

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 Resolution or Ordinance (Blue) Waiver of First Requested
 X Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO : PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE : December 6, 2022 **(BOT) Date:** December 15, 2022

SUBJECT: Text Amendments to Section 150.141 of the Village Code: Building Permit Fee Payment Structure

SUBMITTED BY: William J. Heniff, AICP, Director of Community Development *WH*

BACKGROUND/POLICY IMPLICATIONS:

The Board of Building Appeals (BOBA) members considered the amendments to Section 150.041 pertaining to building permit payment structures. The first edit creates a new classification to the Certificate of Occupancy (CO) process for extensions and change of business or ownership entity. In the past many of these types of changes were deemed to require a new CO at the \$100.00 rate. However, this amendment creates a new classification for such changes and a 50% reduced fee (i.e., \$50.00). The second edit eliminates the previous plan review deposit fee of \$10,000 for major projects and requires prepayment of the plan review fee for any project with an estimated construction cost of over \$500,000. endments to Section Section 150.041 pertaining to building permit payment structures.

Please place this item on the December 15, 2022 Village Board agenda for consideration and approval, with a BOBA recommendation of approval of the proposed amendments.

Fiscal Impact/Funding Source:

Review (as necessary):

Finance Director _____ Date _____
Village Manager _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

THROUGH: William J. Heniff, AICP, Director of Community Development *WJH*

FROM: Keith N. Steiskal, Building & Code Enforcement Director *KS*

MEETING DATE: December 15, 2022

SUBJECT: **Text Amendments to Section 150.141 of the Village Code: Building Permit Fee Payment Structure**

At the November 9, 2022 Special Meeting of the Board of Building Appeals (BOBA), the members considered the amendments to Section 150.041 pertaining to building permit payment structures.

The first edit creates a new classification to the Certificate of Occupancy (CO) process for extensions and change of business or ownership entity. In the past many of these types of changes were deemed to require a new CO at the \$100.00 rate. However, this amendment creates a new classification for such changes and a 50% reduced fee (i.e., \$50.00).

The second edit eliminates the previous plan review deposit fee of \$10,000 for major projects and requires prepayment of the plan review fee for any project with an estimated construction cost of over \$500,000. This new approach has been successfully implemented in other communities. The fee would be based off of the estimated construction cost figures provided by the permit applicant. This approach will also reduce the amount of staff time tracking such deposits, credits and/or reimbursements. Most importantly, this charge only applies to the plan review fee and not the full cost of the permit fee. Additionally, the prepayment is not an additional fee and would be collected as part of the permit issuance anyway – the actual cost of the permit remains unaffected.

The BOBA members unanimously supported the proposed amendments as proposed by staff and as set forth in the attached draft Ordinance.

ACTION REQUESTED

Please place this item on the December 15, 2022 Village Board agenda for consideration and approval, with a BOBA recommendation of approval of the proposed amendments.

ORDINANCE NO. _____

AN ORDINANCE GRANTING APPROVAL OF TEXT AMENDMENTS
TO TITLE 15, CHAPTER 150, SECTION 150.141
OF THE LOMBARD VILLAGE CODE

(Building Permit Fee Payment Structure)

WHEREAS, the Village of Lombard maintains a Building Code which is found in Title 15, Chapter 150 of the Lombard Code of Ordinances; and,

WHEREAS, the Board of Trustees deem it reasonable to periodically review said Building Code and make necessary changes; and,

WHEREAS, a review of the Building Code has been conducted by the Village of Lombard Board of Building Appeals on November 9, 2022; and,

WHEREAS, the Board of Building Appeals has filed its recommendations with the President and Board of Trustees recommending approval of the text amendments described herein; and,

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That Title 15, Chapter 150, Section 150.141 of the Lombard Village Code shall hereby be amended as follows with text amendments in **bold and underline** and deletions denoted by ~~strikethrough~~:

ARTICLE XVII. - BUILDING PERMITS; FEES

§ 150.141 - Permit fees.

(C) Residential single family/two family dwelling; new construction and additions - Fees.

(5) Miscellaneous.

Certificate of Occupancy/Certificate of Completion	\$100.00
Conditional Certificate of Occupancy	\$125.00
<u>Certificate of Occupancy/Time extension/Name Change of Business or Owner</u>	<u>\$50.00</u>
Right-of-Way Restoration Cash Bond	\$1,000.00
Erosion Control Bond	\$200.00

(K) Other fees.

(1) Plan review fee ~~application deposit~~.

a) Plan review fees shall be paid if the plan review has been completed by the village and/or its agents. This fee shall apply even if the permit

applicant withdraws the permit application, or does not pick up the permit.

- b) ~~Plan review fee application deposit. All major developments, as defined by § 154.306 of this Code, shall be subject to a \$10,000.00 deposit to covers of the initial building permit review and/or engineering plan review at the time of application, with the applicant being required to pay for additional building permit review and/or engineering plan costs incurred by the village above and beyond said \$10,000.00 deposit, through the review process. In the event that the costs incurred by the village, relative to the building permit review and/or engineering plan review, exceed \$10,000.00 the village reserves the right to require the applicant to provide an additional deposit to cover the anticipated additional costs to complete the review. All such amounts that are deposited with the village, that are unexpended as part of the building permit review and/or engineering plan review process, shall be applied as a credit towards the final permit fees at the time of permit issuance. All plan review fees to be paid at time of application for all permits with a construction cost over \$500,000.00.~~

SECTION 2: That this ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this ____ day of _____, 2022.

First reading waived by action of the Board of Trustees this ____ day of _____, 2022.

Passed on second reading this ____ day of _____, 2023.

Ayes: _____

Nays: _____

Absent: _____

Approved this ____ day of _____, 2023.

Keith T. Giagnorio, Village President

ATTEST:

Ordinance No. _____

Re: Chapter 150.141

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Elizabeth Brezinski, Village Clerk

Published in pamphlet from this _____ day _____, 2023.

Elizabeth Brezinski, Village Clerk