lead particulate that has settled on the interior surface.*

**Galvanized Service Line:** A water service line that is made out of iron or steel piping zinc-dipped to prevent corrosion and rusting.<sup>3</sup>

**Illinois Lead Service Line Replacement and Notification Act (ILSLRNA):** Illinois law requiring CWS to create a water service line material inventory, create a LSLR Plan, provide notice to potentially affected building occupants, prohibit partial LSLR, and disconnect LSLs from the drinking water supply.<sup>1</sup>

**Lead:** A naturally occurring element found in small amounts in the earth's crust; while it has some beneficial uses, it can be toxic to humans and animals, causing health effects.<sup>2</sup>

**Lead and Copper Rule (LCR):** Federal law established by USEPA to protect public health and reduce exposure to lead and copper in drinking water.<sup>2</sup>

**Lead Service Line (LSL):** A water service line made of lead or water service line connected to a lead pigtail, lead gooseneck, or other lead fitting.<sup>1</sup>

**Lead Status Unknown Service Line:** A water service line that a CWS has yet to identify as lead, galvanized requiring replacement, or non-lead material. The service line material may also be designated as Unknown.<sup>3</sup>

**Non-Lead Service Line:** A water service line that a CWS has determined through an evidence-based record, method, or technique is non lead or galvanized requiring replacement. The service line material may also be designated using its actual material of construction (e.g., plastic, copper, ductile iron, etc.).<sup>3</sup>

**Safe Drinking Water Act (SDWA):** A federal law that regulates the nation's public drinking water supply to protect public health. The Act has been revised multiple times since its enactment in 1974, the last revision occurring in 2018. In 1986, Congress amended the SDWA to ban the use of lead pipe, flux, and solder. There was a two-year implementation period after Congress banned the use of lead pipe. For the purpose of the LSLR Plan, 1988 will be used as the year lead pipe was banned.

**Solder:** A type of metal that is used to join metal parts such as sections of pipe, without melting the existing metal in the parts to be joined.<sup>2</sup>

**Suspected Lead Service Line:** A water service line that a CWS finds more likely than not to be made of lead than not.<sup>1</sup>

**Trigger Level (TL):** The concentration of lead which, if exceeded, triggers notification, water quality sampling and replacement requirements which a CWS must follow. Effective October 16, 2024, the Trigger Level for lead is 10 parts per billion, in accordance with the Lead and Copper Rule Revisions.<sup>2</sup>

**Unknown Not Lead Service Line:** A water service line that a CWS has been unable to determine the material of, however has determined the building/property was developed after Congress banned the use of lead pipe in 1988 and/or the service line diameter is greater than 2-inch and therefore can safely assume the service line is not made of lead.

**Water Main:** A pipe that conveys water to a connector or customer's water service line. In residential areas, it is usually located underground.<sup>2</sup>

**Water Service Line:** Piping, tubing, and necessary appurtenances acting as a conduit from the water main or source of potable water supply to the building plumbing at the first shut-off valve or 18 inches inside the building, whichever is shorter.<sup>1</sup>

**Water Service Line Material Inventory:** A water service line inventory developed by a community water supply under this Act that identifies the material of each water service line.<sup>1</sup>

**Water Service Line Ownership:** Lead service line ownership is shared between the CWS and the property owner. The CWS maintains the service line from the water main up to the b-box (exterior shut-off valve); from the b-box into the home is the homeowner's responsibility. Note, for service lines not requiring replacement, refer to the Village's ordinance (Article V. Sec. 26-110 and 26-111) regarding service line ownership.<sup>1</sup>

References:

1. Defined in accordance with the Illinois Lead Service Line Replacement and Notification Act
2. Defined in accordance with the U.S. Environmental Protection Agency (USEPA)  
Defined in accordance with the General Assembly's Illinois Administrative Code

## EXECUTIVE SUMMARY

Under the Illinois Lead Service Line Replacement and Notification Act (ILSLRNA) and the Lead and Copper Rule Revisions (LCRR), the Village of East Dundee is tasked with facilitating the replacement of all lead service lines galvanized requiring replacement (GRR) water service lines connected to its drinking water supply. The purpose of a Lead Service Line Replacement (LSLR) Plan is to identify and locate lead and GRR water service lines, develop strategies to facilitate the replacement of such water service lines, identify funding mechanisms for replacements, and develop design and construction criteria for executing replacements.

The Village has 1,491 water service lines within its corporate limits and is actively working to identify the material of each water service line. At this time, the Village has identified 222 lead and GRR water service lines. The table below highlights the inventory efforts of the Village since 2020, including remaining unknowns, identified, and replaced lead and GRR water service lines.

### **Known Service Lines Requiring Replacement Identified and Replaced as of March 15, 2024**

Year	Total Water Service Lines	Unknown Material	Known Leads & GRRs	Replaced Lead & GRRs
2020	1,405	808	228	0
2021	1,405	808	228	0
2022	1,487	384	244	6
2023	1,491	332	222	2

*Note: Service lines classified as GRRs are considered lead service lines for the purpose of this plan.*

At this time, the Village is estimating that it will have approximately 300 lead and GRR water service lines. Under ILSLRNA, the Village intends to replace all lead and GRR water service lines by 2044, with replacements scheduled to begin in 2027. At a required replacement rate of 7% per year, the Village is required to facilitate the replacement of 21 lead or GRR water service lines annually. The replacement schedule as shown in the table below, includes a one-year, 5 year, 10, year and 15 year goal year, which accumulate the total replacements to be completed by that designated year.

### **Water Service Line Replacement Schedule**

IEPA Goal Years	Year End	Known Lead	Cumulative Required Replacements	Non-Lead	Total Service Lines
	2026	300	0	1,191	1,491
Year One	2027	279	21	1,212	1,491
5-Year	2031	195	105	1,296	1,491
10-Year	2036	90	210	1,401	1,491
15-Year	2041	0	300	1,491	1,491

*Note: Non-lead water service lines have been identified as copper, plastic, galvanized, cast iron, ductile iron or transite.*

At this time, the Village is estimating that the total cost (in 2024 dollars) to replace all 300 lead and GRR water services lines will be \$5.6 million, with an annual estimated cost of \$380,000. At this time, the Village of East Dundee is assessing what funding programs and local revenue sources will minimize the debt service and overall financial impact on the Village and its consumers. The Village is currently applying for funds through Illinois State Revolving Fund's Public Water Supply Loan Program.

The Village of East Dundee will post this Draft Lead Service Line Replacement Plan online at [https://eastdundee.net/government/departments/public\\_works/lead\\_service\\_lines.php](https://eastdundee.net/government/departments/public_works/lead_service_lines.php) at the time of their first draft LSLR Plan submittal to Illinois Environmental Protection Agency (IEPA) by April 15, 2024. The Village will provide opportunity for public comment before the final LSLR Plan is due on April 15, 2027.

This draft LSLR Plan is pursuant to the ILSLRNA and U.S. Environmental Protection Agency's (US EPA) Lead and Copper Rule Revisions (LCRR). While USEPA has released the proposed Lead & Copper Rule Improvements (LCRI), the LCRI is not yet final and is not considered as a part of this draft LSLR Plan. The LCRI is anticipated to be finalized by October 2024, and the Village will update future draft LSLR Plans as required by the ILSLRNA, LCRR and LCRI.

# 1. INTRODUCTION

In accordance with the Illinois Lead Service Line Replacement and Notification Act (ILSLRNA), Public Act 102-0613 (415 ILCS 5/17.12), every Community Water System (CWS) with known lead, suspected lead, galvanized requiring replacement (GRR), or lead status unknown water service lines must create a Lead Service Line Replacement (LSLR) Plan. The purpose of the LSLR Plan is to identify and locate lead and galvanized requiring replacement service lines, develop strategies to facilitate the replacement of such water service lines, identify funding mechanisms for replacements, and develop design and construction criteria for executing replacements.

The Village of East Dundee has 1,491 water service lines connected to the Village's water distribution system. Of those, the Village has identified 222 lead or GRR water service lines. The Village must submit their first draft LSLR Plan to the Illinois Environmental Protection Agency (IEPA) by April 15, 2024. After which, IEPA will review and provide comments back to the Village. After subsequent draft submissions to IEPA, the Village will submit their final LSLR Plan by April 15, 2027.

Since 2020, the Village has been working to identify the material of water service lines and has been reporting materials to IEPA annually. Table 1 below provides a breakdown of total water service lines, including unknown, known lead or GRR, and replaced lead or GRR water service lines within the Village since 2020.

**TABLE 1**

**Known Service Lines Requiring Replacement Identified and Replaced to Date**

Year	Total Service Lines	Unknown Material	Known Leads & GRRs	Replaced
2020	1,405	808	228	0
2021	1,405	808	228	0
2022	1,487	384	244	6
2023	1,491	332	222	2

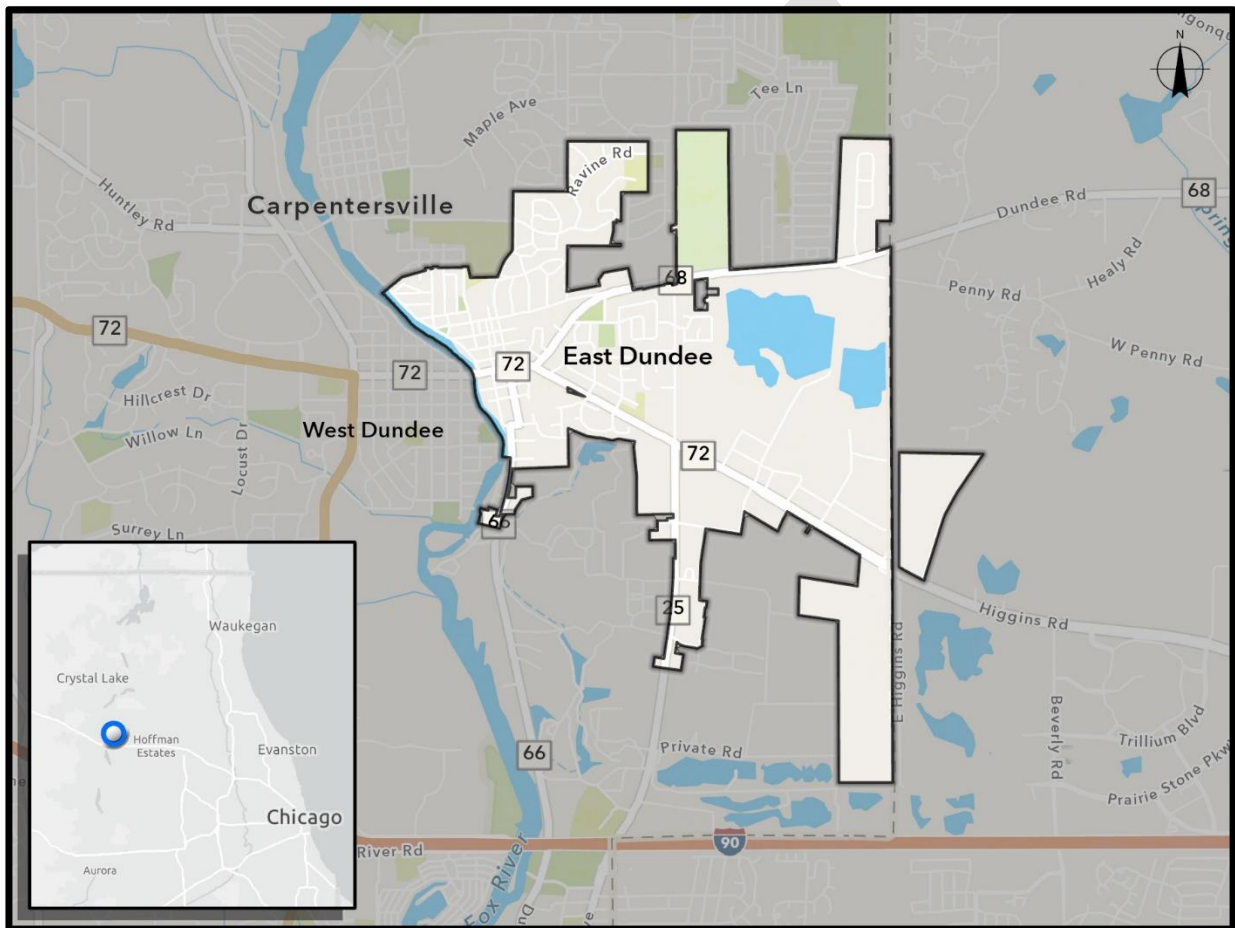
*Note: Service lines classified as GRRs are considered lead service lines for the purpose of this plan.*

This draft LSLR Plan is pursuant to the ILSLRNA and U.S. Environmental Protection Agency's (US EPA) Lead and Copper Rule Revisions (LCRR). While USEPA has released the proposed Lead & Copper Rule Improvements (LCRI), the LCRI is not yet final and is not considered as a part of this draft LSLR Plan. The LCRI is anticipated to be finalized by October 2024, and the Village will update future draft LSLR Plans as required by the ILSLRNA, LCRR and LCRI.

## 2. SYSTEM OVERVIEW

### 2.1 Location & Customer Base

The Village of East Dundee is located in Dundee Township, Kane County and is approximately 40 miles northeast of Chicago, Illinois. According to the 2020 Census, the Village covers 3.15 square miles and serves approximately 3,000 customers. Figure 1 below shows the Village's municipal boundary.



**Figure 1: Village of East Dundee Municipal Boundary**

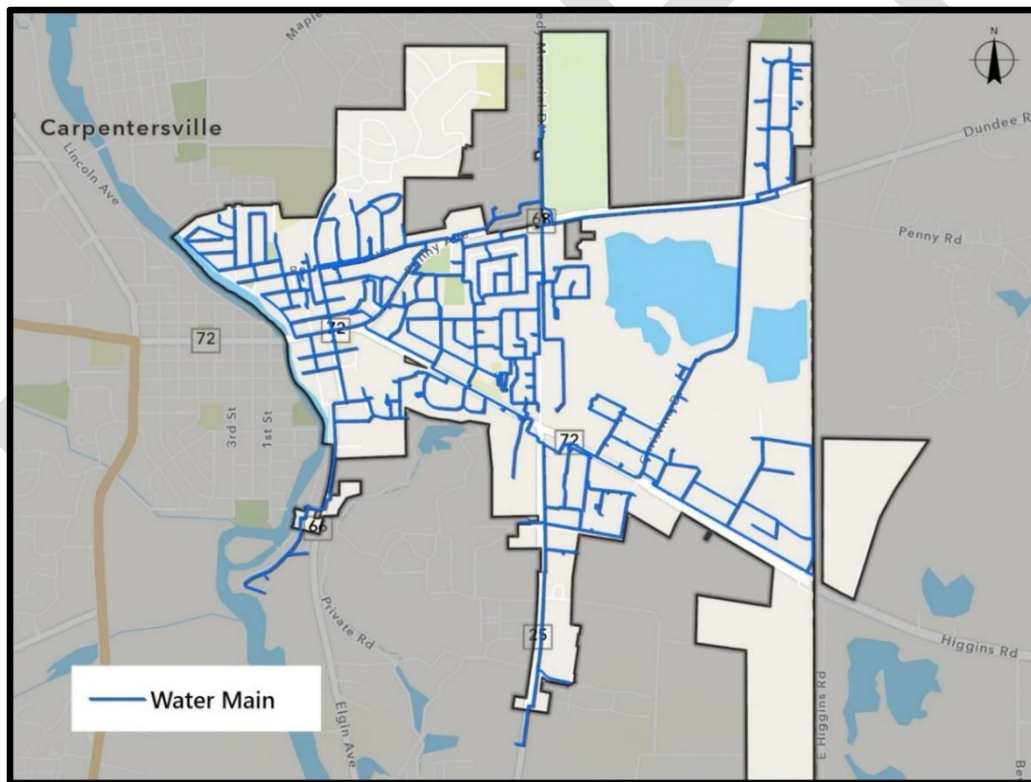
The Village of East Dundee provides water service to residential and commercial customers within the municipal boundary of the Village. This draft LSLR Plan will pertain only to water service lines within the municipal limits of the Village.

Understanding the demographics and characteristics of East Dundee's customer base assists the Village with the planning of future replacements and public engagement needs. Approximately 25% of the Village is non-English speaking, with the most common language spoken other than English being Spanish.

Additionally, IEPA has identified eight criteria to compare and score lead service line replacement projects submitted to the Illinois State Revolving Fund's Public Water Supply Loan Program for funding assistance. Within the Village of East Dundee, there are seven Census designated geographic areas, known as census tracts. See Appendix A for a map of East Dundee's census tracts and how many points IEPA would award projects in each tract. Projects are awarded points based on which census tract the project is located within.

## 2.2 Water System Overview

The Village of East Dundee owns and operates a public water treatment and distribution system that includes 4 wells, 1 water treatment plant, and 1 elevated tank and 1 standpipe. The Village's water system operates with 2 pressure zone(s) and is supplied by 1 shallow well and 1 deep well that are primarily treated with Iron filtration, ion exchange and chlorination. Treated water is then distributed to customers through 32.62 miles of water main, mostly comprised of cast iron and ductile iron. The Village is unaware of water main with lead joints in their system. The distribution system can be seen in Figure 2 below.



**Figure 2: Village of East Dundee Water Distribution System Map**

Additionally, the Village performs regular testing for lead throughout the distribution system. Currently, the Village samples for lead at 10 sites on a triennial basis. Results from the last two rounds of testing are shown below in Table 2. The Village of East Dundee is in full compliance with IEPA and USEPA, which requires a community to be below an Action Level of 15 parts per billion at

the 90<sup>th</sup> percentile. For reference, if a community were to sample at 10 locations and order the sample results from these locations from least to greatest, the 90<sup>th</sup> percentile would be the 9<sup>th</sup> highest sample result.

**TABLE 2**  
**Lead Sampling Results**

Year	No. of Sites	Action Level (AL) (parts per billion)	90 <sup>th</sup> Percentile (parts per billion)	No. of Sites over AL
2021	10	15	1.1	0
2018	10	15	1.8	0

The Village also publishes their annual water quality report (also known as a Consumer Confidence Report) on the Village's website by July of each year. This report provides additional information on the Village's source water, any contaminants found in the water and ways residents may get involved to protect drinking water.

## 2.3 Water Usage

Customers are billed on a bi-monthly basis based on the amount of water that is used. The Village uses a volumetric rate of \$9.45 per 1,000 gallons plus a flat rate fee based upon the size of a property's water meter. Table 3 below shows the quarterly flat rate fee for each water meter size.

**TABLE 3**  
**Water Meter Flat Fee**

Meter Size	Water Admin Fee
¾" and less	\$3.36
1"	\$6.72
1.5"	\$13.44
2"	\$20.16
3"	\$33.60
4"	\$47.04
6"	\$73.92

Water service accounts are broken down by account type, including residential and commercial. Of the 1,562 water service connections in the Village, 1,553 are residential and 9 are commercial. Based on Census data, the owner-occupied housing unit rate is 72% for 2018-2021. It is estimated that 1,118 of the residential connections are occupied by the property owner (primary residence) and the remaining 435 connections are assumed to be occupied by tenants. Table 4 provides a breakdown of the number of residential and commercial accounts and the total volume of water billed by account type in 2023. Water service accounts are greater than the number of water service line because one water service line can supply multiple water meters.

TABLE 4

**Water Account Data for FY 2023 (April '22 – May '23)**

Account Type	Number of Accounts	Water Billed in FY 2023 (gallons)	Average Billed Monthly (gallons)
Residential	1,553	1,047,845	87,321
Commercial	9	1,107	93
Total	1,562	1,048,952	87,414

## 2.4 Future Service Area

At this time, the Village of East Dundee does not anticipate any annexations or planned future expansion. As such, the Village is not anticipating any significant changes to the number of water service lines in town.

### 3. LEAD SERVICE LINE REPLACEMENTS

Under the ILSLRNA and the federal LCRR, the Village is required to facilitate the full replacement of lead and GRR water service lines. The ILSLRNA requires lead and GRR water service lines be replaced if they are disturbed (repaired) or, beginning in 2027, at a designated rate of replacement each year until all lead and GRR water service lines are completely removed. The LCRR requires lead and GRR water service lines be replaced at a designated rate based upon the sample results of a CWS's lead sampling.

#### 3.1 Water Service Line Material Inventory

A comprehensive water service line material inventory includes compiling a list of locations of each active water service line within the Village and identifying the material type for both the public side (from the watermain to the b-box/exterior shut-off valve) and the private side (from the b-box to into the building/interior shut-off valve). The water piping inside of the building after the interior shut-off valve is deemed plumbing. Internal plumbing is the full responsibility of the property owner. Figure 3 below illustrates the shared responsibility of a water service line in the Village of East Dundee.

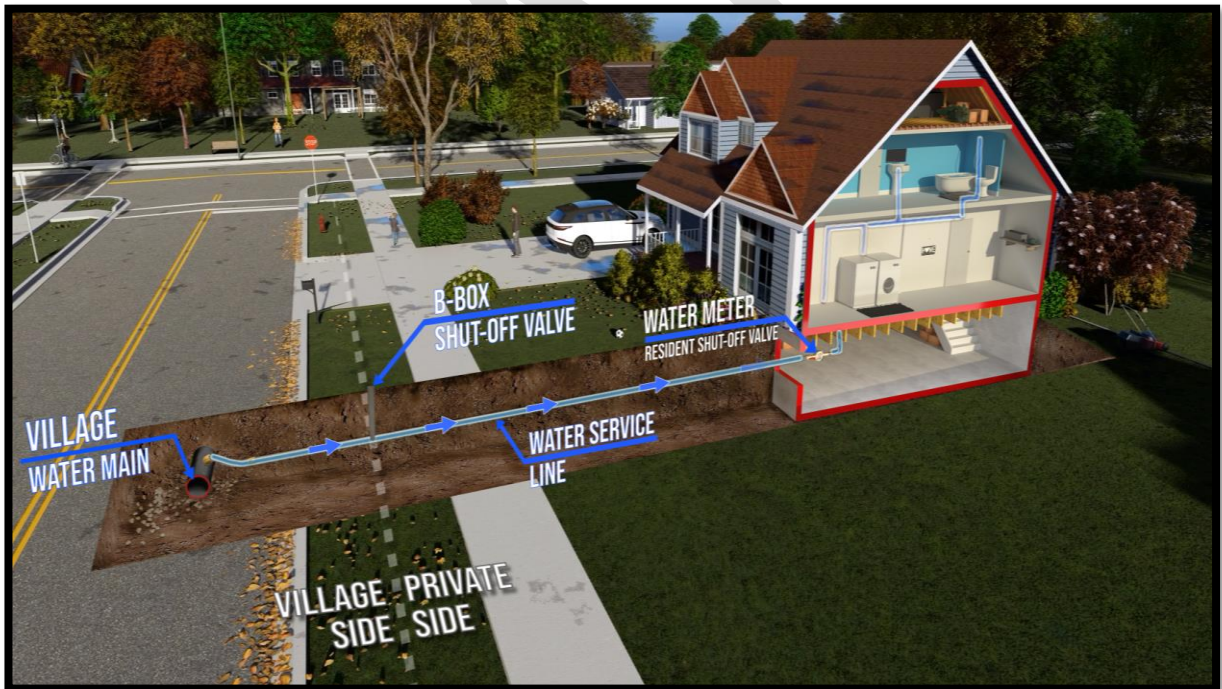


Figure 2: Water Service Line Ownership

At this time, the Village of East Dundee has identified 936 water service lines as non-lead within their distribution system. Table 5 provides a breakdown of identified materials for both the Village side (Village owned and maintained) and the private side (property owner owned and maintained).

**TABLE 5**  
**Service Line Material Inventory**  
 Updated April 2024

Service Line Material	Village Side	Customer Side
Lead	221	222
Unknown Material	332	332
Galvanized	1	10
Copper without Lead Solder	398	854
Cast/Ductile Iron or Transite	30	47
Plastic	0	0
Unknown Not Lead	509	35

*Note: Service lines classified as GRRs are considered lead service lines for the purpose of this plan.*

The Village is continuing to identify the material of water service lines and at this time is estimating that the total number of lead and GRR water service lines will be approximately 300.

### 3.1.1 Material Inventory Methodology and Continuing Efforts

When completing the water service line material inventory, a CWS is to utilize, at minimum, the following methods to complete the identification of pipe material types:

- Review of historical documentation, such as as-builts, permits information, construction records, or subdivision plans
- Visual inspection during distribution system maintenance
- Utilize known installation time periods for when lead was or was not installed
- Discuss with staff, contractors, or local plumbers who have worked on service lines connected to the distribution system

Note that under the ILSLRNA and LCRR, the Village is not required to excavate water service lines to determine their material. However, certain circumstances may warrant the Village to complete more invasive methods, such as excavation, on a case-by-case basis.

In addition to the above methods, the Village is conducting a resident information survey and performed in-home inspections. Both the resident information survey and in-home inspections utilized visual inspection of the water service line as it enters the building to confirm the material type. The resident information survey requests customers self-report the material type of the water service line where it enters the building. As a part of the survey, customers were asked to provide a photo of the water service line, allowing the Village to review and confirm the information provided. When necessary, the Village is following up with customers and performing in-home inspections to verify submitted information.

To date, there remain 332 water service lines within the Village with an undetermined material type. The Village is continuing to use the resident information survey and in-home inspections to identify the remaining unknowns.

### 3.2 Replacement Schedule

The Village has identified 222 lead and GRR water service lines to date but anticipates this number will increase as the materials of remaining unknowns are identified. At this time, the Village is estimating that it will have approximately 300 lead and GRR water service lines. Although required replacements will not begin until 2027, the Village intends to facilitate the replacement of lead and GRR water service lines that are within the limits of upcoming Capital Improvement Projects. Current replacements completed and upcoming anticipated replacements are shown in Table 6 below. Note that material counts for unknown, lead, and non-lead are projected for 2024, 2025, and 2026. These numbers will be updated each year.

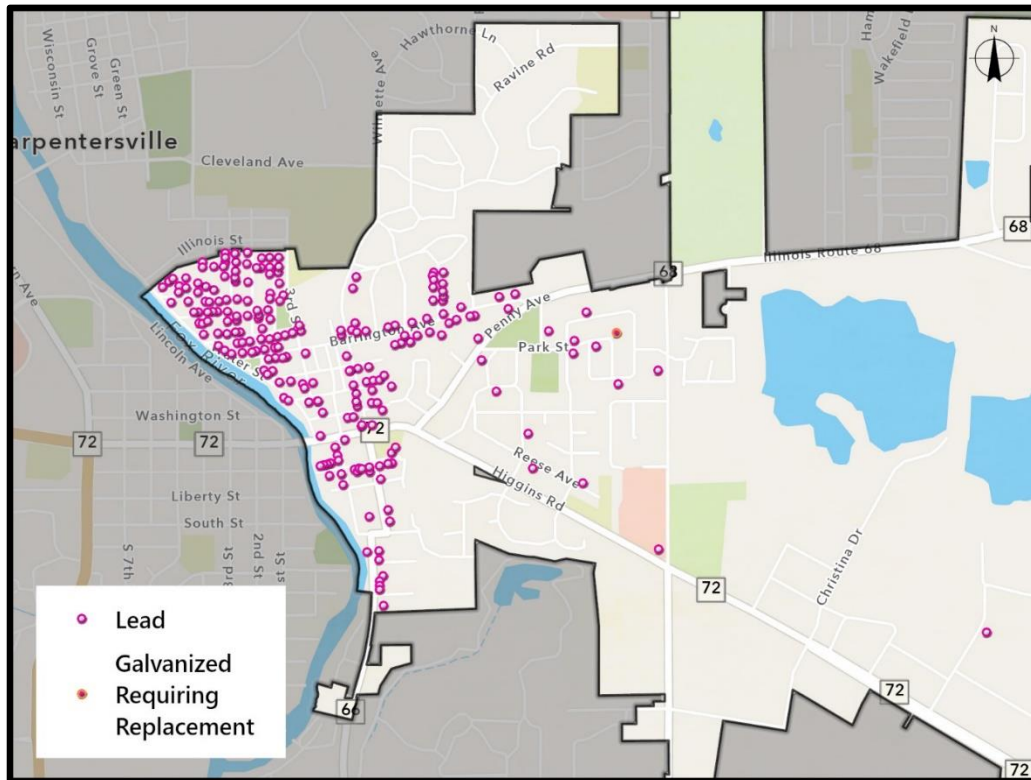
**TABLE 6**  
**Lead Service Line Replacement Prior to Mandatory Start Date**

Year End	Total	Unknown Material	Known LSL	Replaced LSL	Planned Replacements	Non-Lead	Comments
2022	1,487	384	244	6	-	859	Initial Inventory
2023	1,488	368	245	2	-	875	Initial Inventory
2024	1,488	332 <sup>1</sup>	222	-	-	936	Complete Inventory/ Draft Plan
2025	1,488	332 <sup>1</sup>	222	-	-	936	Updated Plan
2026	1,488	0 <sup>1</sup>	300 <sup>2</sup>	-	-	1,188	Updated Plan
Required Lead and GRR Water Service Line Replacements Begin							

**Notes:**

1. The Village will continue to update remaining unknowns, with the intent to have all unknowns identified prior to the start of required replacements in 2027.
2. At this time, the Village is estimating to have 300 lead service lines.

Water service lines that have been identified as lead or galvanized to date are shown in Figure 4. Note that the galvanized service lines identified below do not automatically require replacement. Additional investigation may be required by the Village to determine if a galvanized service line requires replacement. Appendix B shows all service line material types throughout the Village.



**Figure 4: Village of East Dundee Identified Lead Service Line Locations**  
As of February 2024

The Village expects to continue to identify lead water service lines throughout the Village. However, as seen above in Figure 4, the Village anticipates the majority of newly identified lead water service lines to be located in the western portion of town where the highest concentration of lead service lines has already been identified.

### 3.2.1 Federal Replacement Schedule

Per the LCRR, the Village must initiate lead and GRR water service line replacements based upon the results of the water sampling conducted throughout the distribution system at specified locations/properties approved by the state's primacy agency (agency responsible to ensure that a CWS meets all national drinking water regulations). The Village is required to respond under the LCRR if the following occurs:

- **Exceedance of Action Level:** In the event that the Village has an exceedance of 15 parts per billion at the 90<sup>th</sup> percentile, the Village must begin annual lead and GRR water service line replacements at a rate of 3% per year.

The above requirements become effective October 2024, however, are superseded by Illinois required rate of lead and GRR water service line replacements Beginning in 2027, as described in Section 3.2.2 Illinois Replacement Schedule. Additionally, the LCRR requirements are subject to

change with the proposed LCRI requirements. For the purposes of this draft LSLR Plan, only the LCRR has been considered.

### 3.2.2 Illinois Replacement Schedule

Per the ILSLRNA, the State of Illinois has set annual replacement rates based on the number of lead and GRR water service lines a community has identified. Table 7 below shows the tiered rate of replacement per the LSLRNA.

**TABLE 7**  
**Lead Service Line Replacement Rate Requirements**  
Per Public Act 102-0613

LSLs in CWS	Annual Replacement Rate	Timeline (years)	Completion Year
<b>0-1,200</b>	<b>7%</b>	<b>15</b>	<b>2042</b>
1,201-4,999	6%	17	2044
5,000-9,999	5%	20	2047
10,000-99,999	3%	34	2061
100,000+	2%	50	2077

Based on the number of lead and GRR water service lines identified, the Village of East Dundee will be required to meet a 7% annual rate of replacement beginning in 2027. Under the ILSLRNA, the Village of East Dundee will work to maintain this replacement rate and verify, in set goal years, that replacements are on schedule. Table 8 indicates the anticipated replacements schedule based on the estimated 300 lead service lines.

**TABLE 8**  
**Mandatory Lead Service Line Replacement**

Year End	Known LSL	Annual Required Replacements	Planned Replacements <sup>1</sup>		Non-Lead	Total Service Lines
			CIP	LSL		
2027	300	21		21	1,212	1,491
2028	279	21		21	1,233	1,491
2029	258	21		21	1,254	1,491
2030	237	21		21	1,275	1,491
2031	216	21		21	1,296	1,491
2032	195	21		21	1,317	1,491
2033	174	21		21	1,338	1,491
2034	153	21		21	1,359	1,491
2035	132	21		21	1,380	1,491
2036	111	21		21	1,401	1,491
2037	90	21		21	1,422	1,491
2038	69	21		21	1,443	1,491
2039	48	21		21	1,464	1,491
2040	27	21		21	1,485	1,491
2041	6	6		6	1,491	1,491

**Notes:**

1. The Village will continue to update replacements occurring as a part of upcoming Capital Improvement CIP programs versus a separate Lead Service Line Replacement Program.

At this time, the Village will need to replace a minimum of 21 water service lines each year to meet the required rate of replacement. To achieve this, the Village will replace lead and GRR water service lines within the limits projects identified in the Village's Capital Improvement Plan (CIP), where appropriate, in addition to a separate program specifically for lead and GRR water service line replacements.

### 3.3 Prioritization of Lead Service Lines Replacements

The Village first intends to prioritize the replacement of lead and GRR water service lines at facilities that serve populations most sensitive to the effects of lead. Facilities with LSLs that have a higher likelihood to serve children and/or pregnant women have been identified in Section 3.3.1 High-Risk Facility Replacements below, in accordance with the ILSLRNA and LCRR. Additionally, the Village has reviewed other Village Capital Planning Programs to assist with the prioritization of the remainder of the LSL replacements, as identified in Section 3.3.2 Future Replacement Planning.

### 3.3.1 High-Risk Facility Replacements

High-risk facilities, as described by the ILSLRNA, are facilities such as preschools, day care centers, day care homes, parks and playgrounds, hospitals, and clinics. The Village has identified 9 high-risk facilities. Table 9 below shows the number and type of high-risk facilities identified in the Village and service material information.

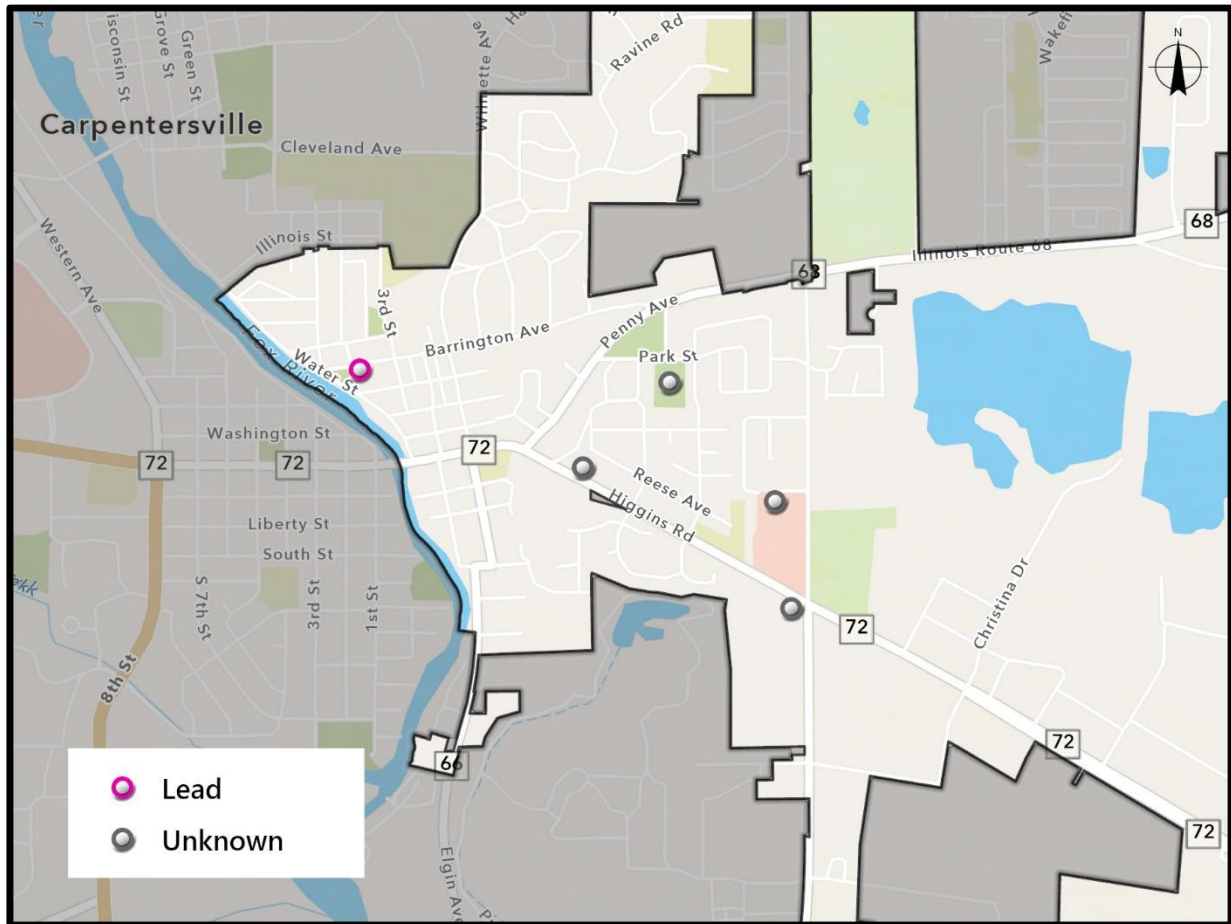
**TABLE 9**  
**High-Risk Facilities**  
Updated April 2024

Facility Type	No. of Facilities	Reported Lead or GRR	Unknown Material
Preschool/Day Care Facility	1	0	1
Elementary School (K – 5 <sup>th</sup> Grade)	0	0	0
Secondary School (6 <sup>th</sup> – 12 <sup>th</sup> Grade)	1	0	0
Women, Infants and Children (WIC) and Head Start programs	0	0	0
Medical Facility	4	0	2
Local welfare agencies (shelters)	0	0	0
Community Centers	0	0	0
Places of worship	1	0	0
Parks and playgrounds	2	1	1

Note:

1. For the purpose of this Plan, hospitals, emergency care, clinics, pediatricians, obstetricians-gynecologists, and midwives were considered medical facilities.

There is one (1) high-risk facility with a lead or GRR water service line. There are four (4) facilities that have an unknown water service line material. The Village will continue to work with these facilities to determine the material of the service line and any next steps. At facilities where a lead or GRR water service line has already been identified, the Village will work with the facility to execute the replacement of the water service line by 2029. Figure 5 shows the relative location of the high-risk facilities that still have a lead, GRR or unknown water service line.



**Figure 5: High-Risk Facilities Requiring Service Line Replacements**

### 3.3.2 Future Replacement Planning

In an effort to minimize inconvenience to residents and reduce overall construction costs, the Village's Capital Improvement Plan (CIP) projects will be to assist with the prioritization of future replacements. The intent is to schedule replacements either during planned underground infrastructure improvements, such as watermain or sewer replacement projects, or to schedule replacements in advance of planned roadway resurfacing or sidewalk improvements.

At the time, the Village is developing a detailed CIP program for the next five years. As projects are identified, lead water service lines within the limits of those projects will be identified. As part of any future Village water main projects, the Village will be required to facilitate the replacement of any lead service lines that are disturbed. It is also recommended that this work occur in advance of scheduled road improvement projects to reduce the need to patch a newly resurfaced road in the following years.

Beginning in 2027, the Village will be required to replace an estimated 21 water service lines each year. The Village will need to include additional replacements beyond those identified within the limits of future CIP projects to meet the required 21 water service lines each year. The Village is considering the following ways to prioritize lead service lines replacements outside of planned Capital Improvement Projects:

- **Census Tracts** – In an effort to prioritize disadvantaged customers, the Village is considering prioritizing areas of town based upon census tract information.
- **Presence of Children** - Children under the age of six and pregnant women are the most susceptible to the health effects from lead exposure. The Village is considering prioritizing areas of town where the Village anticipates higher concentrations of children, such as near elementary schools or parks/playgrounds.
- **Lead and GRR Water Service Line Locations** – In an effort to reduce the mobilization costs related to moving construction efforts throughout a community, the Village will work to minimize the limits of each year's replacement project by focusing on areas of town with higher concentrations of lead and GRR water service lines.
- **Future CIP Projects** - The Village will continue to plan other CIP projects based on community needs. As CIP projects are developed, the Village will coordinate lead and GRR water service line replacements within the limits of these projects.

## 4. FINANCING LEAD SERVICE LINE REPLACEMENTS

The ILSLRNA and the LCRR do not require a CWS to finance the full replacement of a lead or GRR water service line. As described under Section 3.1 Water Service Line Material Inventory, maintaining a water service line is a shared responsibility between the Village and the property owner. The Village is currently assessing what funding options are available for both the Village and property owners. Different funding sources have different requirements associated with utilizing those funds and impact the Village and their consumers in different ways.

### 4.1 Water Service Line Replacement Cost Analysis

In recent years, the water industry has seen an increase in replacement costs for lead and GRR water service lines, mostly due to an increase in material costs and contractor availability. Additionally, each water service line requiring replacement is unique and dependent on the constraints of an individual property. Interior and exterior restoration efforts may vary from property to property, even within the same area of the Village. Due to this, an average construction cost ranging from \$12,000 to \$15,000 for a full water service line replacement (from watermain to inside the property to the first interior shut-off valve or 18-inches, whichever is shorter) was used for the purpose of this draft LSLR Plan. This cost range is based on replacements completed within the Village during 2022 and 2023. This cost estimate does not account for inflations. All costs shown are in 2024 dollars.

Table 10 provides a cost estimate range to replace all lead and GRR water service lines in their entirety throughout the Village. Note that at this time, the Village is estimating 300 lead and GRR water service lines, but this number is subject to change as the Village continues their effort to identify the material of remaining unknown water service lines.

**TABLE 10**

**Estimated Cost Range to Replace All LSLs**

Updated April 2024

Full Water Service Line Replacements	Replacement Cost Estimate (2024 Dollars)	
	Low Range	High Range
Estimated 300 Lead Service Lines	\$ 3,600,000	\$ 4,500,000
Design Engineering (5%)	\$ 180,000	\$ 230,000
Construction Engineering (8%)	\$ 290,000	\$ 360,000
Engineering & Construction Sub Total:	\$ 4,070,000	\$ 5,090,000
Contingency (10%)	\$ 410,000	\$ 510,000
<b>Replacement Total:</b>	<b>\$ 4,480,000</b>	<b>\$ 5,600,000</b>
<b>Estimated Annual Replacement Cost</b>	<b>\$ 300,000</b>	<b>\$ 380,000</b>

For budgetary purposes, design engineering, construction engineering, and a contingency were included in the cost estimate. Design and construction engineering efforts will vary significantly, depending on if the Village is using Village staff or a consultant and whether a water service line is being replaced as a part of an existing CIP project or a stand-alone lead water service line replacement program. At this time, the Village is estimating that the total cost to replace all 300 lead and GRR water services lines will be \$5.6 million, with an annual estimated cost of \$380,000 beginning in 2027.

## 4.2 Funding Mechanisms

Understanding the various funding mechanisms available is crucial for the Village to begin planning future replacements and sequencing replacement work with other infrastructure projects. Funding sources may include, but are not limited to:

- Federal loan and grant programs
- State loan and grant programs
- County grant programs
- Local revenue sources, such as water and sewer rates

The Village's eligibility to obtain funds from any of the above sources will be dependent on the requirements of that funding source.

### 4.2.1 State and Federal Funding Sources

State and federal funding sources for lead and GRR replacements are still relatively inconsistent in availability and most require a community to be considered disadvantaged (which is usually based on the median household income) to be eligible to apply. However, two funding sources the Village may consider supplementing the cost of lead service line replacements include the following:

- U.S. Congressional Directed Spending: Senators can advocate for programs critical to the nation, constituents, and their states that promote economic growth, education, and health care initiatives. Funds are allocated each fiscal year by the U.S. Senate Committee on Appropriations.
- Public Water Supply Loan Program (PWSLP): A low interest loan program, funded through Illinois State Revolving Fund, to provide financial assistance to eligible public water systems for projects that maintain compliance with the requirements of the Safe Drinking Water Act and Illinois statutes/regulations. IEPA has announced that lead service line replacement projects are eligible for a 0% interest loan for up to 30 years with additional financial assistance, including principal forgiveness and a 40-year loan, for disadvantaged communities.

### 4.2.2 Local Revenue Funding Sources

If the Village is utilizing local revenue sources, such as water and sewer rates, issuing bonds, or implementing special levies focused on infrastructure improvements, to execute LSLRs, then a cost-share program with property owners may be considered. There are a variety of different cost-share programs that area communities have been implementing. The below list is not exhaustive and identifies various types of cost-share programs that have been seen throughout the Chicagoland area.

- A CWS pays for the public side and the CWS pays for a set percentage of the private portion up to a designed capped amount. The property owner is responsible for the remainder of the replacement cost.
  - Examples of Chicagoland community's private side payment options are as follows:
    - CWS pays for 50% up to \$5,000 of private side
    - CWS pays for 20% up to \$3,000 or \$5,000 of private side, depending on what side of the street the property is to the watermain
    - CWS pays for 50% up to \$6,000 of private side
    - CWS pays for 66% up to \$10,000 of private side
- A CWS pays for a set percentage of the entire service line up to a designed capped amount. The property owner is responsible for the remainder of the replacement cost.
  - Examples of Chicagoland community's entire service line payment options are as follows:
    - CWS pays 50% up to \$10,000
    - CWS pays for 50% up to \$5,000

For any cost-share program, consideration needs to be given to how funds will be obtained from the property owner. The following is a list of options, but is by no means all inclusive:

- Request property owner to pay at or before replacement occurs
- Rebate property owner after replacement occurs
- Provide a payback period for the property owner utilizing water billing or other method
- Provide a deferred loan to property owner, until either the property is refinanced or sold

## 4.3 Current Funding Considerations

At this time, the Village of East Dundee is assessing what funding programs and local revenue sources will minimize the debt service and overall financial impact on the Village and its consumers.

The Village is going through the Public Water Supply Loan Program application process at this time. This process requires the Village develop a Project Plan, which will communicate to the IEPA proposed water system improvement projects, including lead and GRR water service line replacements, for up to five years. The Project Plan will be submitted to IEPA the summer of 2024, with the goal to have it approved prior to March 31<sup>st</sup> of 2025. Upon approval, the Village will compete with other CWS's for available funds. If allocated funds, the Village plans to use the funds on future lead and GRR water service line replacement projects.

## 5. REPLACEMENT PROCEDURES

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Under the ILSLRNA, partial lead and GRR water service line replacement is prohibited, except in the event a property owner has denied access. As described under Section 3.1 Water Service Line Material Inventory, maintaining a water service line is a shared responsibility between the Village and the property owner. To facilitate and complete the replacement of the entire water service line, from the water main to the first interior shut-off valve or 18-inches within the property, work is completed both within the Village right-of-way as well as on private property.

A lead or GRR water service line replacement shall be completed in accordance with the ILSLRNA, LCRR, Illinois Plumbing Code and Village ordinances. Requirements vary depending on if the Village or the property owner initiates replacements.

### 5.1 Community Initiated Replacement Procedure

When the Village initiates the replacement of a lead service line, whether planned or during emergency maintenance efforts, the Village must follow specific procedures during the bidding process, resident notification process and at time of construction. Below identifies the various replacement scenarios. These procedures are based on current state and federal regulations.

#### 5.1.1 Minorities, Women, and Persons with Disabilities Act

Per the ILSLRNA, the Village is to make a good faith effort to use contractors and vendors owned by minority persons, women, and persons with a disability for not less than 20% of the total contracts, as defined in Section 2 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act.

1. Contracts representing at least 11% of the total projects shall be awarded to minority-owned businesses.
2. Contracts representing at least 7% of the total projects shall be awarded to women-owned businesses.
3. Contracts representing at least 2% of the total projects shall be awarded to businesses owned by persons with a disability.

In order to meet the above standards, the Village will request bidders to post in the local newspaper in order to reach contractors and vendors owned by minority persons, women, and persons with a disability.

#### 5.1.2 Scheduled Water Service Line Replacements

A scheduled replacement is when the Village has an upcoming project, such as a watermain replacement project, sewer replacement project, or a lead service line replacement project, where lead water service lines are known or suspected and will be physically disturbed, requiring full replacement of the service line. Under these circumstances, the Village will complete the following:

1. At least 45 days prior to replacement, the Village or the Village's representative shall contact the property owner by written notice of the potentially affected service line to request access and permission to replace the lead or GRR water service line.
  - a. If the property owner does not respond within 15 days, the Village shall post the request on the building entrance.
    - i. If private side replacement is denied due to the property owner not granting access to the property, the Village will request that the property owner sign the Illinois Department of Public Health's (IDPH) [Waiver of Complete Lead Service Line Replacement](#). The Village may continue with the replacement of the public side and continue with steps 2 through 5.
      1. If a property owner of a nonresidential building or residence operating as a rental property denies a complete water service line replacement, the property owner is responsible for installing and maintaining point-of-use filters at all fixtures intended to supply water for the purpose of drinking, food preparation or making baby formula. The filters must meet NSF/ANSI 53 and NSF/ANSI 42 for the reduction of lead.
    - ii. If the property owner fails to respond, the Village shall notify IDPH within 30 days by filling out the [Partial Lead Service Line Replacement – IDPH Notification Form](#). The Village may continue with the replacement of the public side and continue with steps 2 through 5.
2. At least 14 days prior to replacement, by mail/posted at entrance/electronically, the Village or the Village's representative shall notify the owner and occupants of the upcoming replacement. The notice will include the following information:
  - a. The replacement of the lead or GRR water service line may result in a temporary increase in lead levels.
  - b. Information on best practices to reduce lead in drinking water.
  - c. Information regarding health dangers to young children and pregnant women.
3. The standard method of conducting full lead service line replacement shall be directional drilling, which will minimize the area disturbed by construction and reduce restoration costs. However, site conditions will vary and may require other construction methods, such as pulling a new water service line or performing open-cut replacement.
  - a. When using directional drilling or the pulling construction method, a water service line may be replaced at or in close proximity to the same location of the existing lead or GRR water service line, even if water-sewer service separation requirements are not met, so long as the water service line is either encased or Type K Copper is used, and there is no observed leak on the sewer service per [IDPH's Sewer/Water Service Separation Variance](#). In the event of open-cut replacement, if the water-sewer service separation requirements are not met, the water service will require encasement.
4. At the time of replacement, the Village shall provide the property owner with a Point-Of-Use Filter or Pitcher Filter meeting NSF/ANSI 53 and NSF/ANSI 42 requirements and provides up to 6-months of filtration.

5. Within 24 hours of replacement, the Village shall notify the owner and occupants of the executed replacement, including:
  - a. The replacement of the lead or GRR water service line may result in a temporary increase in lead levels for the next six months.
  - b. Information on best practices to reduce lead in drinking water, including the flushing procedures described in Section 5.3 Flushing Procedure After Lead Service Line Replacement.
  - c. Information regarding health dangers to young children and pregnant women.
  - d. Offer to have the property's water sampled for lead in the next 3 to 6 months by the Village or Village representative.

### 5.1.3 Emergency Water Service Line Repair and Replacements

An emergency replacement is when the Village disturbs a lead service line during unplanned maintenance, such as a water main break or water service line leak. The Village may temporarily repair the lead service line and maintain water service, however by disturbing a lead service line, full replacement will then be required.

1. At the time work is initiated, by mail/posted at entrance/electronically, the Village shall notify the owner and occupants of the lead service line and provide a Point-Of-Use Filter or Pitcher Filter meeting NSF/ANSI 53 and NSF/ANSI 42 requirements until such time that the remaining portions of the service line have been replaced or replacement is waived. The notification shall include:
  - a. The replacement of the lead or GRR water service line may result in a temporary increase in lead levels.
  - b. Information on best practices to reduce lead in drinking water.
  - c. Information regarding health dangers to young children and pregnant women.
  - d. Information on how to use the provided water filter (pitcher or point-of-use).
  - e. Information on the upcoming full water service line replacement and required coordination efforts.
2. From the time of the repair, the Village has 30 days, or 120 days in the event of weather or other circumstances beyond reasonable control that prohibits construction, to facilitate the full replacement of the lead or GRR water service line.
  - i. If replacement is denied due to the property owner not granting access to the property, the Village will request that the property owner sign the Illinois Department of Public Health's (IDPH) [Waiver of Complete Lead Service Line Replacement](#).
    1. If a property owner of a nonresidential building or residence operating as a rental property denies a complete water service line replacement, the property owner is responsible for installing and maintaining point-of-use filters at all fixtures intended to supply water for the purpose of drinking, food preparation or making baby formula. The filters must meet NSF/ANSI 53 and NSF/ANSI 42 for the reduction of lead.

- ii. If the owner fails to respond, the Village shall notify IDPH within 30 days by filling out the [Partial Lead Service Line Replacement – IDPH Notification Form](#).
3. The remaining replacement procedures will follow steps 2 through 5 in [Section 5.1.2. Scheduled Water Service Line Replacement](#).

## 5.2 Property Owner Initiated Replacement Procedure

When the property owner initiates the replacement of a lead service line, whether planned or during emergency maintenance efforts, the property owner and Village must follow specific procedures during, prior to, and at the time of replacement. These procedures are based on current state and federal regulations.

### 5.2.1 Scheduled Water Service Line Replacement

A scheduled replacement is when the property owner is planning to replace their lead or GRR water service line. This may be due to wanting to remove the lead or GRR water service line, or may be due to other property improvements requiring an increase in size of their water service line. Under these circumstances, the property owner will complete the following:

1. The property owner must notify the Village at least 45 days before commencing work to replace the lead or GRR water service line and when the replaced service is ready for inspection.
2. The Village of East Dundee requires property owners to obtain a permit approved by the Director of Public Works and pay all applicable fees for water service line replacement.
  - a. The Village will provide the following information to a property owner intending to replace their lead or GRR water service line.
    - i. The replacement of the lead or GRR water service line may result in a temporary increase in lead levels for the next six months.
    - ii. Information on best practices to reduce lead in drinking water, including the flushing procedures described in [Section 5.3 Flushing Procedure After Lead Service Line Replacement](#).
    - iii. Information regarding health dangers to young children and pregnant women.

### 5.2.2 Emergency Water Service Line Repair and Replacement

An emergency replacement is when property owner disturbs their lead or GRR water service line during unplanned maintenance, such as water service line leak. The property owner may temporarily repair the lead or GRR water service line and maintain water service, however by disturbing the service line, full replacement will then be required. Under these circumstance, the property owner will complete the following:

1. The property owner must provide filters in each kitchen area. The filters must meet NSF/ANSI 53 and NSF/ANSI 42 requirements for the reduction of lead and particulate.

2. If the property owner notifies the Village of the completion of the emergency repair, the Village has 30 days, or 120 days in the event of weather or other circumstances beyond reasonable control that prohibits construction, to complete the replacement of the public portion of the lead or GRR water service line.
  - a. At the time of the public side replacement, the Village will provide a Point-Of-Use Filter or Pitcher Filter meeting NSF/ANSI 53 and NSF/ANSI 42 requirements and provides up to 6-months of filtration. Additionally, the Village will provide notice to the property owner and occupants of the completed lead or GRR water service line replacement. The notice will include:
    - i. The replacement of the lead or GRR water service line may result in a temporary increase in lead levels for the next six months.
    - ii. Information on best practices to reduce lead in drinking water, including the flushing procedures described in Section 5.3 Flushing Procedure After Lead Service Line Replacement.
    - iii. Information regarding health dangers to young children and pregnant women.
    - iv. Offer to have the property's water sampled for lead in the next 3 to 6 months by the Village or Village representative.

### 5.3 Flushing Procedure After Water Service Line Replacements

At the time of a lead or GRR water service line replacement, lead particles can migrate into a property's plumbing during the construction effort. Due to this, it is strongly recommended that property owners flush out all of the plumbing within the property.

The following flushing instructions are in accordance with ANSI/AWWA C810-17 (First Edition) Replacement and Flushing of Lead Service Lines Section 4.4.2 "Flushing by the customer after lead service replacement". Property owners should follow the below flushing instruction the day of replacement or before water is used following a lead or GRR water service line replacement to reduce particulate lead. Hot water should not be used until initial flushing is complete.

1. Locate all faucets in the building, including laundry tubs, hose-bibs, bathtubs, and showers.
2. Remove aerators and screens from faucets where possible, including showerheads.
3. Open faucets in the basement or lowest floor in the building. Using cold water, leave faucets running at the highest rate possible.
4. Open faucets on the next highest floor in the building, going from lowest level to the highest level in the building, until all faucets are open on all floors in the building.
5. Once all faucets are open, leave the water running for at least 30 minutes.
6. After 30 minutes, turn off faucets in the order they were opened.
7. Clean aerators or screens at each faucet.

The steps above should be followed by the property owner/resident every two weeks for three months following the replacement the lead or GRR water service line.

# **APPENDIX A**

## **Village of East Dundee Census Tracks**

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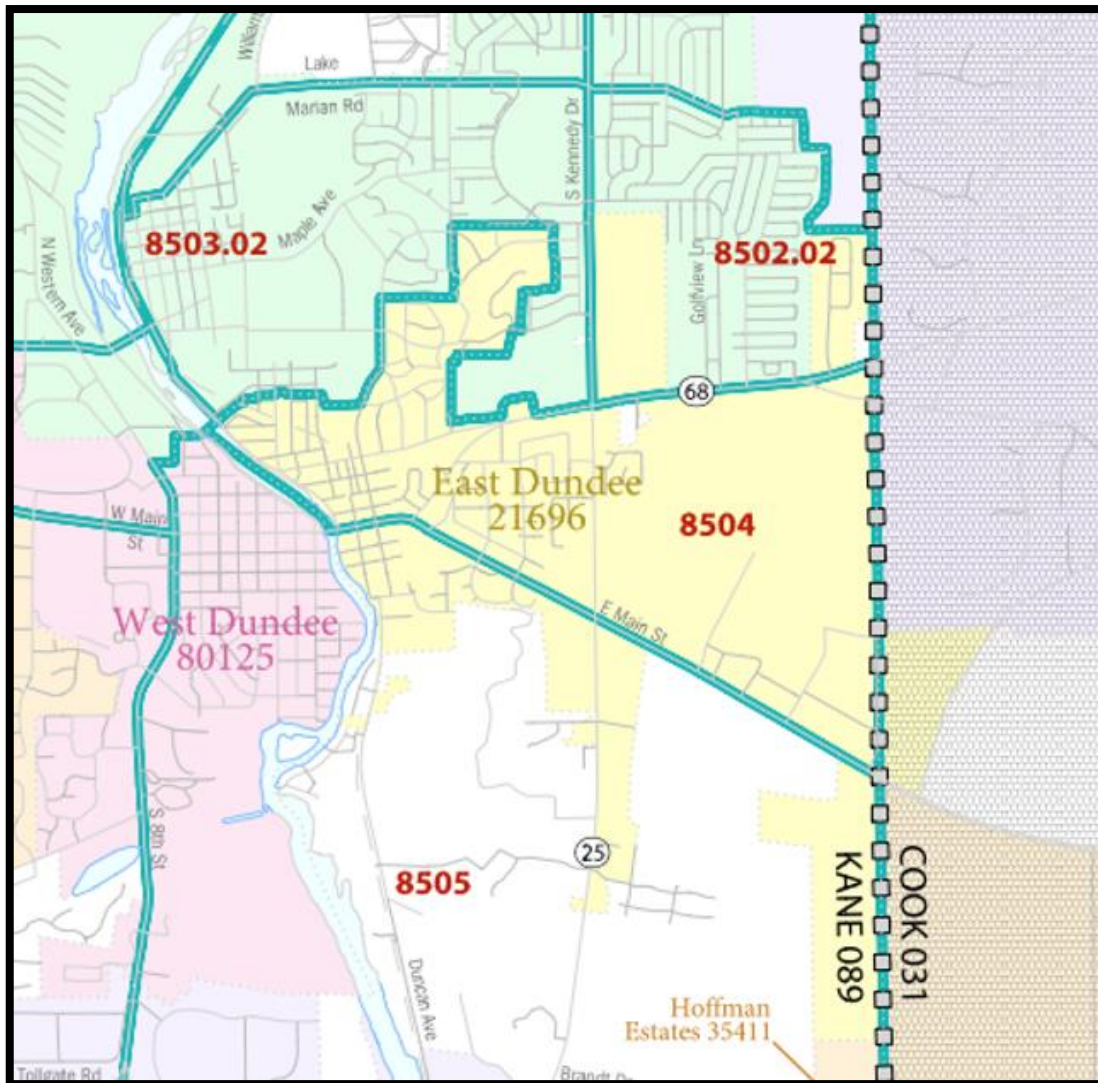


Figure: Village of East Dundee Census Tracts by Geographic Location

Lead Service Line Replacement Funding  
Census Metric Data and Percentile Ranks  
Data from 2021 5-year American Community Survey

Census Tract	Median Household Income				Social Security Income				Poverty				Supplemental Security Income			
	Table B19013				Table B19055				Table S1701				Table B19056			
	Dollars	Percentile	Rank	Points	% of Population	Percentile	Rank	Points	% of Population	Percentile	Rank	Points	% of Population	Percentile	Rank	Points
Census Tract 8042.04, Cook County, Illinois	\$133,542	91.934	0	33.05	58.107	25	34.09	15	7	62.131	30	2.04	26.873	10	9.305	0
Census Tract 8502.02, Kane County, Illinois	\$ 69,335	51.266	20	22.57	17.98	5	55.313	25	13	41.4	20	1.90	24.692	10	21.468	10
Census Tract 8504, Kane County, Illinois	\$ 67,222	47.929	40	46.64	95.79	45	8.3	15	11.2	55.313	25	1.68	21.468	10	21.468	10
Census Tract 8505, Kane County, Illinois	\$ 82,625	66.1	10	28.20	35.107	15	8.3	15	8.3	41.4	20	1.90	24.692	10	24.692	10

Census Tract	Houses Built pre-1990				Children Under 6				Unemployment				Lead Service Line Burden			
	Table B25034				Tables B09001 & B01003				Table S2301							
	% of Houses	Percentile	Rank	Points	% of Population	Percentile	Rank	Points	% of Population	Percentile	Rank	Points	% of Service Lines	Percentile	Rank	Points
Census Tract 8042.04, Cook County, Illinois	69.31	27.948	10	5.87	36.69	20	2.7	17.838	5	46.453	20	16.47%	0	17.838	5	16.47%
Census Tract 8502.02, Kane County, Illinois	93.56	78.409	35	10.09	87.104	70	5	46.453	20	23.395	10	16.47%	0	46.453	20	16.47%
Census Tract 8504, Kane County, Illinois	60.19	18.581	5	5.76	35.062	20	3.2	23.395	10	10.899	5	16.47%	0	23.395	10	16.47%
Census Tract 8505, Kane County, Illinois	81.89	49.324	20	6.80	51.673	40	2.1	10.899	5	16.47%	0	16.47%	0	10.899	5	16.47%

Note: Points shown for the various census track metrics are based upon IEPA's Part 663 Public Water Supply Loan Program rules and is subject to change. The maximum amount of points for a given census track is 400 points.

# **APPENDIX B**

## **Village of East Dundee Water Service Line Material Map**

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**Legend:**

- Lead
- Galvanized
- Requiring Replacement
- Unknown
- Non-Lead