







## MEMORANDUM

David A. Hulseberg, Village Manager

**FROM:** William Heniff, AICP, Director of Community Development *WH*

**DATE:** July 30, 2010

**SUBJECT:** Building Department Overtime Inspection Fees

### BACKGROUND:

In 2001 the Village Board of Trustees approved Ordinance 4940 amended Title 3, Chapter 36, of the Village Code to include a new subsection which allows the Village to recover overtime fees resulting from engineering inspections requested by developers and Village residents outside of normal working hours. This amendment provided for a reimbursable rate to cover after-hour inspections on weekdays after 5:00 p.m. and at any time on weekends and holidays.

In conducting a review of Building Permit Fees, Title 15, Section 150.141, staff finds that there is no provision for reimbursement of overtime building inspections. As building inspectors can be requested to perform building inspections outside of their normal working hours as a service, staff believes that a change in code is warranted.

If approved, this amendment would be consistent with the policies and procedures previously afforded the Engineering Division. The proposed amendment would also be recognized in the recently amended Building Division's rules and responsibilities to include a provision for exempt employees to receive due compensation when working overtime. Lastly, all appropriate costs associated with after-hour inspections would be borne by the party requesting the inspection and not the Village as a whole.

A summation of the proposed subsection providing for after-hour overtime inspections in the Building Code is as follows:

- Inspections conducted before 7:30 a.m. or after 5:00 p.m. on weekdays and at any time on weekends and holidays shall be billed at a rate of \$100/hour
- A minimum rate of one hour will be billed
- No-shows will be charged the minimum rate
- After-hour inspection fees are in addition to normal building permit fees
- Inspections are subject to availability of the inspector(s) and subject to the discretion of the Village
- Inspections associated with a Special/Temporary Event can be waived subject to prior approval by the Village Manager

### RECOMMENDATION:

That the Village Board of Trustees approve an ordinance amending Title 15, Chapter 150, Section 150.141 to include a new subsection for overtime inspection fees. Staff is requesting a waiver of first reading in order to initiate this amendment for the summer construction period.



ORDINANCE NO. 4940

AN ORDINANCE AMENDING TITLE 3, CHAPTER 36, SECTION 36.21(K)(2) OF THE LOMBARD VILLAGE CODE IN REGARD TO THE FEE SCHEDULE FOR ENGINEERING INSPECTIONS

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 (K)(2) of the Lombard Village Code is revised as follows:

A. Subsection c is amended by adding the following to the end thereof:

"Inspections conducted after 5:00 PM 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 (1) 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 (3%) fee referenced in the first sentence of this subsection."

B. A new subsection e shall be added to read in its entirety as follows:

"e. No occupancy certificates shall be issued by the Village until all outstanding engineering fees have been paid."

SECTION 2: 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 1st day of March, 2001.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

Passed on second reading this 15th day of March, 2001.

Ayes: Trustees Borgatell, Tross, Schafter, Sebby, Florey, Kutrln, Jr.

Naves: None

Absent: None

Approved this 15th day of March, 2001.

*William J. Mueller*  
William J. Mueller, Village President

Ordinance No. 4940

Re: Engineering Inspections Fees  
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ATTEST:

*Lorraine G. Gerhardt*  
Lorraine G. Gerhardt, Village Clerk

Published by me in pamphlet form this 19th day of March, 2001.

*Lorraine G. Gerhardt*  
Lorraine G. Gerhardt, Village Clerk

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Inspections conducted before 7:30 a.m. or 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 per inspector with a minimum of one (1) 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 associated referenced within this subsection and shall be paid prior to issuance of any certificates of occupancy or approval of final inspections. Availability of inspection staff to perform inspection activities outside of regular business hours is subject

(Y) OVERTIME INSPECTION FEES

§150.141 PERMIT FEES.

in its entirety as follows:

SECTION 1: That Title 15, Chapter 150, Section 150.141, PERMIT FEES, of the Lombard Village Code is hereby amended to read to include a new subsection (Y) to read

Village of Lombard, DuPage County, Illinois as follows:

THEFORE, BE IT ORDAINED by the President and Board of Trustees of the

should be paid by the parties requesting such services.

WHEREAS, the Village recognizes that the costs associated with development activity and other special/temporary event activities outside of traditional Village hours

WHEREAS, the Village incurs additional labor costs to provide this service, and

issuance may occur outside of traditional business hours, and

WHEREAS, the Village recognizes that inspections associated with the permit

the issuance of building permits, and

WHEREAS, the Village has established and adopted a fee schedule associated with

within the Village, and

WHEREAS, the Village of Lombard ("the Village") has established Chapter 150 of the Lombard Village code, establishing regulations pertaining to building and construction

AN ORDINANCE AMENDING TITLE 15 OF THE LOMBARD VILLAGE CODE  
IN REGARD TO BUILDING PERMIT FEES

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

to the discretion of the Village. For inspections associated with a Special/Temporary Event application, the aforementioned billing rate can be waived, per Section 110.45 of the Village Code, subject to prior approval by the Village Manager or his/her designee.

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

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2010, pursuant to a roll call vote as follows:

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

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

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

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Brigitte O'Brien,  
Village Clerk