

**VILLAGE OF LAKE BLUFF
VILLAGE BOARD OF TRUSTEES
COMMITTEE OF THE WHOLE MEETING**

Monday, April 13, 2015
6:00 P.M.

Village Hall Board Room
40 East Center Avenue

A G E N D A

I. Call To Order

II. Roll Call

III. Non-Agenda Items and Visitors (Public Comment)

The Committee-of-the-Whole allocates fifteen (15) minutes during this item for those individuals who would like the opportunity to address the Committee-of-the-Whole on any matter not listed on the agenda. Each person addressing the Committee-of-the-Whole is asked to limit their comments to a maximum of three (3) minutes.

IV. General Business

The Committee-of-the-Whole will entertain requests from anyone present to modify the order of business to be conducted.

- i. Consideration of the Minutes from the February 23, 2015 Committee-of-the-Whole Meeting
- ii. A Discussion Regarding Electronic Cigarette and Village Smoking Regulations
- iii. A Discussion Regarding the (i) Construction, Renovation, and Preservation of Residences and (ii) Historic Preservation, Bulk Regulations, Subdivision Regulations, and Design Review.

V. Adjournment

*R. Drew Irvin
Village Administrator*

The Village of Lake Bluff is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding accessibility of the meeting or the facilities, are requested to contact R. Drew Irvin at 234-0774 or TDD number 234-2153 promptly to allow the Village of Lake Bluff to make reasonable accommodations.

**VILLAGE OF LAKE BLUFF
COMMITTEE-OF-THE-WHOLE MEETING
February 23, 2015**

DRAFT MINUTES OF MEETING

The Village of Lake Bluff Board of Trustees met as a Committee-of-the-Whole (COW) in the Village Hall Board Room (40 East Center Avenue) on Monday, February 23, 2015. Village President O'Hara called the meeting to order at 6:30 p.m. and Village Clerk Barbara Ankenman called the roll and announced the following were present:

Village President: Kathleen O'Hara

Trustees: Steve Christensen
Mark Dewart
Eric Grenier
John Josephitis
William Meyer

Absent: Brian Renner

Also Present: Barbara Ankenman, Village Clerk
Drew Irvin, Village Administrator
Peter Friedman, Village Attorney
George Russell, Village Engineer
Susan Griffin, Finance Director
Michael Hosking, Deputy Police Chief
Brandon Stanick, Assistant to the Village Administrator (A to VA)

Non-Agenda Items and Visitors

President O'Hara stated the COW allocates 15 minutes for those individuals who would like the opportunity to address the Village Board on any matter not listed on the agenda.

There were no requests to address the COW.

Consideration of the Minutes from the January 26, 2015 Committee-of-the-Whole Meeting

Trustee Josephitis moved to approve the January 26, 2015 COW Meeting Minutes as presented. Trustee Dewart seconded the motion. The motion passed on the following roll call vote:

Ayes: (5) Christensen, Dewart, Grenier, Josephitis and Meyer
Nays: (0)
Absent: (1) Renner

A Discussion Regarding Changes to the Allocation of Parking Spaces at the Lake Bluff Train Station

Village Administrator Drew Irvin reviewed the existing downtown parking system and the proposed reallocation of the 18 existing CBD employee parking spaces located at the Walnut Avenue parking lot to visitor parking only. As part of the proposal he also reviewed the reallocation of 12 spaces along the eastern perimeter of the Train Station Lot for CBD employee parking (Monday – Friday, 4:00 a.m. to 5:00 p.m.).

Village Administrator Irvin reported in past discussions downtown merchants have expressed their desire for employee parking that is close and accessible, as well as, adequately illuminated.

President O’Hara shared her personal experience regarding the need for additional lighting at the Train Station lot.

In response to a question from the Board, Village Administrator Irvin advised the brush near the southern end of the eastern perimeter will be trimmed in the spring.

Trustee Dewart inquired of the status of improving the overall condition of the parking lot including circulation, repaving and illumination. Village Administrator Irvin stated funds to perform that type of work are not readily available.

A discussion ensued regarding pedestrian and vehicular circulation challenges.

Village Administrator Irvin stated Metra has recommended public and private partnerships to help with funding. Trustee Dewart suggested the Village reach out to Abbott Labs as a partner to improve the condition of the site.

Village Administrator Irvin stated it is Staff’s intent to reach out to other organizations with the short term goal being the reallocation of parking spaces.

A discussion ensued regarding four hour parking in the CBD. It was the consensus of the Board to establish three hour visitor parking at the Walnut Avenue parking lot when this item came forward for formal consideration.

Adjournment

As no further business came before the COW, Trustee Christensen moved to adjourn the meeting at 6:55 p.m. Trustee Meyer seconded the motion. The motion passed on a unanimous voice vote.

Respectfully Submitted,

R. Drew Irvin
Village Administrator



**NORTH SHORE LIFE
LAKE BLUFF STYLE**

VILLAGE OF LAKE BLUFF POLICE DEPARTMENT



**David D.
Belmonte**

Chief of Police

MEMORANDUM

TO: Drew Irvin, Village Administrator

FROM: David Belmonte, Chief of Police

DATE: April 8, 2015

SUBJECT: Regulation of Electronic Cigarettes (E-Cigarettes)

Electronic or e-cigarettes are devices designed to mimic cigarettes. The metal tubes are designed to look like real cigarettes and contain a cartridge filled with a nicotine-laced liquid that is vaporized by a battery-powered heating element. The nicotine vapor is inhaled by smokers when they draw on the device, as they would a regular cigarette. Most e-cigarettes claim to contain nicotine, and some claim to also sell nicotine-free cartridges. They come in a variety of flavors, nicotine levels, and varieties, all claiming to be a less dangerous alternative to smoking cigarettes, and are flooding the market.

Most local and state smoke free laws were enacted before e-cigarettes were on the market, so while such laws do not explicitly mention e-cigarettes, it should not be assumed that their use is permitted. Existing smoke free laws are often interpreted to prohibit e-cigarette use in their smoke free provisions.

As a result of the increased use of e-cigarettes, their use in workplaces and public places is a significant public health concern, not only because of their unregulated constituents and the potential health impact of the vapor on users and bystanders, but also because e-cigarette use causes public confusion as to where smoking is allowed, resulting in compliance problems with smoke free laws.

Many communities around the country are now considering amending their ordinances to regulate the use and sale of these devices. Most recently, the City of Highland Park updated their ordinance in February of this year. A copy of the ordinance is attached for review by the Village Board for discussion if the Village would like to review or update Lake Bluff's regulations for smoking.

Reports and Documents Attached:

1. A copy of Highland Park's Smoking Regulations;
2. A report from American Nonsmokers Rights Foundation "U.S. State and Local Laws Regulating Use of Electronic Cigarettes as of April 2, 2015";
3. A newspaper article dated October 21, 2014 "Deerfield backs adding e-cigarettes to indoor smoking ban"; and
4. A newspaper article dated April 7, 2015 "Ordinance change: Skokie adopts ban of e-cigarettes in public places."



45 East Center Avenue, Lake Bluff, Illinois 60044-2525

An Accredited Police Agency

CHAPTER 100: SMOKING REGULATIONS

SECTION

100.001	Background
100.005	Purpose
100.010	Definitions
100.015	Acknowledgement of Applicability of the Smoke Free Illinois Act
100.016	Prohibition in Unenclosed Public Areas
100.017	Prohibition at Entrances
100.018	Prohibition at Public Meetings
100.019	Prohibition in Common Residential Areas
100.020	Hotel and Motel Regulations
100.021	Retail Tobacco Stores
100.025	Signs and Ashtrays
100.026	Owner and Occupant Responsibility
100.030	Penalties
100.035	Severability

Sec. 100.001 Background.

Smoking creates the hazard of injury to the personal health of those in the environment of such smoke as well as the potential damage to property which may result from the combustible nature of such substance. It has been determined that breathing ambient smoke is a health hazard to both smokers and nonsmokers. Cigarette smoking also produces several substances that are considered hazardous to health including carbon monoxide, hydrogen cyanide, nitrous oxide and formaldehyde. Secondhand smoke (68% of the total smoke produced by a cigarette) affects the health of the bystander, interfering with respiratory tract defenses, often causing nonsmokers to have allergic or irritative reactions, and is a known cause of lung cancer. (Ord. 25-05, J. 31, p. 098-102, passed 4/25/05; Ord. 90-07, J. 33, p. 732-741, passed 12/10/07)

The use of e-cigarettes, as an alternative to smoking traditional cigarettes, has proliferated in recent years. Although often marketed as safe, the United States Food and Drug Administration has issued a caution related to e-cigarettes because the safety and efficacy of e-cigarettes have not been fully researched and studied, and it is not known if the use of e-cigarettes may lead young people to try tobacco products, including conventional cigarettes, which are known to cause disease and lead to premature death. **(Ord. 27-15, J.41, p. 83-92, passed 02/09/15)**

Because the hazards of smoking and the use of e-cigarettes have a potentially harmful effect, material and direct, on the public health, safety, welfare, comfort and property of residents of the City, it is, therefore, necessary and desirable to establish regulations that prohibit smoking and the use of e-cigarettes in all enclosed public areas, in all places of employment, and in certain unenclosed public areas. (Ord. 25-05, J. 31, p. 098-102, passed 4/25/05; Ord. 90-07, J. 33, p. 732-741, passed 12/10/07) **(Ord. 27-15, J.41, p. 83-92, passed 02/09/15)**

Sec. 100.005 Purpose.

This ordinance may be cited as the "Highland Park Smoking Ban Ordinance," the

purpose of which is to protect the public health, comfort and environment by prohibiting smoking and the use of e-cigarettes in all enclosed public areas, all places of employment, and in certain unenclosed public areas, in order to ensure that nonsmokers may breathe air free from the hazardous effects of secondhand smoke. (Ord. 25-05, J. 31, p. 098-102, passed 4/25/05; Ord. 90-07, J. 33, p. 732-741, passed 12/10/07) **(Ord. 27-15, J.41, p. 83-92, passed 02/09/15)**

Sec. 100.010 Definitions.

(A) Wherever the following words or phrases are used, they shall, for purposes of this Chapter, have the meanings ascribed to them in this Section 100.010, except when the context otherwise indicates: (Ord. 90-07, J. 33, p. 732-741, passed 12/10/07)

(1) “E-cigarette” means an electronic device that typically includes a mouthpiece, a heating element or atomizer, a battery, and electronic circuits; provides a gas derived from a liquid that includes nicotine, propylene glycol, or similar substance and perhaps other substances; and is inhaled by a user in a manner that simulates or resembles smoking. The term “e-cigarettee” includes all manner of these devices, regardless of the details of a device’s appearance or marketed name, that are manufactured to resemble a cigarette, cigar, pipe, or other smoking device. The term “e-cigarette” includes the cartridges and component parts of an e-cigarette, individually or in any combination. **(Ord. 27-15, J.41, p.83-92, passed 02/09/15)**

(2) “Entrance” means (a) the doorway or other entrance to a public place or public area that is open to, and intended for use by, the general public for ingress and egress to the public place or public area, and (b) the doorway or other entrance to a place of employment that is open to, and intended for use by, the general public or business invitees for ingress and egress to a place of employment, or where employees are required or permitted to enter or exit. (Ord. 90-07, J. 33, p. 732-741, passed 12/10/07)

(2) “Outdoor eating area” means a seating area open to the air that is accessory to a restaurant, as that term is defined in Section 150.202 of this Code. (Ord. 90-07, J. 33, p. 732-741, passed 12/10/07)

(3) “Outdoor event” means a scheduled outdoor musical, dance, theatrical, dramatic, entertainment or performance event, or a scheduled outdoor community fair, parade, event or market, that is organized, licensed or permitted by the owner of an outdoor venue and to which members of the general public are invited. (Ord. 90-07, J. 33, p. 732-741, passed 12/10/07)

(4) “Outdoor venue” means an outdoor theater, amphitheater, plaza, street or other improved area that is used as a public venue or forum to which members of the general public are invited to listen, view or otherwise participate in an event that is organized, licensed or permitted by the owner of the venue, and including, without limitation, parking lots located on the same property as the theater, amphitheater, plaza, street, or other improved area. (Ord. 90-07, J. 33, p. 732-741, passed 12/10/07)

(5) “Park grounds” means all unenclosed areas of a park or playground (a) that is owned or operated by the City, the Park District of Highland Park, or a public school district, and (b) to which members of the general public have been granted a right of access. “Park grounds” shall include, without limitation, parking lots located on the same property as the park or playground. (Ord. 90-07, J. 33, p. 732-741, passed 12/10/07)

(6) “Public meeting” means a meeting open to the public pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.* (Ord. 90-07, J. 33, p. 732-741, passed 12/10/07)

(7) “School grounds” means all unenclosed areas of property on which a public or private school, or school-related use, is located, which areas shall include, without limitation, parking lots located on the same property as the public or private school or school-related use. (Ord. 90-07, J. 33, p. 732-741, passed 12/10/07)

(8) “Smoke Free Illinois Act” means the Smoke Free Illinois Act, 410 ILCS 82/1 *et seq.*, as may be amended. (Ord. 90-07, J. 33, p. 732-741, passed 12/10/07)

(B) If a word or phrase is not specifically defined in this Chapter, it shall have the meaning ascribed to it in the Smoke Free Illinois Act. (Ord. 90-07, J. 33, p. 732-741, passed 12/10/07)

Sec. 100.015 Acknowledgment of Applicability of the Smoke Free Illinois Act.

(A) The City hereby acknowledges that the Smoke Free Illinois Act is applicable, and is in full force and effect, within the City of Highland Park. No person shall smoke, or use an e-cigarette, in any place in the City within which smoking is prohibited pursuant to the Smoke Free Illinois Act. (Ord. 25-05, J. 31, p. 098-102, passed 4/25/05; Ord. 90-07, J. 33, p. 732-741, passed 12/10/07) **(Ord. 27-15, J.41, p. 83-92, passed 02/09/15)**

(B) In the event of a conflict between the Smoke Free Illinois Act and the provisions of this Chapter, the most restrictive provision shall control. (Ord. 90-07, J. 33, p. 732-741, passed 12/10/07)

Sec. 100.016 Prohibition in Unenclosed Public Areas.

(A) No person shall smoke, or use an e-cigarette, in the following unenclosed public areas:

- (1) Outdoor venues;
- (2) Park grounds;
- (3) School grounds;
- (4) Vehicle and railroad loading areas and platforms;
- (5) Loading docks and areas;
- (6) Public golf driving ranges;
- (7) Miniature golf courses;
- (8) The City Hall and Highland Park Public Library campus generally bounded by Laurel Avenue to the north, St. Johns Avenue to the west, and Hazel Avenue to the south;
- (9) City-owned parking lots;
- (10) Outdoor eating areas; provided, however, that this prohibition shall not apply to any person who is temporarily in any portion of an outdoor eating area that is located on a public sidewalk for the sole purpose of walking or traversing through such area;
- (11) Public sidewalks within 25 feet of an outdoor eating area; provided, however, that this prohibition shall not apply to any person who is temporarily in such area for the sole purpose of walking or traversing through such area;

(12) Beaches;

(13) Buhai Plaza/Port Clinton Square;

(14) The unenclosed areas of Renaissance Place; and

(15) Gasoline or fuel stations. (Ord. 25-05, J. 31, p. 098-102, passed 4/25/05; Ord. 90-07, J. 33, p. 732-741, passed 12/10/07)

(B) No person shall smoke, or use an e-cigarette, in, or within 25 feet of, an outdoor venue during the time that an outdoor event is taking place in that outdoor venue; provided, however, that the City Council may designate, by resolution duly adopted, specified portions of an outdoor venue as areas within which smoking is not prohibited. (Ord. 90-07, J. 33, p. 732-741, passed 12/10/07; Ord. 32-08, J. 34, p. 116-118, passed 5/12/08) **(Ord. 27-15, J.41, p. 83-92, passed 02/09/15)**

(C) Notwithstanding any provision of this Section 100.016 to the contrary, smoking, and the use of e-cigarettes, shall not be prohibited on those portions of park grounds that are specifically used as a golf course (other than (i) a golf driving range, (ii) a miniature golf course, and (iii) within 25 feet of the first tee of the golf course), (Ord. 90-07, J. 33, p. 732-741, passed 12/10/07) **(Ord. 27-15, J.41, p. 83-92, passed 02/09/15)**

Sec. 100.017 Prohibition at Entrances.

Smoking, and the use of e-cigarettes, shall be prohibited within 25 feet of an entrance to any place (enclosed or unenclosed) within which smoking is prohibited; provided, however, that this prohibition shall not apply to any person who is temporarily in such area for the sole purpose of walking or traversing through such area. (Ord. 90-07, J. 33, p. 732-741, passed 12/10/07) **(Ord. 27-15, J.41, p. 83-92, passed 02/09/15)**

Sec. 100.018 Prohibition at Public Meetings.

Smoking, and the use of e-cigarettes, shall be prohibited in all public meetings. (Ord. 90-07, J. 33, p. 732-741, passed 12/10/07) **(Ord. 27-15, J.41, p. 83-92, passed 02/09/15)**

Sec. 100.019 Prohibition in Common Residential Areas.

No person shall smoke, or use an e-cigarette, in any common or public area (including, without limitation, lobbies, hallways, reception areas, public restrooms, and elevators) of any apartment building, condominium, dormitory building, nursing home, long-term care facility, or other multiple-family residential structures; provided, however that smoking, and the use of e-cigarettes, shall be permitted in semi-private rooms in a nursing home or long-term care facility of which all of the occupants (1) are smokers and/or habitual users of e-cigarettes, and (2) have requested in writing to be placed or to remain in a room where smoking, and/or the use of e-cigarettes, is permitted. (Ord. 25-05, J. 31, p. 098-102, passed 4/25/05; Ord. 90-07, J. 33, p. 732-741, passed 12/10/07) **(Ord. 27-15, J.41, p. 83-92, passed 02/09/15)**

Sec. 100.020 Hotel and Motel Regulations.

Not more than 10% of the rooms rented to guests in a hotel or motel may be designated as rooms where smoking, or the use of e-cigarettes, is allowed. (Ord. 90-07, J.

33, p. 732-741, passed 12/10/07) (**Ord. 27-15, J.41, p. 83-92, passed 02/09/15**)

Sec. 100.021 Retail Tobacco Stores.

Smoking, and the use of e-cigarettes, shall be prohibited in all Retail Tobacco Stores; provided, however, that this Section 100.021 shall not apply to an established smoking area incidental to the sale of tobacco in Retail Tobacco Stores, if such smoking area was in existence and operational as of April 25, 2005. (Ord. 25-05, J. 31, p. 098-102, passed 4/25/05; Ord. 90-07, J. 33, p. 732-741, passed 12/10/07) **(Ord. 27-15, J.41, p. 83-92, passed 02/09/15)**

Sec. 100.025 Signs and Ashtrays.

Each owner, operator, manager, or other person in control of any place within which smoking is prohibited pursuant to this Chapter shall:

(A) Conspicuously post signs indicating that smoking is prohibited in the same manner as is described in Sections 20(a) and 20(b) of the Smoke Free Illinois Act; provided, however, that in the event that there is no clearly defined entrance to a place within which smoking is prohibited pursuant to this Chapter, such signs shall be posted on or adjacent to an existing identification sign located on the property; and (Ord. 31-91, J. 18, p. 621, passed 9/10/91; Ord. 25-05, J. 31, p. 098-102, passed 4/25/05; Ord. 90-07, J. 33, p. 732-741, passed 12/10/07)

(B) Remove all ashtrays from the place within which smoking is prohibited, in the same manner as is described in Section 20(c) of the Smoke Free Illinois Act. (Ord. 90-07, J. 33, p. 732-741, passed 12/10/07)

Sec. 100.026 Owner and Occupant Responsibility.

It shall be unlawful for any person to knowingly permit smoking, or the use of e-cigarettes, in any place that is owned, occupied, or leased by the person and within which smoking, and the use of e-cigarettes, is prohibited pursuant to this Chapter. (Ord. 90-07, J. 33, p. 732-741, passed 12/10/07)

Sec. 100.030 Penalties.

(A) Except as provided in Section 100.030(B) of this Chapter, any person who violates Sections 100.015, 100.016, 100.017, 100.018, 100.019, 100.020, or 100.021 of this Chapter shall be fined not less than \$100 nor more than \$750 for each and every offense. (Ord. 90-07, J. 33, p. 732-741, passed 12/10/07)

(B) Any person who violates any provision of this Chapter, and who is the owner, occupant, or lessee of any place at which smoking, and the use of e-cigarettes, is prohibited pursuant to this Chapter, shall be fined not less than \$250 nor more than \$750 for the first offense, not less than \$500 nor more than \$1,000 for the second offense within any 12-month period, and not less than \$2,500 nor more than \$3,000 for the third and each subsequent offense within any 12-month period. (Ord. 90-07, J. 33, p. 732-741, passed 12/10/07) **(Ord. 27-15, J.41, p. 83-92, passed 02/09/15)**

(C) Violation notices for violations of this Chapter shall be issued, served, and resolved in accordance with the Administrative Hearing System established pursuant to Chapter 38 of this Code. (Ord. 25-05, J. 31, p. 098-102, passed 4/25/05)

(D) Each day on which a violation of this Chapter occurs or exists shall be

deemed a separate and distinct offense. (Ord. 90-07, J. 33, p. 732-741, passed 12/10/07)

Sec. 100.035 Severability.

If any provision or part of this Chapter or of the Smoke Free Illinois Act is held invalid by a court of competent jurisdiction, the remaining provisions of this Chapter shall remain in full force and effect, and shall be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Chapter to the greatest extent permitted by applicable law. (Ord. 25-05, J. 31, p. 098-102, passed 4/25/05; Ord. 90-07, J. 33, p. 732-741, passed 12/10/07)

(Note: Chapter 100 adopted by Ord. 23B-79, J. 14, p. 0691, passed 4/23/79 was not reviewed or prepared by Corporation Counsel)

(Chapter 100 amended in toto by Ord. 24-86, J. 16, p. 456-459, passed 6/10/86; Chapter 100 amended in toto by Ord. 25-05, J. 31, p. 098-102, passed 4/25/05; Chapter 100 amended in toto by Ord. 90-07, J. 33, p. 732-741, passed 12/10/07)

U.S. State and Local Laws Regulating Use of Electronic Cigarettes

As of April 2, 2015

The following list includes states and municipalities with **laws currently in effect** that regulate where use of electronic cigarettes (e-cigarettes) is prohibited. E-cigarettes are battery-powered devices that are designed to mimic cigarettes by vaporizing a nicotine-laced liquid that is inhaled by the user. The use of e-cigarettes in workplaces and public places is a significant public health concern, not only because of their unregulated constituents and the potential health impact of the vapor on users and bystanders, but also because e-cigarette use causes public confusion as to where smoking is allowed, resulting in compliance problems with smokefree laws.

Most local and state smokefree laws were enacted before e-cigarettes were on the market, so while such laws do not explicitly mention e-cigarettes, it should not be assumed that their use is permitted. Existing smokefree laws are often interpreted to prohibit e-cigarette use in their smokefree provisions.

NOTE: In the 100% Smokefree Venues column, the following abbreviations are used: W=non-hospitality workplaces; R=restaurants; B=bars; G=gambling facilities.

For more information, please visit [ANR's e-cigarettes page](#).

State Laws Regulating Use of E-cigarettes

State Laws Restricting E-cigarette Use in 100% Smokefree Venues

Other state laws that do not explicitly address e-cigarettes might be interpreted as prohibiting the use of e-cigarettes in existing smokefree provisions.

State	100% Smokefree Venues in Which Use of E-cigarettes Prohibited	Use of E-cigarettes Specifically Permitted	Permitted In:
1. North Dakota	WRBG	No	
2. New Jersey	WRB	No	
3. Utah	WRB	Yes	Retailers that sell e-cigarettes, until 7/1/17.

State Laws Regulating E-cigarette Use in Other Venues

State	Prohibited In:	Use of E-cigarettes Specifically Permitted	If Partial, Permitted In:
1. Arkansas	Use of e-cigarettes prohibited on school district property.	No	

State	Prohibited In:	Use of E-cigarettes Specifically Permitted	If Partial, Permitted In:
2. California	Smoking, including use of e-cigarettes, prohibited at Orange County Fair, including amphitheater, grandstand, and bleacher seating areas.	No	
3. Colorado	Definition of tobacco product for purposes of prohibition of use on school property amended to include e-cigarettes, unless approved by FDA as cessation devices.	No	
4. Delaware	Tobacco use, including use of e-cigarettes and hookahs, prohibited in all State workplaces, including all buildings, facilities, indoor and outdoor spaces and surrounding grounds, as well as parking lots and state vehicles operated on State workplace property.	No	
5. Georgia	Tobacco use, including use of e-cigarettes and hookahs, prohibited everywhere on campuses of University System of Georgia, with limited exceptions for educational purposes and research.	No	
6. Hawaii	Use of e-cigarettes prohibited on all Dept. of Health property where smoking is prohibited.	No	
7. Illinois	As of 7/1/15, smoking, including use of e-cigarettes, prohibited on all campuses of State-supported institutions of higher education, including buildings, grounds, parking lots, and vehicles owned by institutions. Enclosed research laboratories are exempt.	No	
8. Kansas	Tobacco use, including use of e-cigarettes, prohibited on all Dept. of Corrections property and grounds, by both employees and inmates. Per opinion of Attorney General, Indoor Clean Air Act of 2010 does not apply to e-cigarettes.	Partial	All places where smoking is prohibited per 3/12/10 law, including workplaces, restaurants, bars, gambling facilities, and public places generally.

State	Prohibited In:	Use of E-cigarettes Specifically Permitted	If Partial, Permitted In:
9. Kentucky	Tobacco use, including use of e-cigarettes, prohibited on all properties of State Executive Branch, including buildings, vehicles, and land, but excluding specific outdoor areas such as parks, Kentucky Horse Park, and Kentucky State Fairgrounds. Per Governor's Office, does not apply to State colleges and universities.	No	
10. Maryland	Smoking, including use of e-cigarettes prohibited on MARC commuter rail system trains.	No	
11. Minnesota	Use of e-cigarettes prohibited in State and local government buildings, facilities of State colleges and universities, facilities licensed by Commissioner of Human Services, and facilities licensed by Commissioner of Health.	No	
12. New Hampshire	Use of e-cigarettes prohibited in public educational facilities and on grounds thereof.	No	
13. Oklahoma	Tobacco use, including use of e-cigarettes, prohibited in all Dept. of Corrections facilities, including vehicles and grounds.	No	
14. Oregon	State agency employees prohibited from using tobacco products, including e-cigarettes, in State agency buildings and on State agency grounds adjacent to buildings.	No	
15. South Dakota	Tobacco use, including use of e-cigarettes, prohibited in Dept. of Corrections facilities and on grounds thereof, by both employees and inmates.	No	
16. Virginia	Smoking, including use of e-cigarettes, prohibited on Virginia Railway Express trains and limited to 100 feet on north end of station platforms.	No	

State	Prohibited In:	Use of E-cigarettes Specifically Permitted	If Partial, Permitted In:
17. Vermont	Smoking, including use of e-cigarettes, prohibited on school grounds and at child care facilities, both indoors and outdoors.	No	
18. Wisconsin	Smoking, including use of e-cigarettes, prohibited at indoor facilities of State Fair and at main stage area.	No	

Local Laws Regulating Use of E-cigarettes

Laws Restricting E-cigarette Use in 100% Smokefree Venues

Note: The jurisdiction(s) affected by county-level laws vary widely. Look for a plus symbol (+) next to each county with a law that includes both incorporated and unincorporated areas. A county without a symbol means that the county law covers unincorporated areas only.

State	City/County	100% Smokefree Venues in Which Use of E-cigarettes Prohibited	Use of E-cigarettes Specifically Permitted	If Partial, Permitted In:
1. AK	Juneau	RBG	No	
2. AK	Palmer	WRB	No	
3. AL	Anniston	WRBG	No	
4. AL	Bessemer	WRG	No	
5. AL	Clay	WRBG	No	
6. AL	Creola	WRBG	No	
7. AL	Foley	WRG	No	
8. AL	Fultondale	WRBG	No	
9. AL	Gadsden	WRBG	No	
10. AL	Midfield	WRBG	No	
11. AL	Monroeville	WRBG	No	
12. AL	Opelika	WR	No	
13. AL	Troy	WRBG	No	
14. AL	Vestavia Hills	WRBG	No	
15. AZ	Coconino County	WR	No	
16. AZ	Tempe	WRB	No	
17. CA	Arcata	WRB	No	
18. CA	Artesia	RB	Partial	E-cigarette retailers.
19. CA	Berkeley	WRBG	No	
20. CA	Beverly Hills	RBG	No	

21.	CA	Calabasas	WRBG	No	
22.	CA	Camarillo	W	No	
23.	CA	Campbell	RBG	No	
24.	CA	Carlsbad	RBG	No	
25.	CA	Contra Costa County	WRBG	No	
26.	CA	Corte Madera	WRB	No	
27.	CA	Daly City	WRBG	No	
28.	CA	Davis	WRBG	No	
29.	CA	Del Mar	WRB	No	
30.	CA	Dublin	RBG	No	
31.	CA	El Cajon	RBG	No	
32.	CA	El Cerrito	WRBG	No	
33.	CA	Eureka	WRBG	No	
34.	CA	Fairfax	WRBG	No	
35.	CA	Folsom	RBG	No	
36.	CA	Foster City	RB	No	
37.	CA	Fremont	WRB	No	
38.	CA	Goleta	RB	No	
39.	CA	Hayward	RB	No	
40.	CA	Laguna Hills	WRBG	No	
41.	CA	Lompoc	RB	No	
42.	CA	Long Beach	WRBG	No	
43.	CA	Los Angeles	RBG	Partial	Retail e-cigarette stores and theatrical production sites.
44.	CA	Mammoth Lakes	WRBG	No	
45.	CA	Manhattan Beach	WRBG	No	
46.	CA	Marin County	WRB	Partial	Individual apartment units in multi-unit residences.
47.	CA	Mill Valley	WRB	No	
48.	CA	Morgan Hill	WRB	No	
49.	CA	Mountain View	WRB	No	
50.	CA	Oroville	W	No	
51.	CA	Paradise	WRB	No	
52.	CA	Petaluma	W	No	
53.	CA	Pico Rivera	RBG	No	
54.	CA	Pittsburg	RBG	No	
55.	CA	Pleasanton	WRB	No	
56.	CA	Rancho Cordova	WRBG	No	
57.	CA	Richmond	WRBG	No	
58.	CA	San Anselmo	WRB	No	

59.	CA	San Bernardino	W	No	
60.	CA	San Diego	WRBG	Partial	Designated areas of Petco Park and Qualcomm Stadium; e-cigarette lounges and shops.
61.	CA	San Diego County	RBG	No	
62.	CA	San Francisco	WRB	No	
63.	CA	San Mateo County	W	No	
64.	CA	Santa Clara County	WRB	No	
65.	CA	Santa Cruz	WG	No	
66.	CA	Santa Maria	RB	No	
67.	CA	Santa Monica	WRB	Partial	Two existing e-cigarette lounges/businesses.
68.	CA	Scotts Valley	WR	No	
69.	CA	Seal Beach	RBG	No	
70.	CA	Sebastopol	WRBG	No	
71.	CA	Shasta County	WRB	No	
72.	CA	Solana Beach	RB	No	
73.	CA	Sonoma County	WRBG	No	
74.	CA	Temecula	WRBG	No	
75.	CA	Tiburon	WRB	No	
76.	CA	Union City	WRB	No	
77.	CA	Walnut Creek	RBG	No	
78.	CA	Watsonville	WG	No	
79.	CO	Boulder	WRB	No	
80.	CO	Breckenridge	RBG	No	
81.	CO	Brighton	RBG	No	
82.	CO	Edgewater	WRBG	No	
83.	CO	Fort Collins	WRB	No	
84.	CO	Frisco	RB	No	
85.	CO	Golden	RB	No	
86.	CO	Greeley	RB	No	
87.	CO	Lakewood	RBG	No	
88.	CO	Louisville	RB	Partial	Retail e-cigarette stores.
89.	FL	Alachua County	WRG	No	
90.	FL	Archer	WRG	No	
91.	FL	Belleview	WRG	No	
92.	FL	Clay County	WR	No	
93.	FL	Delray Beach	WRG	Partial	Retail e-cigarette shops.
94.	FL	Gainesville	WRG	No	
95.	FL	Hawthorne	WRG	No	
96.	FL	High Springs	WRG	No	

97.	FL	Lighthouse Point	WRG	No	
98.	FL	Marion County	WRG	No	
99.	FL	Miami/Dade County	WRG	No	
100.	FL	Newberry	WRG	No	
101.	FL	Orange Park	WRG	No	
102.	FL	Port St. Joe	WRG	No	
103.	FL	Waldo	WRG	No	
104.	GA	Chatham County	WRBG	No	
105.	GA	DeKalb County	W	No	
106.	GA	Pooler	WRBG	No	
107.	GA	Savannah	WRBG	No	
108.	HI	Hawaii County ⁺	WRB	No	
109.	ID	Ketchum	WRBG	No	
110.	IL	Arlington Heights	WR	No	
111.	IL	Chicago	WRBG	Partial	Theater performances; retail tobacco stores.
112.	IL	Deerfield	WRB	No	
113.	IL	DeKalb	WRB	No	
114.	IL	Elk Grove Village	WRB	No	
115.	IL	Evanston	WRB	No	
116.	IL	Oak Park	WRB	No	
117.	IL	Schaumburg	WRBG	No	
118.	IL	Wilmette	WRBG	No	
119.	IN	Indianapolis/Marion	WRB	No	
120.	KS	Olathe	WRB	No	
121.	KS	Overland Park	WRBG	No	
122.	KS	Park City	WRB	No	
123.	KY	Bardstown	WRBG	No	
124.	KY	Berea	WRBG	No	
125.	KY	Danville	WRBG	No	
126.	KY	Glasgow	RBG	No	
127.	KY	Kenton County ⁺	W	No	
128.	KY	Lexington/Fayette	WRBG	No	
129.	KY	Manchester	WRBG	No	
130.	KY	Richmond	WRBG	No	
131.	KY	Versailles	WRB	No	
132.	KY	Woodford County	WRB	No	
133.	LA	Abbeville	WRBG	No	
134.	LA	Cheneyville	WRBG	No	
135.	LA	Monroe	WRBG	No	

136.	LA	New Orleans	WRBG	No	
137.	LA	Ouachita Parish	WRBG	No	
138.	LA	West Monroe	WRBG	No	
139.	MA	Acton	WRBG	No	
140.	MA	Adams	WRBG	No	
141.	MA	Amherst	WRBG	No	
142.	MA	Andover	WRBG	No	
143.	MA	Arlington	WRBG	No	
144.	MA	Athol	WRBG	No	
145.	MA	Auburn	WRBG	No	
146.	MA	Barre	WRBG	No	
147.	MA	Billerica	WRBG	No	
148.	MA	Bolton	WRBG	No	
149.	MA	Boston	WRB	No	
150.	MA	Bourne	WRB	No	
151.	MA	Bridgewater	WRBG	No	
152.	MA	Buckland	WRBG	No	
153.	MA	Burlington	WRBG	No	
154.	MA	Cohasset	WRBG	No	
155.	MA	Concord	WRBG	No	
156.	MA	Dartmouth	WRBG	No	
157.	MA	Dedham	WRB	No	
158.	MA	Deerfield	WRBG	No	
159.	MA	Dighton	WRBG	No	
160.	MA	Dover	RB	No	
161.	MA	Dracut	WRBG	No	
162.	MA	Easthampton	WRBG	No	
163.	MA	Fairhaven	WRBG	No	
164.	MA	Fitchburg	WRBG	No	
165.	MA	Foxborough	WRBG	No	
166.	MA	Franklin	WRBG	No	
167.	MA	Gardner	WRBG	No	
168.	MA	Gill	WRBG	No	
169.	MA	Grafton	WRBG	No	
170.	MA	Granby	WRBG	No	
171.	MA	Great Barrington	WRBG	No	
172.	MA	Greenfield	WRBG	No	
173.	MA	Hamilton	WRBG	No	
174.	MA	Hatfield	WRBG	Partial	Smoking bars and hotels/motels.
175.	MA	Haverhill	WRBG	No	

176.	MA	Hubbardston	WRBG	No	
177.	MA	Hudson	WRBG	No	
178.	MA	Hull	WRBG	No	
179.	MA	Lee	WRBG	No	
180.	MA	Leicester	WRBG	No	
181.	MA	Lenox	WRBG	No	
182.	MA	Lynn	WRBG	No	
183.	MA	Marblehead	WRBG	No	
184.	MA	Mashpee	WRBG	No	
185.	MA	Medway	WRBG	No	
186.	MA	Montague	WRBG	No	
187.	MA	Needham	WRB	No	
188.	MA	New Bedford	WRBG	No	
189.	MA	Newburyport	WRBG	No	
190.	MA	Newton	WRBG	No	
191.	MA	North Andover	WRBG	No	
192.	MA	North Attleborough	WRBG	No	
193.	MA	Northampton	WRBG	No	
194.	MA	Orleans	WRBG	No	
195.	MA	Oxford	WRBG	No	
196.	MA	Pittsfield	WRBG	No	
197.	MA	Plainville	WRBG	No	
198.	MA	Provincetown	WRBG	No	
199.	MA	Salem	WRBG	No	
200.	MA	Saugus	WRBG	No	
201.	MA	Sharon	WRBG	No	
202.	MA	Shelburne	WRB	No	
203.	MA	Sherborn	WRBG	No	
204.	MA	Somerset	WRBG	No	
205.	MA	South Hadley	WRBG	No	
206.	MA	Stockbridge	WRBG	No	
207.	MA	Sunderland	WRBG	No	
208.	MA	Sutton	WRBG	No	
209.	MA	Swampscott	WRBG	No	
210.	MA	Taunton	WRBG	No	
211.	MA	Tewksbury	WRBG	No	
212.	MA	Townsend	WRBG	No	
213.	MA	Wayland	WRBG	No	
214.	MA	Webster	WRBG	No	
215.	MA	Wendell	WRBG	No	

216.	MA	West Springfield	WRBG	No	
217.	MA	Westminster	WRBG	No	
218.	MA	Westport	WRBG	No	
219.	MA	Westwood	WRBG	No	
220.	MA	Weymouth	WRBG	No	
221.	MA	Whately	WRBG	No	
222.	MA	Williamstown	WRB	No	
223.	MA	Winchendon	WRBG	No	
224.	MA	Winchester	WRBG	No	
225.	MD	Baltimore	W	Partial	Restaurants, bars, video lottery facilities, retail e-cigarette stores.
226.	MN	Austin	WRBG	No	
227.	MN	Beltrami County ⁺	WRB	Partial	E-cigarette stores, for purpose of sampling non-nicotine substances.
228.	MN	Bloomington	WRB	No	
229.	MN	Duluth	WRBG	No	
230.	MN	Eden Prairie	WRBG	No	
231.	MN	Edina	RBG	No	
232.	MN	Ely	WRBG	No	
233.	MN	Hennepin County ⁺	WRBG	No	
234.	MN	Hermantown	WRBG	No	
235.	MN	Houston County	WRBG	No	
236.	MN	Isanti	WRBG	No	
237.	MN	Mankato	WRB	No	
238.	MN	Minneapolis	WRBG	No	
239.	MN	Moorhead	WRBG	No	
240.	MN	North Mankato	WRBG	No	
241.	MN	Olmsted County ⁺	WRB	Partial	Use of vaporized medical marijuana permitted wherever not prohibited by State law.
242.	MN	Orono	WRBG	No	
243.	MN	Savage	WRBG	No	
244.	MN	Sleepy Eye	WRBG	No	
245.	MN	St. Anthony	WRB	No	
246.	MN	Waseca	WRBG	No	
247.	MO	Branson	WR	No	
248.	MO	Clinton	WRB	No	
249.	MO	Columbia	RB	No	
250.	MO	Creve Coeur	WRB	No	
251.	MO	Gainesville	RB	No	
252.	MO	Jefferson City	WRBG	No	

253.	MO	St. Joseph	WRBG	No	
254.	MO	Washington	WRBG	Partial	Testing of e-cigarettes in e-cigarette retail stores until 1/22/17.
255.	MS	Anguilla	WRBG	No	
256.	MS	Arcola	WRBG	No	
257.	MS	Baldwyn	WRBG	No	
258.	MS	Bassfield	WRBG	No	
259.	MS	Bruce	WRBG	No	
260.	MS	Byram	WRBG	No	
261.	MS	Calhoun City	WRBG	No	
262.	MS	Centreville	WRBG	No	
263.	MS	Coahoma County	WRB	No	
264.	MS	Crawford	WRBG	No	
265.	MS	Duncan	WRBG	No	
266.	MS	Durant	WRBG	No	
267.	MS	Ethel	WRBG	No	
268.	MS	Farmington	WRBG	No	
269.	MS	Flowood	WRG	No	
270.	MS	Forest	WRBG	No	
271.	MS	Friars Point	WRBG	No	
272.	MS	Georgetown	WRBG	No	
273.	MS	Indianola	WRBG	No	
274.	MS	Itta Bena	WRBG	No	
275.	MS	Louisville	WRBG	No	
276.	MS	Magee	WRBG	No	
277.	MS	Mendenhall	WRBG	No	
278.	MS	Monticello	RBG	No	
279.	MS	Moorhead	WRBG	No	
280.	MS	New Augusta	WRBG	No	
281.	MS	Plantersville	WRBG	No	
282.	MS	Prentiss	WRBG	No	
283.	MS	Rolling Fork	WRBG	No	
284.	MS	Sledge	WRBG	No	
285.	MS	Southaven	WRB	No	
286.	MS	Sumner	WRBG	No	
287.	MS	Tupelo	WRB	Yes	
288.	MS	Walnut	WRBG	No	
289.	MS	Wesson	WRBG	No	
290.	MS	Woodville	WRBG	No	

291.	MT	Lewis and Clark	WRBG	No	
292.	ND	Bismarck	WRBG	No	
293.	ND	Dickinson	WRBG	No	
294.	ND	Walhalla	WRBG	No	
295.	ND	Williston	WRBG	No	
296.	NJ	Newark	WRBG	No	
297.	NM	Carlsbad	W	No	
298.	NM	Santa Fe	WRB	No	
299.	NY	Cattaraugus County	RBG	No	
300.	NY	Lynbrook	RB	No	
301.	NY	New York City	WRB	Partial	Retail e-cigarette stores.
302.	NY	Suffolk County ⁺	WRB	No	
303.	NY	Tompkins County ⁺	WRB	No	
304.	OH	Oberlin	WRB	No	
305.	OR	Benton County	WRB	No	
306.	OR	Corvallis	WRB	No	
307.	OR	Cottage Grove	WRBG	No	
308.	PA	Philadelphia	WRB	Partial	Specialty e-cigarette establishments; tobacco products distribution businesses.
309.	SC	Denmark	WRB	No	
310.	SC	Estill	WRBG	No	
311.	SC	West Pelzer	WRB	No	
312.	SC	Yemassee	WRB	No	
313.	TX	Bedford	R	No	
314.	TX	Boerne	R	No	
315.	TX	Frisco	WRB	No	
316.	TX	Georgetown	RB	Partial	Stand-alone vaping businesses.
317.	TX	Harlingen	WRBG	No	
318.	TX	Joshua	WR	No	
319.	TX	Lufkin	WRBG	No	
320.	TX	San Angelo	WRB	No	
321.	TX	San Marcos	WRB	No	
322.	TX	Socorro	WRB	No	
323.	TX	Waxahachie	WRBG	No	
324.	TX	Weatherford	R	No	
325.	TX	Wichita Falls	WRB	No	
326.	WA	Grant County	WRBG	Partial	Retail e-cigarette stores.
327.	WA	King County ⁺	WRBG	No	
328.	WA	Pasco	WRBG	No	

329.	WI	Ashwaubenon	WRBG	No	
330.	WI	Greenfield	WRBG	No	
331.	WI	Madison	WRB	Partial	E-cigarette stores.
332.	WI	Onalaska	WRBG	No	
333.	WV	Barbour County ⁺	WRBG	No	
334.	WV	Berkeley County ⁺	WRBG	No	
335.	WV	Brooke County ⁺	WRBG	No	
336.	WV	Calhoun County ⁺	WRBG	No	
337.	WV	Grant County ⁺	WRBG	No	
338.	WV	Greenbrier County ⁺	WRBG	No	
339.	WV	Hancock County ⁺	WRBG	No	
340.	WV	Lewis County ⁺	WRBG	No	
341.	WV	Marshall County ⁺	W	No	
342.	WV	Mineral County ⁺	WRBG	No	
343.	WV	Monroe County ⁺	WRBG	No	
344.	WV	Morgan County ⁺	WR	No	
345.	WV	Nicholas County ⁺	WRBG	No	
346.	WV	Pleasants County ⁺	WRBG	No	
347.	WV	Randolph County ⁺	WRBG	No	
348.	WV	Ritchie County ⁺	WRBG	No	
349.	WV	Roane County ⁺	WRBG	No	
350.	WV	Taylor County ⁺	WRBG	No	
351.	WV	Upshur County ⁺	WRB	No	
352.	WV	Webster County ⁺	WR	No	
353.	WV	Wirt County ⁺	WRBG	No	
354.	WV	Wood County ⁺	WRBG	No	

⁺Law pertains to both incorporated and unincorporated areas of county.

Laws Currently in Effect

State Laws Restricting E-cigarette Use in 100% Smokefree Venues: 3

State Laws Restricting E-cigarette Use in Other Venues: 18

Local Laws Restricting E-cigarette Use in 100% Smokefree Venues: 354

In addition, 186 local laws restrict E-cigarette Use in Other Venues (not listed above)

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CHICAGO TRIBUNE

Deerfield backs adding e-cigarettes to indoor smoking ban

By [Greg Trotter](#) Chicago Tribune [contact the reporter](#)

October 21, 2014

E-cigarettes would fall under the same rules as tobacco, under Deerfield proposal. Deerfield to regulate e-cigarettes, joining other suburbs taking similar steps.

Deerfield trustees support regulating electronic cigarettes like other tobacco products.

On Monday night, the village board considered the "first reading" of the new village law, which notes that e-cigarettes "remain unregulated at the federal level, leaving states and local governments to adopt their own regulation regarding the smoking of e-cigarettes in public places and work places," as well as the sale of and distribution of the product to minors, according to the ordinance.

The new ordinance will prohibit the sale of e-cigarettes to minors and ban the use of e-cigarettes in places where smoking is not allowed.

"Part of the conversation is (e-cigarettes) haven't been studied long enough and the full implications are still unknown," said Andrew Lichterman, assistant to the village manager.

Deerfield police officials have said in past meetings that e-cigarettes are sometimes used by teens to smoke marijuana in its liquid form.

With its ordinance, Deerfield will be joining Wilmette, Oak Park and Arlington Heights, which have also recently passed new regulations. Chicago has also passed an ordinance banning e-cigarettes from restaurants, bars and most indoor public places.

CHICAGO TRIBUNE

April 7, 2015

Ordinance change: Skokie adopts ban of e-cigarettes in public places



The Skokie Village Board has amended the village's no smoking ordinance to prohibit electronic cigarettes.

(Sean Gallup, Getty Images)

By Mike Isaacs Pioneer Press ***contact the reporter***

E-cigarettes prohibited in public in Skokie
 Skokie becomes latest to regulate e-smoking
 Skokie tightens no-smoking regulations

Electronic cigarettes and other "e-smoking" products have been added to Skokie's ordinance prohibiting smoking in public places.

Representatives of Skokie's Health Department and Board of Health indicated that other measures, including an increase in the minimum age to buy such products in Skokie, could be coming to the Skokie Village Board in the future.

Village trustees April 6 unanimously approved amending the village's no smoking ordinance after a detailed and impassioned presentation about e-smoking products.



Bob Berens, a television writer in Los Angeles, first noticed back in July that it was getting hard to find the Nicorette lozenges he'd been consuming religiously ever since he quit smoking seven years ago. Neighborhood stores were tapped out. Soon, he was driving across the city to locate even... (Todd C. Frankel)

The case against e-cigarettes concluded that they are harmful and the full impact of their harm is not yet known; that they are marketed toward younger people; and that it is often under-reported that nicotine is a "gateway drug" to other addictions such as cocaine and heroin.

Board of Health Chairman Dr. A. Michael Drachler called the proliferation of electronic cigarette use — especially among youth — "one of the biggest problems in tobacco cessation and prevention."

"The Board of Health feels very strongly that e-cigarettes should be regulated like other tobacco products under the Smoking in Public Places ordinance," he said.

Dr. Tim Sanborn, a cardiologist at NorthShore University Health System, said it is not yet known whether e-cigarettes are less harmful than tobacco, citing their recent introduction to the market.

"We don't have any long term data on the consequences, such as cancer [and] heart disease...there's just no data," said Sanborn. "However, there have been reports that calls to poison centers for e-cigarette overdoses have spiked dramatically."



A preliminary study in the New England Journal of Medicine raises a new worry about electronic cigarettes – exposure to formaldehyde. (Karen Kaplan)

Sanborn also noted that e-cigarettes are unregulated by the Food and Drug Administration, adding to the uncertainty of their impact on consumers' health.

"It's like the wild west out there," he said.

The Center for Disease Control released a report stating that, in some cities, e-cigarettes have surpassed regular cigarette use, and that use among middle and high school students more than doubled from 2011 to 2012.

Inside e-cigarettes are a battery, a heating element, and a cartridge holding nicotine and other liquids and flavorings. Health experts note that nicotine is one of the most addictive drugs available whether it comes from e-products or tobacco.

In a letter to Mayor George Van Dusen, Drachler said that e-cigarettes "mimic" cigarettes by vaporizing a nicotine-laced liquid that comes from tobacco plants and that is inhaled.

"The vaporized liquid is being marketed as harmless water vapor, but it is unregulated, highly addictive and contains harmful chemicals and toxins," he said. "Treating e-cigarettes as identical to tobacco is an important step to preventing youth from becoming addicted to nicotine and limiting second-hand e-cigarette vapor exposure."

Dr. Larry Williams, a professor of dentistry at Midwestern University and a national authority in addressing smoking in the military, maintained that there are harmful toxins in e-cigarettes.

"Tobacco companies are not stupid," Williams said. "If you can't market it one way, what do you do? You look for another way to do it so they look for the novelty part."

E-cigarettes come in every flavor from cinnamon to bubble gum, Williams noted.

"There is not a single person in this room who will smoke a bubble gum e-cigarette," he said. "Take a wild guess who's going to smoke [this]? It's kids."

Skokie was one of the first municipalities in the state to adopt no-smoking regulations in public places — long before such regulations were approved state-wide.

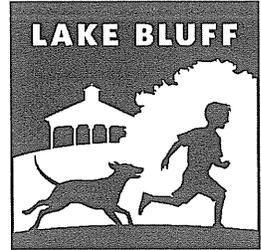
Illinois has not added e-smoking to these regulations and when and if it does is not known. At the start of this year, Drachler said, three states and 108 municipalities — including Chicago, Evanston and Wilmette — have adopted e-cigarette regulations.

In 2012, the Skokie Board of Health approved a long-range health plan around four major issues — smoking being one of them.

"It's important to keep all residents healthy by reducing smoking among adults and especially teens," the village health plan states.

misaacs@pioneerlocal.com

MEMORANDUM



Date: April 10, 2015

To: President O'Hara and Members of the Committee-of-the-Whole

From: Drew Irvin, Village Administrator
Brandon Stanick, Assistant Village Administrator

Subject: **A Discussion Regarding the (i) Construction, Renovation, and Preservation of Residences and (ii) Historic Preservation, Bulk Regulations, Subdivision Regulations, and Design Review.**

Following the recent demolition petitions for the properties located 400 E. Center Avenue and 925 N. Sheridan Road, one of which is currently being considered for landmark designation, the Village Board expressed a desire to evaluate the following:

- if the Village's historic preservation regulations are truly achieving the purpose of promoting historic and architectural preservation in the Village;
- if the Village's bulk and massing regulations are effectively managing the massing of new single-family homes;
- if the Village's subdivision regulations are protecting the character of Lake Bluff; and
- if there is a desire to implement architectural review requirements for new single-family homes.

To kick-off a discussion concerning the "4 Points" noted above, please find the following documents attached:

1. A chart comparing the Village's historic preservation regulations with several other North Shore communities;
2. A chart summarizing the size (in floor area) of the five most recent building permits for single-family homes;
3. A Request for Council Action (dated November 27, 2000) from the City of Highland Park concerning a zoning ordinance map and text amendment to create an overlay district to control for character and density in the Highland Park Lakefront R-4 Zoning District; and
4. A copy of the Architectural Review Commission's jurisdiction for the Village of Bannockburn (includes all structures).

Should the Village Board desire more information to further evaluate the "4 Points," Staff recommends referring item 1 to the Historic Preservation Commission, items 2 and 3 to the Plan Commission and Zoning Board of Appeals and item 4 to the Architectural Board of Review (or a combination thereof).

Should the Board have any questions concerning this matter, please feel free to contact Village Administrator Drew Irvin at 847-283-6883.

HISTORIC PRESERVATION LANDMARK DESIGNATION COMPARISONS						
Landmark Nominations				Alterations/Review Procedures		
Community	Eligible Parties	Owner consent required	Length of Process	Review	Binding Decision	Delay
Lake Bluff	Owner HPC Village Board Musuem	No	145 days	Review is advisory by the HPC	Not binding; option to certify landmark and make changes binding	Mandatory Non demo: 35 days Manadatory Demo: 120 days VB optional extension: 30 days
Glencoe	Commissioner Owner	No	Not specified	Review is advisory by the HPC	Not binding; option to certify landmark and make changes binding	Mandatory Non demo: 35 days Manadatory Demo: 120 days VB optional extension: 30 days
Lake Forest	Owner Commissioner City Council Local/State/Fed. Preservation Agency	No	120 days (possibly more)	Alternations are binding (Cert. of Appropriateness)	Binding, although owner may appeal a denial and apply for Cert. of Econ Hardship	Not specified
Winnetka	Owner	Yes	Not specified	Review is advisory by the HPC	Not binding; option to certify landmark and make changes binding	Maximum of 90 days

Attachment 2

A Survey of Recent New Single-Family Home Construction

Address	Zoning District	Floor Area Actual (sq. ft.)	Floor Area Allowed (sq. ft.)	Floor Area (Actual/Allowed)
216 E Center	R-4	2,487	2,500	99.50%
570 Lansdowne	E-1	8,146	11,950	68.20%
707 Rockland	R-3	3,704	3,869	95.70%
39 Sunset Pl	R-3	3,822	3,853	99.20%
114 E Woodland	R-4	3,066	3,066	100%

Request For Council Action

REFERRED TO COUNCIL: November 27, 2000

AGENDA ITEM NO: #.

ORIGINATED BY: Department of Community Development

SUBJECT: Consideration of a Zoning Ordinance Map and Text Amendment to Create the Density and Character Overlay Zone in the Lakefront R4 Zoning District

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

At the October 17, 2000 Plan Commission meeting, the Commission opened public hearing #REZ-005 to consider a proposed Lakefront Density and Character Overlay Zone in the Lakefront R4 zoning district (see Exhibit I). The overlay zone proposal is based on the lot density recommendation of the Lakefront District Neighborhood Strategic Plan adopted by City Council in 1999. The effect of the proposed overlay zone is consistent with the goals of the Lakefront Plan to preserve character and density, but will not cause existing lots to become undersized as to lot area or other zoning standards. The proposed overlay zone would include the entire Lakefront R4 zoning district and would require that lots in new subdivisions comply with greater lot area and width regulations, without disturbing the underlying R4 zoning.

Prior to the public hearing, all households in the Lakefront R4 zoning district were notified of the public hearing about the proposed overlay zone. This notification letter included the date, time, and location of the public hearing, an explanation of the overlay zone proposal, and a map of the affected area. The Neighborhood Planning Committee and other residents who had asked to be kept informed were sent a brief letter explaining the status of the Lakefront Plan rezoning recommendation, as well as the letter sent to all households in the Lakefront R4 zoning district. As required by ordinance, a legal notice was run in a local newspaper, the *Highland Park News*. The October issue of *The Highlander* also included an article on the proposal. The November issue of *The Highlander* and a letter sent to the Neighborhood Planning Committee and other interested parties informed residents of City Council's consideration of the matter on November 27, 2000.

The Plan Commission considered a staff presentation on the proposed overlay zone, took public testimony both for and against the proposal, and then deliberated on the matter. Written testimony submitted to the Plan Commission is attached as Exhibit II. The Plan Commission voted 4 to 2 in favor of recommending the Lakefront Density and Character Overlay Zone, and directed staff to prepare Findings of Fact.

Ayes: Licata, Schneider, Silberman, Swartz
Nays: Hendrickson, Levenfeld

Request For Council Action

Plan Commissioners voting in favor of the proposal found it to be consistent with the objectives of the Lakefront District Plan as conceived by the residents and property owners of the District during the Master Planning process. Notwithstanding testimony opposing the overlay zone at the public hearing, the Plan Commissioners favoring the concept cited the public support for density and character preservation at the neighborhood planning meetings and at the Plan Commission and City Council levels during the approval of the Plan. As a recommendation included in the Plan, the Plan Commissioners in favor of the overlay zone found the proposal to reflect the will of the people.

The Plan Commissioners voting against the proposal found the overlay zone to be burdensome to the affected property owners by diminishing property development rights. The proposal would, in effect, punish those property owners who had not previously subdivided while rewarding those who had. There was also the sentiment that the overlay zone may be over-reaching by exerting a disproportionate burden on a few property owners in the district. Finally, it was noted that notwithstanding inclusion in the Master Plan, each recommendation needs to be examined on its own merit during the implementation process.

On November 14, 2000, the Plan Commission adopted the findings of fact by a vote of 4 to 3.

Ayes: Kellough, Schneider, Silberman, Swartz

Nayes: Fishbein, Levenfeld, Ross

Lakefront District Neighborhood Plan

The overlay zone proposal is based on the lot density recommendation of the Lakefront District Neighborhood Strategic Plan adopted by City Council in April of 1999. The Plan was the product of twelve neighborhood planning meetings attended by interested property owners and residents. Public participation was an important element of the planning process, and through articles in the Highlander, school newsletters, and the local paper all Highland Park residents were encouraged to attend and participate in the meetings. Community Development staff facilitated the meetings and drafted the Plan based on the group discussions and written comments from residents. The Neighborhood Planning Committee (NPC) made the final decisions about what to include in the Plan before it was submitted to the Plan Commission for the public hearing process and adopted as an amendment to the Master Plan by the City Council.

Lot Density Recommendation

The Lakefront Plan contains a section devoted to lot density issues in the District. The section states that,

Lot sizes along the lake are consistently larger than the minimum required for the next lower zoning district. These lots should be rezoned from R4 to R3 to preserve the existing density and character of the area. Because new development impacts steep slope areas, this will also help protect lake bluffs and ravines that are heavily concentrated on those lots.

Request For Council Action

The Plan recommends rezoning from R4 to R3 those areas along the lake where lots are consistently 40,000 square feet or greater.

Exhibit III is a map of current zoning in the Lakefront Planning District.

Chronology of Events

In the autumn of 1999, staff prepared an analysis of a potential R4 to R3 rezoning along the lakefront. Following is a timeline of the events leading up to Public Hearing REZ-005.

October 5, 1999: Pre-application discussion with Plan Commission at which time staff presented findings that rezoning a portion of the current R4 zoning district to R3 would not have a great impact on either neighborhood character or development. The Plan Commission concurred with staff that the current controls are sufficient to accomplish the goals of the Plan, and that rezoning a portion of the Lakefront R4 zoning district may not be appropriate.

October 25, 1999: The above findings were presented at a pre-session meeting of the City Council.

November 9, 1999: A meeting was held with interested residents and members of the Lakefront Neighborhood Planning Committee to communicate the conclusions of the analysis.

August 1, 2000: Staff presented the results of a feasibility analysis of the establishment of a new zoning district requiring a minimum of 30,000 square feet per lot. This alternative was found to be unworkable. Other alternatives were discussed, including a Lakefront Density and Character Overlay Zone requiring lots in new subdivisions to meet greater lot area and width requirements. The Plan Commission directed staff to provide a detailed analysis of the overlay zone.

September 19, 2000: Staff presented a comparison of the previous rezoning analysis and the overlay zone under discussion. The Plan Commission directed staff to prepare to hold a public hearing on the establishment of an overlay zone in the Lakefront R4 zoning district.

October 17, 2000: The Plan Commission opens Public Hearing REZ-005 for consideration of the establishment of a Lakefront Density and Character Overlay Zone.

Provisions Of The Proposed Overlay Zone

The effect of the proposed Lakefront Density and Character Overlay Zone is consistent with the goals of the Lakefront Plan to preserve character and density, but will not cause existing lots to become undersized as to lot area or other zoning standards. The proposed Lakefront Density and Character Overlay Zone would include the entire Lakefront R4 zoning district (please see Exhibit I). The overlay zone would require that lots in new subdivisions comply with greater lot area and width regulations, without disturbing the underlying R4

Request For Council Action

zoning. The following is a proposed definition of the Lakefront Density and Character Overlay Zone to be included in Section 150.202 Definitions:

Lakefront Density and Character Overlay Zone: *This overlay zone is intended to impose certain additional lot dimension and density regulations on properties within the R4 zoning district located along the lakefront for the purpose of preserving the density and character of the area. Many of the parcels along the lake are larger than the minimum required by the zoning district. The overlay zone is intended to preserve the spacious character and existing density of the area by requiring that any new subdivision of two lots or more in the overlay zone comply with greater lot width and lot area regulations than required by the underlying zoning district.*

The area, bulk, and density provisions of the proposed overlay zone to be amended to Section 150.703, Low Density Residential District Regulations, are included in the table below:

	ZONING DISTRICT	Lakefront Density and Character Overlay Zone
LOT DIMENSIONS	Minimum Area for Single-Family Residence	40,000 sq. ft.
	Average Width	100 ft.
DENSITY	Minimum Lot Area per Dwelling Unit, Single-Family	40,000 sq. ft.
YARDS	Minimum Front Yard	Existing R4 District Regulation
	Minimum Side Yard	Existing R4 District Regulation
	Minimum Rear Yard (Whichever is Less)	Existing R4 District Regulation
BULK	Maximum Height of Principal Structure	Existing R4 District Regulation
	Maximum Height of Accessory Structure	Existing R4 District Regulation
	Floor Area Ratio (F.A.R.)*	Existing R4 District Regulation

Request For Council Action

*In the R2-R7 zoning districts, when the area of a lot in any given zoning district equals or exceeds the minimum lot area required in the next lower zoning district, then the F.A.R. shall be calculated as the F.A.R. of the next lower zoning district.

Exhibit IV compares the proposed overlay zone with the existing R3 and R4 zoning district regulations.

Impact of the Proposed Density and Character Overlay Zone¹

Under the existing R4 zoning district regulations, a minimum of 40,000 square feet is required to subdivide a parcel into two 20,000 square foot lots, the minimum required for the zoning district. Approximately 250 (exclusive of City- and Park District-owned properties) of the approximately 970 privately-owned parcels in the Lakefront R4 zoning district have at least 40,000 square feet of lot area either individually or when combined with contiguously owned parcels.

Approximately 183 privately-owned parcels in the Lakefront R4 zoning district have lot areas between 40,000 and 79,999 square feet. These parcels are potentially subdividable under existing regulations, meeting the minimum lot area requirement for the zoning district, but would have inadequate lot area for subdivision under the regulations of the overlay zone. Exhibit V shows the distribution of these parcels.

Approximately 67 privately-owned parcels in the Lakefront R4 zoning district contain at least 80,000 square feet and would have the minimum lot area required to subdivide under the overlay zone. Exhibit V shows the location of these parcels.

The approximate subdivision potential of the parcels large enough to subdivide under the overlay zone regulations is illustrated in Exhibit V. Using the results of a previous analysis that determined which parcels might have subdivision potential under existing regulations, parcels 80,000 square feet or greater with subdivision potential were analyzed to determine how many lots could result under the overlay zone minimum area requirement. *Please note that this analysis is based on gross lot area only, and does not account for minimum lot width or established lot width requirements, rights-of-way, or stormwater management.* The analysis indicates potential for 66 lots on 20 existing privately-owned parcels. The result of these subdivisions would be approximately 46 new lots under the overlay zone regulations. It could be concluded that many of the parcels that meet the overlay district minimum lot area requirement may not be able to meet other zoning or subdivision requirements, such as minimum lot width or established lot width average.

Previous analysis indicated potential for subdivision in the Lakefront R4 zoning district might create approximately 135 lots on 36 existing privately-owned

¹ The analysis included in this section is based on Lake County Geographic Information Systems (GIS) parcel data and on Lake County tax parcel maps. Because plats of survey were not readily available, the results of following analysis should be considered approximate.

Request For Council Action

parcels under the current subdivision regulations, including the established lot width provision. The result of these subdivisions would be approximately 99 new lots in the Lakefront R4 zoning district.

DOCUMENTS ATTACHED:

- Exhibit I: Proposed Lakefront Density and Character Overlay Zone
- Exhibit II: Written testimony submitted to the Plan Commission
- Exhibit III: Existing Zoning in the Lakefront Planning District
- Exhibit IV: Comparison of zoning regulations in the proposed overlay zone and the R3 and R4 zoning districts
- Exhibit V: Lakefront R4 parcels 40,000 square feet and greater
- Exhibit VI: Findings of Fact for Public Hearing #REZ-005

RECOMMENDATION:

The Plan Commission recommends that City Council adopt the Findings of Fact in support of the following proposed Zoning Ordinance map and text amendments:

- 1) Adopt Findings of Fact in support of the proposed Lakefront Density and Character Overlay Zone, and;
- 2) Direct Corporation Counsel to prepare an Ordinance amending the Zoning Ordinance Text and Map of the City of Highland Park to establish the Lakefront Density and Character Overlay Zone as set forth herein.

- (v) Altering the location or type of landscaping elements.

Such minor adjustments shall be consistent with the intent and purpose of this Code and the site plan as approved, shall be the minimum necessary to overcome the particular difficulty, and shall not be approved if they would result in a violation of any standard or requirement of this Code.

- 2. Major Adjustments. Any adjustment to a site plan that is not authorized by the preceding Subparagraph 1(a) shall be considered to be a major adjustment and shall be granted only upon application to and approval by the Board of Trustees. The Board of Trustees, by ordinance duly adopted, may grant approval for a major adjustment without referral to the Plan Commission upon finding that any changes in the site plan as approved will be in substantial conformity with said site plan. If the Board of Trustees determines that a major adjustment is not in substantial conformity with the site plan as approved, then the Board of Trustees shall refer the request to the Plan Commission for further consideration and review as provided in Subsection E of this Section.

- J. Amendments to Site Plan Following Completion of Development. After a site is developed in accordance with an approved site plan, the approved site plan may be amended, varied, or altered in the same manner and subject to the same limitations, as provided for original approval of site plans.

11-606

ARCHITECTURAL REVIEW

- A. Authority. The Architectural Review Commission may, as a matter of original jurisdiction and in accordance with the procedures and standards set out in this Section, grant architectural review approval to developments requiring architectural review pursuant to Subsection C of this Section. In cases of appeal from a denial of approval by the Architectural Review Commission, the Board of Trustees, by ordinance duly adopted, may grant architectural approval in accordance with the procedures and standards set out in this Section.
- B. Purpose and Goals. The purpose of the Architectural Review process is to protect, preserve, and enhance the natural and architectural environment of the Village, to protect and enhance property values, and to promote the health, safety, and welfare of the Village and its residents. It is the goal of these regulations that each new building added to Bannockburn should complement and improve upon the architectural heritage of the Village and continue to allow the natural landscape of the Village predominate over its built environment.
- C. Architectural Review Required. Architectural Review shall be required in connection with the construction of any new building including a new or enlarged patio, exterior and outdoor lighting system, sign, or Wind Energy System, or the alteration, enlargement, or remodeling of any existing building, exterior and outdoor lighting system, sign, or Wind Energy System (except for interior alterations and remodeling and except for the construction, alteration,

enlargement, or remodeling of a patio that, upon completion, does not exceed 200 square feet) within the Village, unless such requirement shall have been waived by the Board of Trustees as provided in Subparagraph E1(b) below.

D. Parties Entitled to Seek Architectural Review. Applications for Architectural Review may be filed by the owner of, or any person having a contractual interest in, the subject property.

E. Procedure.

1. Review by the Architectural Review Commission.

(a) Application. Applications for an Architectural Review Permit shall be filed in accordance with the applicable requirements of Section 11-301 of this Code.

(b) Other Approvals Required Prior to Architectural Review. In any case where the proposed work requires the issuance of a sign permit, special use permit, variation, or other zoning approval, no Architectural Review Permit shall be granted unless and until such sign permit, special use permit, variation, or other approval has been issued. The issuance of any such sign permit, special use permit, variation, or other approval shall not be deemed to establish any right to the issuance of an Architectural Review Permit; provided, however, that the Board of Trustees, upon the affirmative vote of four Trustees, may waive the requirement of an Architectural Review Hearing in connection with the approval of any sign permit, special use permit, variation, or other approval upon finding that the standards and considerations for architectural review have been fully addressed as part of its deliberations.

(c) Review; Hearing Request. Within fifteen days following receipt of a completed application, the Building Commissioner or any member of the Architectural Review Commission may request that a public hearing be held on such application. If no such hearing is requested within the 15-day period, the application shall be deemed approved and the Building Commissioner shall so notify the applicant in writing. If a hearing is requested within the 15-day period, a public hearing shall be set (for a date not later than 45 days after the receipt of a completed application), noticed, and conducted by the Architectural Review Commission in accordance with Section 11-303 of this Code. If a hearing is not commenced within the required time period, the application shall be deemed approved. If less than a quorum is present at the hearing scheduled pursuant to Section 11-303, the application shall be deemed approved.

(d) Action by Architectural Review Commission. At the conclusion of the public hearing, the Architectural Review Commission shall

vote in public whether to approve, disapprove, or conditionally approve the application in the manner and form specified by Section 11-104 of this Code. The failure of the Commission to act at the conclusion of the hearing or such further time to which the applicant may agree shall be deemed to be an approval of the application. The Staff Secretary shall notify the applicant in writing of the Commission's decision. Such notice shall state that the applicant has the right to appeal the decision to the Board of Trustees.

2. Appeals to the Board of Trustees.

(a) Application. An application for appeal from a decision of the Commission may be filed in the following circumstances:

(i) An appeal may be filed by an applicant from any decision disapproving an application or approving an application subject to conditions that are unacceptable to the applicant, within 45 days following such disapproval or approval subject to conditions; or

(ii) An appeal may be filed by a member of the Village Board from any decision approving or conditionally approving an application, within 14 days following such approval. A Village Board member shall initiate such appeal by notifying the Building Commissioner, the Village President, or the Village Manager of his or her desire to appeal the Architectural Review Commission's decision. At least seven days prior to the hearing on such appeal, the Village Manager shall provide notice to the applicant of the hearing. Upon receipt of notice of such an appeal, the decision of the Architectural Review Commission shall be stayed; no building permit or any other permit shall be issued to the applicant based on the Architectural Review Commission's decision until the later of (A) the fifteenth day after an approval of the Architectural Review Commission or (B) in the event an appeal is filed, after the Board of Trustees has made a final decision on the appeal.

The Village President shall set a date for a hearing on an appeal filed pursuant to Paragraphs (i) or (ii) above by the Board of Trustees, which hearing shall be held no later than forty-nine (49) days after the filing of the appeal.

(b) Hearing on Appeal. At the hearing on appeal, the Board of Trustees shall permit the applicant to speak in support of the application, and to present any additional evidence relating thereto. The Board of Trustees may also consider testimony from the

Building Commissioner, members of the Commission, or any other interested person.

At the conclusion of the hearing, the Board of Trustees shall consider the record on appeal, the testimony presented on appeal, and any other evidence and determine whether the Commission's decision is consistent with the architectural review standards set forth in Subsection 11-605F. The Board shall then vote on whether to affirm, reverse, or modify the decision of the Commission, or to remand the application to the Commission for further review.

To reverse or modify the decision of the Commission in whole or in part, the affirmative vote of at least four Trustees shall be required. Any other action on appeal may be taken by the concurrence of a majority of Trustees present.

The Village shall notify the applicant in writing of the Board's decision on appeal. Except in the case of a vote to remand, such notice shall state the Board's decision is final.

- (c) Remand to Commission. In the case of a vote by the Board for remand of an application, the Chairperson of the Commission shall be so notified and shall set a date for a new architectural review hearing. Such date shall be no later than twenty-eight (28) days after the Board's decision to remand, unless the applicant waives or extends the 28-day period in writing. If the hearing is not commenced within such period, the application shall be deemed approved.

In all other respects, the hearing on remand shall be conducted in the same manner as any other architectural review hearing.

- (d) Administrative Review. Any final decision on an application by the Board of Trustees may be further appealed in accordance with the Administrative Review procedures of the Illinois Code of Civil Procedure, as it may be amended from time to time.

- F. Standards and Considerations for Architectural Review. In passing upon applications for Architectural Review Permits, the Commission and the Board of Trustees shall consider and evaluate the propriety of issuing said Permit in terms of its effect on the stated purposes and goals of Architectural Review. To that end, the Commission and the Board of Trustees shall consider the appearance of a proposed construction, alteration, enlargement, or remodeling project in terms of the quality of its design and the relationship to its surroundings. A proposed project should harmonize with and support Bannockburn's unique character, with special consideration accorded the preservation and enhancement of landmarks and the preservation and enhancement of natural features, including without limitation existing trees and landscaping. Furthermore, a project should be

consistent with all of the ordinances and regulations of the Village, including without limitation the Bannockburn Zoning Code, Comprehensive Plan, and Tree Ordinance. In addition, the Commission and the Board shall consider, among other factors, the following particulars:

1. Landmarks.

- (a) The quality of landmarks should be preserved by avoiding excessively similar or dissimilar nearby buildings that detract from a landmark's uniqueness.
- (b) Landmarks should not be dwarfed or obstructed from view by nearby buildings.

2. Site plan.

- (a) The site should be planned to meet, if not exceed, setbacks and to establish, protect, and enhance bufferyards between properties and to minimize disturbance to the natural landscaping on the site. Further, the project should be designed to preserve and enhance natural features on the site, including without limitation existing trees, wooded areas, bufferyards, and landscaping.
- (b) Access to the site and circulation thereon should be safe and convenient for pedestrians, cyclists, and vehicles.
- (c) Driveways should be located to maintain adequate space between cuts in the streetscape.
- (d) Driveway and parking areas should be screened to reduce visual intrusions into surrounding properties and to enhance the secluded appearance of the Village.
- (e) Screening or fencing should be consistent in design and materials with the principal buildings on the subject and adjacent properties.
- (f) Monotony should be avoided.
- (g) Exterior lighting should be designed to be consistent with the Village's dark at night character and shall, at a minimum, comply with the lighting restrictions contained in the Bannockburn Zoning Code.

3. Elevations.

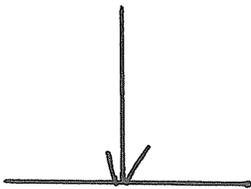
- (a) The scale and height of the project should be visually compatible with the landscaping and topography of the site and with buildings on the site and in the surrounding area.

- (b) The relationship of solids to voids in the front facade of a project should be visually compatible with buildings, public ways and places to which it is visually related.
 - (c) The visual continuity of roofs and their contributing elements (such as parapet walls, coping, and cornices) shall be maintained in building development or redevelopment.
 - (d) Monotony should be avoided.
 - (e) Garage doors should be designed, whenever possible, so that the doors are not facing the front yard of the site.
4. Landscaping.
- (a) Landscaping plans should be consistent with the natural environment of the site, adjacent properties, and the surrounding area; provided that, when a site is open, suitable landscaping consistent with the wooded nature of the Village should be provided.
 - (b) Existing natural features should be appropriately preserved and integrated into the project. Under appropriate circumstances, a conservation strip consisting of landscaping and natural growth but excluding lawns and any impervious surface between adjacent properties would promote this objective.
 - (c) The project should be designed to meet, if not exceed, the bufferyard requirements of the Bannockburn Zoning Code to maximum screening and buffering in order to protect neighboring properties from the project.
5. Type, Color and Texture of Materials.
- (a) Materials should be new and of first-rate quality.
 - (b) Materials should be selected for both their durability and beauty.
 - (c) Colors of the materials for the project should be harmonious with only compatible accents.
 - (d) A project that is obviously incongruous with its surroundings or unsightly and grotesque should be avoided.
 - (e) A project whose design or color may be distracting to vehicular traffic so as to cause a safety hazard should be avoided.
6. Vicinity map.

- (a) The building layout should maximize the distance between buildings on the site and buildings on adjacent properties.
- (b) The building layout should maintain appropriate distances between buildings on the site itself.
- (c) The size, scale, and nature of a building or project should not be inconsistent with the planned Village character for the area as expressed in the Comprehensive Plan. Nor shall such building or project cause a substantial depreciation in the property values of adjacent buildings, the neighborhood, or the Village.
- (d) The project should not unduly detract from the natural environment of the site, adjacent properties, or the surrounding area.

These criteria are not intended to restrict imagination, innovations, or variety, but rather seek to preserve and enhance Bannockburn's unique character.

- G. Manuals and Guidelines. The Commission may from time to time provide for specific manuals or guidelines for architectural styles or common-occurring buildings or site features and elements to assist applicants for Architectural Review Permits. Such manuals or guidelines shall be advisory only and shall bind neither the applicant nor the Commission nor the Board of Trustees with respect to any specific case.”
- H. Affidavit of Compliance with Conditions. Whenever an Architectural Review Permit issued pursuant to this Section is made subject to conditions to be met by the applicant, the applicant, upon meeting such conditions, shall file an affidavit with the Building Commissioner stating such compliance.
- I. Limitation on Permits. An Architectural Review Permit shall become null and void six months after the date on which it was issued unless within such period the work authorized by such certificate is commenced. An Architectural Review Permit shall relate solely to the work shown on plans approved by the issuance of such permit and it shall be unlawful for any person to deviate from such plans without obtaining an amended permit in the same manner as herein provided for obtaining original permits.



11-607

SIGN PERMITS

- A. Authority. The Building Commissioner may, in accordance with the procedures and standards set out in this Section, grant Sign Permits authorizing the construction and maintenance of signs subject to the regulations of Section 9-106 of this Code and the standards stated in this Section.
- B. Purpose. The sign regulations and standards set forth in this Code are intended to protect the health, safety, and welfare of Village residents by establishing specific

B. When used in this Code, the following terms shall have the meanings herein ascribed to them:

BASEMENT. A portion of a structure located partly underground having an average ceiling height above grade of more than 2 feet but less than 6 feet.

BERM. A hill or contour of land that acts as a visual barrier between a lot and adjacent properties, alleys, or streets.

BLOCK. A tract of land bounded by streets or by a combination of streets, public lands, railroad rights-of-way, waterways, or boundary lines of the Village.

BOARDING. The keeping, harboring, or otherwise maintaining on a lot of any dog that is not (i) both (a) licensed with Lake County in the name of the owner of the lot on which the dog is kept, harbored, or otherwise maintained and (b) licensed with the Village in the name of the owner of the lot on which the dog is kept, harbored, or otherwise maintained or (ii) kept, harbored, or otherwise maintained in compliance with the licensing requirements of Ordinance No. 2002-21 (as such ordinance may be amended from time-to-time).

BOARD OF APPEALS. See Subsection 12-206Z, "Zoning Board of Appeals", of this Section.

BOARD OF TRUSTEES. The President and the Board of Trustees of the Village of Bannockburn.

BUFFERING. Any means of protecting a parcel from the visual or auditory effects of an adjacent use. Buffering may include, but is not limited to, berming, fencing, landscaping, setbacks, or open spaces.



BUILDING. See Subsection 12-206S, "Structure," of this Code. "Building" shall in all cases be deemed to refer to both buildings and structures.

BUILDING, ACCESSORY. See Section 9-101 of this Code.

BUILDING CODE. The Building Code of the Village of Bannockburn.

BUILDING COMMISSIONER. The duly appointed member of the Board of Trustees charged with, among other things, the administration and enforcement of this Code subject to the superior right and power of the Board of Trustees to supervise and administer the government and affairs of the Village. When used in this Code, the term Building Commissioner shall refer either to such official or to his or her duly authorized delegates.

BUILDING COVERAGE. The percentage of a lot's area covered by any building or structure. See also Subsection 12-206L, "Lot Coverage," of this Section.

BUILDING DEPTH. The longest straight line that can be drawn through a structure substantially parallel to the side or corner side lot lines of the lot on which it is located.

SOLAR PANEL. A group of photovoltaic cells that are assembled on a panel used as part of a Solar Energy System.

SPECIAL USE. See Subsection 12-206U, "Use, Special," of this Section.

SPECIAL USE PERMIT. See Section 11-602 of this Code.

STACKING SPACE. An area, measuring at least eight feet in width and 20 feet in length, for the temporary storage of a vehicle awaiting access to a drive-in establishment or facility.

STANDARD INDUSTRIAL CLASSIFICATION MANUAL (SIC). The 1987 edition of the publication prepared by the Office of Management and Budget, Executive Office of the President of the United States, available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C.

STORY. That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above, then the space between the floor and the ceiling next above it. The floor of a story may split levels provided that there is not more than four feet difference in elevation between the different levels of the floor. A basement shall be counted as a story. A cellar shall not be counted as a story. Any area in which the distance from one floor to the floor or ceiling above it is more than 16 feet shall be deemed to consist of one story for each 16 feet of height or major fraction thereof.

STREET. The paved portion of a public or private right-of-way, other than a driveway, that affords the principal means of vehicular access to abutting property.

STREET LINE. A lot line separating a street right-of-way from other land.



STRUCTURE. Anything constructed or erected, the use of which requires more or less permanent location on or in the ground, or anything attached to something having a permanent location on or in the ground, but not including paving or surfacing of the ground. "Structure" shall in all cases be deemed to refer to both structures and buildings.

STRUCTURE, ACCESSORY. See Section 9-101 of this Code.

STRUCTURAL ALTERATION. Any change, other than incidental repairs, that would prolong the life of the supporting members of a structure such as bearing walls, columns, beams, girders, or foundations or that would alter the dimensions or configurations of the roof or exterior walls of a structure or that would increase either the gross or net floor area of a structure.

STRUCTURE, NONCONFORMING. See Subsection 12-206N, "Nonconforming Structure," of this Section.

STRUCTURE, PRINCIPAL. See Subsection 12-206P, "Principal Structure," of this Section.

SUBDIVISION ORDINANCE. The Bannockburn Subdivision Regulations Ordinance.