

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

  X   Resolution or Ordinance (Blue) \_\_\_\_\_ *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: January 13, 2016 (B of T) Date: January 21, 2016  
TITLE: BOT 16-01: Amendments to Sections 36 & 150 Provisions  
SUBMITTED BY: Department of Community Development *W*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration a proposed ordinance to revise Section 36.21 and 150.141 in the Village Code. The ordinance would move Title III, Chapter 36, Section 36.21 (J)(2) to Title XV, Chapter 150, Section 150.141 (X), revise the time when overtime inspections are charged, add parking lot permitting information that has previously be the policy followed, and shift the numbering for selected sections in the Village Code.

Staff recommends approval of this request.

Please place this item on the January 21, 2016 Board of Trustees agenda.

Fiscal Impact/Funding Source:

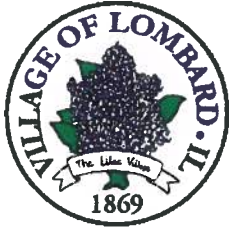
Review (as necessary):

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 *WJH*

**DATE:** January 21, 2016

**SUBJECT:** Engineering Plan Review and Inspections (Ordinance Clarity Amendments)

This proposed ordinance revision is substantially a housekeeping issue and will relocate language in the Village's Finance Title III, Chapter 36, Section 36.21 (J)(2) to Title XV, Chapter 150, Section 150.141. This will consolidate the development related costs to the same section of the Village Code.

The following is a summary of the changes:

1. Relocate the section of the code where Engineering plan review and inspection fees from the Finance and Revenue chapter to the Building Code chapter with the rest of the building fees that are related to development. It has been briefly discussed at past BOBA meeting to organize fees in a systematic manner.
2. Revising the time when overtime inspections are charged from 5:00 p.m. to 4:00 p.m. This will be more consistent with the Village's established working hours.
3. The Engineering plan review and inspection fees section will add information on fees specifically in regards to parking lot maintenance permitting. The added information is the current policy and will not change how these permits are charged.
4. Shift the numbering in Chapter 150 following the insertion of the Engineering plan review and inspection fee section in the Village Code.

The ordinance has been approved in form by the Village Attorney.

### **RECOMMENDATIONS:**

Please place this item on the January 21, 2016 Village Board agenda for consideration and approval.

WJH/JB

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## Memorandum

**DATE:** December 8, 2015

**TO:** William Heniff, AICP, Director of Community Development  
Keith Steiskal, Building Official

**FROM:** Jana Bryant, Private Development Engineer

**SUBJECT:** PES Fees Section (& possibly plat fees) in Village Code revision

Existing code:

**§ 36.21 - Fee schedule.**

- (J) Fees for filing plats, ~~for engineering plan review and public improvement inspection and planning review shall be as follows:~~
- (1) Any filing and review of plats of subdivision, including plats of subdivision, resubdivision, consolidation, easement dedication, easement abrogation or vacation of a public right-of-way, shall be subject to the following fees:
    - a. All administrative plats of subdivision and plats of consolidation for one single-family residents—\$125.00 for the first page, plus \$50.00 for each additional page.
    - b. All other administrative plats of subdivision and plats of consolidation—\$150.00 for the first page, plus \$50.00 for each additional page.
    - c. All minor and major plats of subdivision or resubdivision (preliminary or final)—\$300.00 plus \$50.00 per acre or portion thereof.
    - d. All final plats (with preliminary plat approval)—\$300.00.
    - e. Plats of easement dedication, easement abrogation or vacation of a public right-of-way—\$150.00 for the first page, \$50.00 for each additional page.
  - (2) ~~Engineering plan review and inspection of public improvements shall be subject to the following fees:~~
    - a. ~~First engineering review and comments on engineering plan—One percent of engineer's estimated cost of all public improvements as defined in Title 15, Chapter 15, § 154.703 of this Code plus \$500.00.~~
    - b. ~~Subsequent engineering plan reviews and comments necessary for same project—At cost of time and materials as billed by staff or consultant.~~
    - c. ~~Inspection of project improvements—Three percent of engineer's estimated cost all public improvements as defined in Title 15, Chapter 15, § 154.703 of this Code. Inspections conducted after 5:00 p.m. on weekdays and at any time on weekends and holidays, when available, shall be billed at a rate of \$100.00 per hour with a minimum of one hour charged to the permittee beginning at the scheduled starting time, including no-shows. Said inspection fee shall be in addition to the normal three percent fee referenced in the first sentence of this subsection.~~
    - d. ~~The engineering review and inspection fee for a new single family residence shall be \$125.00 per lot for each vacant lot that is part of a major plat of subdivision and \$360.00 per lot for an infill or teardown lot.~~
    - e. ~~No construction permits shall be issued by the village until all engineering plan review fees have been paid.~~

~~f. No occupancy certificates shall be issued by the village until all outstanding engineering fees have been paid.~~

Proposed code:

**§ 36.21 - Fee schedule.**

- (J) Fees for filing plats and planning review shall be as follows:
- (1) Any filing and review of plats of subdivision, including plats of subdivision, resubdivision, consolidation, easement dedication, easement abrogation or vacation of a public right-of-way, shall be subject to the following fees:
    - a. All administrative plats of subdivision and plats of consolidation for one single-family residents—\$125.00 for the first page, plus \$50.00 for each additional page.
    - b. All other administrative plats of subdivision and plats of consolidation—\$150.00 for the first page, plus \$50.00 for each additional page.
    - c. All minor and major plats of subdivision or resubdivision (preliminary or final)—\$300.00 plus \$50.00 per acre or portion thereof.
    - d. All final plats (with preliminary plat approval)—\$300.00.
    - e. Plats of easement dedication, easement abrogation or vacation of a public right-of-way—\$150.00 for the first page, \$50.00 for each additional page.

**§ 150.141 – Permit Fees**

- ~~(X) Engineering plan review and inspection of public improvements shall be subject to the following fees:~~
- ~~a. First engineering review and comments on engineering plan—One percent of engineer's estimated cost of all public improvements as defined in Title 15, Chapter 15, § 154.703 of this Code plus \$500.00.~~
  - ~~b. Subsequent engineering plan reviews and comments necessary for same project—At cost of time and materials as billed by staff or consultant.~~
  - ~~c. Inspection of project improvements—Three percent of engineer's estimated cost all public improvements as defined in Title 15, Chapter 15, § 154.703 of this Code. Inspections conducted after 4:00 p.m. on weekdays and at any time on weekends and holidays, when available, shall be billed at a rate of \$100.00 per hour with a minimum of one hour charged to the permittee beginning at the scheduled starting time, including no-shows. Said inspection fee shall be in addition to the normal three percent fee referenced in the first sentence of this subsection.~~
  - ~~d. The engineering review and inspection fee for a new single family residence shall be \$125.00 per lot for each vacant lot that is part of a major plat of subdivision and \$360.00 per lot for an infill or teardown lot.~~
  - ~~e. No construction permits shall be issued by the village until all engineering plan review fees have been paid.~~
  - ~~f. No occupancy certificates shall be issued by the village until all outstanding engineering fees have been paid.~~
  - ~~g. Fill and Grading permit fees can be found under Article XXIV. – Grade Changes (§ 150.280 - § 150.287)~~
  - h. Parking lot permits:**

This section includes all paved surfaces on a property, including but not limited to parking area, drive aisles, and driveways.

    1. Rehabilitation for this section refers to any removal or placement of pavement (asphalt, concrete, etc.)
    2. A permit is not required for rehabilitation for areas under 25% of the paved surfaces on a site.
    3. A permit is required for rehabilitation of pavement more than 25% of the paved surface.
    4. Rehabilitation for areas of between 25% and 50% of the paved surface requires a contractor proposal and striping plan for ADA compliance.
    5. Rehabilitation for areas 50% or greater of the paved surfaces requires the same as between 25% and 50%, plus the following:

- a. Plans are required to demonstrate compliance with landscaping and parking requirements.
  - b. A proof roll is required to determine if under cuts are required, unless the work is limited to a mill and overlay. The proof roll is a required inspection and should be scheduled at least 24-hours beforehand.
  - c. The owner shall employ a geotechnical testing service to witness the proof roll and to take nuclear densities of the binder and surface.
  - d. New asphalt shall be a minimum of 1½” surface on 2” binder.
  - e. If grading changes are proposed, additional information may be required.
6. Engineering review and inspection fees shall be \$68 of the cost of the rehabilitation cost.
  7. Parking lot additions engineering review and inspection fees are based on sections § 150.141 (X)(a, b, and c).

~~(Y)(X)~~ *Government entities.* Requirements relative to fees, bonds and letters of credit shall be waived in accordance with §§ [14.01](#) and [14.02](#) of this Code.

~~(Z)(Y)~~ *Plan review fees.* Traffic Impact Advisory Services: In addition to other fees established by this ordinance, all applications for building permits that have a substantial traffic impact as determined by the Inter-Departmental Review Committee, shall be accompanied by a deposit of \$1,000.00 to be used for traffic impact analysis services. If the village's costs for such services exceeds the deposit, the applicant shall reimburse the additional costs incurred by the village. If such costs are less than the deposit, the village shall return the difference to the applicant. The total cost incurred by the applicant for such services shall not exceed \$10,000.00. Until such time that the Village has received final payment of all traffic advisory services fees, no permits for the use or development of land shall be issued. Plan review fees shall be paid if plan review has been completed. This would apply even if the permit applicant withdraws the permit, or does not pick up the permit.

~~(AA)(Z)~~ *Overtime inspection fees.* Inspections conducted before 7:30 a.m. or after 4:00 p.m. on weekdays and at any time on weekends and holidays, when available, shall be billed at a rate of \$100.00 per hour per inspector with a minimum of one hour charged to the permittee beginning at the scheduled starting time, including no-shows. Said inspection fee shall be in addition to any requisite fees referenced within this subsection or as set forth within §16.01 of the Village Code, whichever is greater, and shall be paid prior to issuance of any certificates of occupancy or approval of final inspections. The aforementioned fee shall not apply for permitted project being undertaken by the owner/occupancy of a single-family residence.

Availability of inspection staff to perform inspection activities outside of regular business hours is subject to the discretion of the Director of Community Development, who may offer such services, subject to staffing levels, costs and inspector availability. For inspections associated with a special/temporary event application, the aforementioned billing rate can be waived, per §110.45 of the Village Code, subject to prior approval by the Village Manager or his/her designee.



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

**AN ORDINANCE AMENDING TITLE 3, CHAPTER 36, SECTION 36.21(J)(2) and  
TITLE 15, CHAPTER 150, SECTION 150.141(X-AA)  
OF THE LOMBARD VILLAGE CODE IN REGARD TO  
ENGINEERING PLAN REVIEW AND INSPECTION FEES SECTION IN THE CODE**

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 3, Chapter 36, Section 36.21 (J)(2) of the Lombard Village Code is amended to read in its entirety as follows:

“(J) Fees for filing plats and planning review shall be as follows:

- (1) Any filing and review of plats of subdivision, including plats of subdivision, resubdivision, consolidation, easement dedication, easement abrogation or vacation of a public right-of-way, shall be subject to the following fees:
  - a. All administrative plats of subdivision and plats of consolidation for one single-family residents—\$125.00 for the first page, plus \$50.00 for each additional page.
  - b. All other administrative plats of subdivision and plats of consolidation—\$150.00 for the first page, plus \$50.00 for each additional page.
  - c. All minor and major plats of subdivision or resubdivision (preliminary or final)—\$300.00 plus \$50.00 per acre or portion thereof.
  - d. All final plats (with preliminary plat approval)—\$300.00.
  - e. Plats of easement dedication, easement abrogation or vacation of a public right-of-way—\$150.00 for the first page, \$50.00 for each additional page.”

SECTION 2: That Title 15, Chapter 150, Section 150.141 (X-AA) of the Lombard Village Code is amended to read in its entirety as follows:

- “(X) Engineering plan review and inspection of public improvements shall be subject to the following fees:
- a. First engineering review and comments on engineering plan—One percent of engineer's estimated cost of all public improvements as defined in Title 15, Chapter 15, § 154.703 of this Code plus \$500.00.
  - b. Subsequent engineering plan reviews and comments necessary for same project—At cost of time and materials as billed by staff or consultant.

- c. Inspection of project improvements—Three percent of engineer's estimated cost all public improvements as defined in Title 15, Chapter 15, § 154.703 of this Code. Inspections conducted after 4:00 p.m. on weekdays and at any time on weekends and holidays, when available, shall be billed at a rate of \$100.00 per hour with a minimum of one hour charged to the permittee beginning at the scheduled starting time, including no-shows. Said inspection fee shall be in addition to the normal three percent fee referenced in the first sentence of this subsection.
- d. The engineering review and inspection fee for a new single family residence shall be \$125.00 per lot for each vacant lot that is part of a major plat of subdivision and \$360.00 per lot for an infill or teardown lot.
- e. No construction permits shall be issued by the village until all engineering plan review fees have been paid.
- f. No occupancy certificates shall be issued by the village until all outstanding engineering fees have been paid.
- g. Fill and Grading permit fees can be found under Article XXIV. – Grade Changes (§ 150.280 - § 150.287)
- h. Parking lot permits:  
This section includes all paved surfaces on a property, including but not limited to parking area, drive aisles, and driveways.
  - 1. Rehabilitation for this section refers to any removal or placement of pavement (asphalt, concrete, etc.)
  - 2. A permit is not required for rehabilitation for areas under 25% of the paved surfaces on a site.
  - 3. A permit is required for rehabilitation of pavement more than 25% of the paved surface.
  - 4. Rehabilitation for areas of between 25% and 50% of the paved surface requires a contractor proposal and striping plan for ADA compliance.
  - 5. Rehabilitation for areas 50% or greater of the paved surfaces requires the same as between 25% and 50%, plus the following:
    - a. Plans are required to demonstrate compliance with landscaping and parking requirements.
    - b. A proof roll is required to determine if under cuts are required, unless the work is limited to a mill and overlay. The proof roll is a required inspection and should be scheduled at least 24-hours beforehand.

- c. The owner shall employ a geotechnical testing service to witness the proof roll and to take nuclear densities of the binder and surface.
    - d. New asphalt shall be a minimum of 1½” surface on 2” binder.
    - e. If grading changes are proposed, additional information may be required.
  - 6. Engineering review and inspection fees shall be \$68.
  - 7. Parking lot additions engineering review and inspection fees are based on sections § 150.141 (X)(a, b, and c).
- (Y) *Government entities.* Requirements relative to fees, bonds and letters of credit shall be waived in accordance with §§ 14.01 and 14.02 of this Code.
- (Z) *Plan review fees.* Traffic Impact Advisory Services: In addition to other fees established by this ordinance, all applications for building permits that have a substantial traffic impact as determined by the Inter-Departmental Review Committee, shall be accompanied by a deposit of \$1,000.00 to be used for traffic impact analysis services. If the village's costs for such services exceeds the deposit, the applicant shall reimburse the additional costs incurred by the village. If such costs are less than the deposit, the village shall return the difference to the applicant. The total cost incurred by the applicant for such services shall not exceed \$10,000.00. Until such time that the Village has received final payment of all traffic advisory services fees, no permits for the use or development of land shall be issued. Plan review fees shall be paid if plan review has been completed. This would apply even if the permit applicant withdraws the permit, or does not pick up the permit.
- (AA) *Overtime inspection fees.* Inspections conducted before 7:30 a.m. or after 4:00 p.m. on weekdays and at any time on weekends and holidays, when available, shall be billed at a rate of \$100.00 per hour per inspector with a minimum of one hour charged to the permittee beginning at the scheduled starting time, including no-shows. Said inspection fee shall be in addition to any requisite fees referenced within this subsection or as set forth within §16.01 of the Village Code, whichever is greater, and shall be paid prior to issuance of any certificates of occupancy or approval of final inspections. The aforementioned fee shall not apply for permitted project being undertaken by the owner/occupancy of a single-family residence.

Availability of inspection staff to perform inspection activities outside of regular business hours is subject to the discretion of the Director of Community Development, who may offer such services, subject to staffing levels, costs and inspector availability. For inspections associated with a special/temporary event application, the aforementioned billing rate can be waived, per §110.45 of the Village Code, subject to prior approval by the Village Manager or his/her designee.”



Ordinance No. \_\_\_\_\_  
Re: Permit Fees  
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SECTION 3: That 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 \_\_\_\_\_, 2016.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2016.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2016.

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

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

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

Approved this \_\_\_\_\_, day of \_\_\_\_\_, 2016.

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

ATTEST:

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

Published by me in pamphlet form this \_\_\_\_ day of \_\_\_\_\_, 2016.

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