



Village of
Elmwood Park

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Gina Pesko
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Mr. Ronald Anderson
3134 N. 78th Ct
Elmwood Park, IL 60707

July 18, 2016

RE: Freedom of Information Act Request

Dear Mr. Anderson,

The Village of Elmwood Park is in receipt of your July 12, 2016, Freedom of Information Act (5 ILCS 140/1 et seq.) ("FOIA") for the following records:

"Copy of section/sections/Article of Village of Elmwood Park Code pertaining to downspouts; i.e.-location, discharge, etc. for residence and garages"

Enclosed you will find copies of the records you requested.

In accordance with Section 9(a) of FOIA, you are hereby notified that you have the right to file a Request for Review regarding the decision made by the Village of Elmwood Park Freedom of Information Officer with the Public Access Counselor at the Illinois Attorney General's Office.

You can file your Request for Review with the Public Access Counselor by writing to:

Sarah Pratt
Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

If you choose to file a Request for Review with the Public Access Counselor, you must do so within 60 calendar days of the date of this letter. Please note that you must include a copy of your original FOIA request and this letter when filing a Request for Review with the Public

Access Counselor. You are also notified that you have the right to judicial review regarding the decision made by the Village of Elmwood Park Freedom of Information Officer pursuant to Section II of FOIA.

Should you have any questions, please do not hesitate to contact my office.

Gina Pesko



Village Clerk

Freedom of Information Officer

708-452-3948

Sec. 43-17. Downspouts.

The installation of downspouts of gutter systems on all new residences and the replacement of downspouts of gutter systems on all existing residences shall be made in a manner so as to provide that such downspouts do not connect with, or directly drain into, the sanitary sewer system. Such downspouts shall be installed or replaced so as to drain directly into the front or rear yard of the residence, and no such downspouts shall drain into either the side yard of such residence, or directly onto adjoining property. The installation or replacement of such downspouts shall further be made in a manner so that the downspout is directed to drain generally toward the center of either the front or rear yard into which it is draining. (12-7-87, § 1.)

Sec. 43-17A. New residences and replacement of downspouts.

The installation of downspouts of gutter systems on all new residences and the replacement of downspouts of gutter systems on all existing residences shall be made in a manner so as to provide that such downspouts do not connect with, or directly drain into, the sanitary sewer system. Such downspouts shall be installed so as to drain directly into the front or rear yard of the residence, and no such downspouts shall drain into the side yard of such residence, or directly onto adjoining property. The installation of such downspouts shall further be made in a manner so that the downspout is directed to drain generally toward the center of either the front or rear yard into which it is draining. (11-21-88, § 1.)

Sec. 43-17B. Disconnection of existing downspouts.

Effective September 1, 1991, no buildings used for residential purposes in any zoning district, including single-family or multi-family residential buildings, and which are equipped with exterior downspouts which direct water from gutters or scuppers to the sewer system, shall be allowed to discharge storm water from such gutters directly into the combined sewer system. Such buildings shall have all downspouts splash with port discharge to the front or rear of the building in a manner so that the downspout is directed to drain generally toward the center of either the front or rear yard into which it is draining. No such downspout shall drain into the side yard of such residence or directly onto adjoining property. The pipe that carries roof water into the combined sewer system shall be terminated at grade or at the nearest hub to grade and sealed with cement to provide a positive disconnection of the downspout from the sewer. All downspouts shall

be located in such manner that said roof water shall not damage the same or adjoining properties or become a nuisance to occupants of the same.

For the purposes of this section 43-17B, the use of a building for residential purposes shall be determined consistent with the application of the zoning ordinance of the village as amended. (11-21-88, § 1; Ord. 90-17, 8-21-90, 1.)

Sec. 43-17C. Exceptions.

Exceptions to the requirements of section 43-17B shall be made for those buildings that have a mixed use (residential plus another type use). Exceptions to the requirements of section 43-17B shall also be made in those cases where, in the opinion of the plumbing inspector or his authorized agent, such disconnection will create an associated storm water hazard to the building or part thereof or to a neighboring building or the design of the gutter system makes such disconnection impracticable. The village manager shall have the authority to promulgate rules and regulations prescribing the procedure which is to be followed by an individual seeking such an exception. (11-21-88, § 1.)

Sec. 43-17D. Penalty.

Any person who violates any provision of this ordinance shall be subject to a maximum penalty of five hundred dollars as provided in section 13-3 of the village Code. (11-21-88, § 1.)