

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


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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: March 28, 2017 (B of T) Date: April 6, 2017

TITLE: Scrivener's Error and Clarity Text Amendment to the Lombard Code of Ordinances – Sections 36.21 and 150.141

SUBMITTED BY: Department of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration an ordinance correcting a scrivener's error relative to Chapters 36 and 150 of the Lombard Village Code in regard to planning review fees.

Staff requests a waiver of first reading of the Ordinance.

Fiscal Impact/Funding Source:


Review (as necessary):  
Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_  
Finance Director X \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager X \_\_\_\_\_ 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

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

**MEETING DATE:** April 6, 2017

**SUBJECT:** **Scrivener's Error and Clarity Text Amendment to the Lombard Code of Ordinances – Sections 36.21 and 150.141**

In staff's review of selected sections the Village Code, a Scrivener's error was found relative to the previously adopted planning review fees. Ordinance 6505, adopted on August 19, 2010 amended Sections 36.21 (J) of the Lombard Village Code to include a planning review fee for projects that would be categorized as major plats of subdivision and major developments. However as part of an unrelated code amendment, Ordinance 7222 adopted on May 19, 2016, inadvertently omitted the planning review fee subsection from the final Ordinance of approval.

Per Village Counsel recommendation, staff has prepared the attached ordinance for approval. This amendment reinstates the previous subsection into the Village Code. However, to aid permit applicants in the use of the applicable Village fees, the subsection is proposed to be placed within the fee schedule found in Section 150.141 (Building Permit Fees) for clarity purposes.

Staff recommends approval of the Ordinance with a waiver of first reading.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE CORRECTING A SCRIVENER'S ERROR  
RELATIVE TO CHAPTERS 36 AND 150 OF THE LOMBARD VILLAGE CODE  
IN REGARD TO PLANNING REVIEW FEES**

WHEREAS, the Village of Lombard has established and maintains a petition fee schedule, which is found in Title 3, Chapter 36, Section 36.21 of the Lombard Village Code; and,

WHEREAS, the Village of Lombard has also established and maintains a building permit fee schedule, which is found in Title 15, Chapter 150, Section 150.141 of the Lombard Village Code; and,

WHEREAS, the Village of Lombard adopted Ordinance 6505 on August 19, 2010 that amended Sections 36.21 (J) of the Lombard Village Code to include a planning review fee for projects that would be categorized as major plats of subdivision and major developments; and

WHEREAS, as part of the adoption of Ordinance 7222 on May 19, 2016, the subsection which contained the aforementioned planning review fees was inadvertently omitted from the final Ordinance of approval; and

WHEREAS, to properly correct the omission, the Lombard Village Code should be amended to reinstate the subsection; and

WHEREAS, to aid permit applicants in using the Village's fee schedules, the reinsertion of the subsection is recommended to be placed within Section 150.141, in lieu of Section 36.21 of the Village Code.

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 is hereby amended to insert a new subsection (Y) to read as follows:

**(Y) Fees for planning review shall be as follows:**

- (1) All major plats of subdivision and major developments, as defined in Title 15, Chapter 15, Section 154.703, shall be subject to the following planning review fees:**
  - a. A fee of 0.25% of total improvements costs (includes all public and private improvements, exclusive of interior buildout/improvement costs) for the first \$4,000,000 and 0.13% for total development costs above \$4,000,000.**

Ordinance No. \_\_\_\_\_

Page 2

**b. No construction permits shall be issued by the Village until all planning review fees have been paid.**

**c. No occupancy certificates shall be issued by the Village until all outstanding planning review fees have been paid.**

SECTION 2: Subsequent subsections of Section 150.141 after the new subsection (Y) noted above shall remain within the Village Code and shall be re-lettered sequentially within the Section.

SECTION 3: This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2017.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2017.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2017.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Keith T. Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Ordinance No. \_\_\_\_\_  
Page 2

Published by me in pamphlet form this \_\_\_\_ day of \_\_\_\_\_, 2017.

---

Sharon Kuderna, Village Clerk