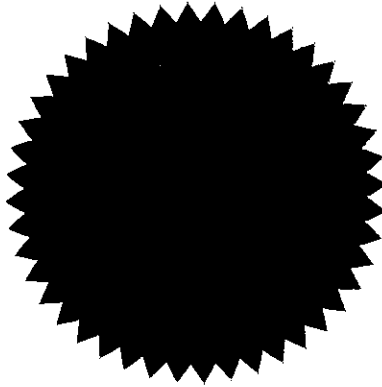


5434
ORDINANCE 5435

PAMPHLET

ORDINANCE AMENDING TITLE 3, CHAPTER 36, SECTION 36.21
IN REGARD TO THE FEE SCHEDULE RELATIVE TO CERTAIN ZONING AND
SUBDIVISION RELATED PETITIONS AND APPLICATIONS



PUBLISHED IN PAMPHLET FORM THIS 23rd DAY OF February, 2004
BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD,
DUPAGE COUNTY, ILLINOIS.

Barbara A. Johnson
Barbara A. Johnson
Deputy Village Clerk

AN ORDINANCE AMENDING TITLE I OF THE LOMBARD VILLAGE CODE IN REGARD TO COST RECOVERY

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage

County, Illinois, as follows:

SECTION 1: That Title I of the Lombard Village Code is amended by adding a new Chapter 16

thereto which shall read in its entirety as follows:

“CHAPTER 16: COST RECOVERY

Section:

- 16.01 Costs to Be Recovered
- 16.02 Costs Defined
- 16.03 Payment
- 16.04 Failure to Pay

§16.01 COSTS TO BE RECOVERED

The costs as described in Section 16.02 below shall be recoverable and paid by the applicant/petitioner whenever such costs are actually incurred by the Village in reviewing for approval a petition or an application for annexation, subdivision, zoning amendment, variation or conditional/special use, building permit, liquor license or other license or permit required by law and issuable by the Village.

§16.02 COSTS DEFINED

Costs shall be those for which the Village receives an invoice, statement or receipt from a third party and shall include, but not be limited to: legally required public notice expenses, court reporter and transcript fees, legal document recordation expenses, professional consultation fees such as, but not limited to, Village engineering or attorney services, filing fees, and document preparation or reproduction expenses

§16.03 PAYMENT

Payment shall be due upon the issuance of the applicable permit or license, upon approval of the requested relief or within thirty (30) days of issuance of a statement of expense by the Village when no permit or license is issued or the relief sought is not granted.

§16.04 FAILURE TO PAY

Failure of the applicant/petitioner to pay, as specified in Section 16.03 above, shall entitle the Village to withhold indefinitely the granting of the relief sought and/or the issuance of the permit or license, to withhold indefinitely the issuance of the next subsequent permit or license sought by the applicant/petitioner or to withhold indefinitely the next subsequent relief sought by the applicant/petitioner in relation to the property that was the subject of the application/petition.”

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

Passed on first reading this 5th day of February, 2004.

First reading waived by action of the Board of Trustees this _____ day of _____, 2004.

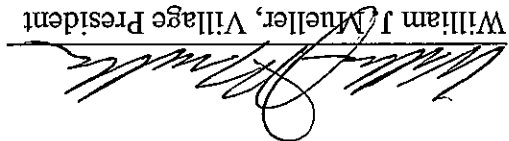
Passed on second reading this 9th day of February _____, 2004, pursuant to a roll call vote as follows:

Ayes: Trustees Destephano, Tross, Koenig, Seby, Florey, Soderstrom

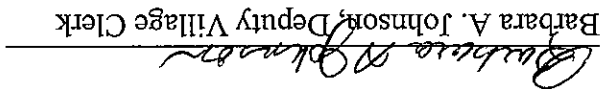
Nays: None

Absent: None

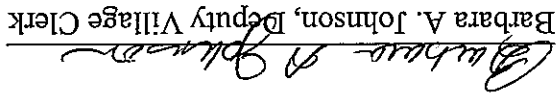
Approved by me this 19th, day of February _____, 2004.


William J. Mueller, Village President

ATTEST:


Barbara A. Johnson, Deputy Village Clerk

Published by me in pamphlet form this 23rd day of February _____, 2004.


Barbara A. Johnson, Deputy Village Clerk

ORDINANCE NO. 5434

AN ORDINANCE AMENDING TITLE 3, CHAPTER 36, SECTION 36.21 OF THE LOMBARD VILLAGE CODE IN REGARD TO THE FEE SCHEDULE RELATIVE TO CERTAIN ZONING AND SUBDIVISION RELATED PETITIONS AND APPLICATIONS

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 of the Lombard Village Code be amended to read in its entirety as follows:

§ 36.21 FEE SCHEDULE.

(A) Any annexation petition filed shall be accompanied by the following fees:

- (1) One Single-family residential lot fee* no \$450
- (2) All others \$450

*If the petitioner has previously withdrawn a petition for annexation relative to the property in question, or if a petition for annexation relative to the property in question was denied within the last three years, a \$200 fee will be charged with the submittal of an annexation petition for the same property.

(B) An appeal of Administrative action shall be accompanied by the following fees (fees shall be refundable if the appeal is upheld):

- (1) One Single-Family Residence \$350.00
- (2) All Others \$600.00

(C) Any application for a variation to the Zoning Ordinance or the Subdivision and Development Ordinance shall be accompanied by the following fees:

- 1. One Single-Family Residence
 - (a) Principal Building (first variation) \$350.00
 - (b) Accessory Structures (first variation) \$250.00

2. More Than One Single-Family Residence or Any Non-Residential Use
- (a) Principal Building (first variation) \$600.00
 - (b) Accessory Structures (first variation) \$450.00
 - (c) Signs (first variation) \$450.00
 - (d) Fences (first variation) \$300.00
 - (e) Each additional variation after the first variation \$100.00

(D) Any application for a conditional use shall be accompanied by the following fees:

- (1) All conditional uses (first conditional use) \$600.00
- (2) Each additional conditional use after the first conditional use \$100.00

(E) Any application for a Planned Development shall be accompanied by a fee of \$600.00 plus \$50.00 per acre, or portion thereof.

(F) Any site plan approval or amendment to a Planned Development shall be accompanied by a fee as follows:

- (1) Site Plan Approval (principal structures) \$500.00
- (2) Planned Development Amendment \$600.00

(G) Any application for a map amendment or a text amendment to the zoning ordinance shall be accompanied by a fee as follows:

- (1) Map Amendment for One Single-Family Residence \$400.00 (except that there shall be no fee for the annexation and rezoning of one single-family residence)
- (2) All other map amendments \$600.00 plus \$50.00 per acre or portion thereof
- (3) Text Amendments \$600.00

(H) Any request for continuance of a public hearing not agreed to by staff, shall be accompanied by, or the petitioner shall supply within two (2) days of making the request, a fee for such continuance as follows:

- (1) One Single-Family Residence \$75.00 per request
- (2) All Others \$300.00 per request

(I) In addition to all other fees established by this Code, all filings of a preliminary or final Plat of Subdivision, Consolidation or Resubdivision, including provision of public streets or access easements, or applications for rezonings (other than for one, single-family residence); variations and conditional uses related to parking, vehicular drive-through services, or other matters impacting vehicular circulation or traffic generation; or a Planned Development 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.

(J) Fees for filing plats, for engineering plan review and public improvement inspection shall be as follows:

(1) Any filing and review of Plats of Subdivision, including Plats of Subdivision, Resubdivision, or Consolidation, shall be subject to the following fees:

a. All Administrative Plats of Subdivision and Plats of Consolidation for one single-family residence - \$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, \$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.

(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 (1%) of engineer's estimated cost of all public improvements as defined in Title 15, Chapter 15, Section 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 (3%) of engineer's estimated cost all public improvements as defined in Title 15, Chapter 15, Section 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 (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.
- d. The engineering review and inspection fee for a new single family residence shall be \$120.00 per lot for each vacant lot that is part of a major plat of subdivision and \$350 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.

(K) A fee of \$100.00 will be charged for each public notice sign which must be posted prior to a public hearing.

(L) All fees shall be cumulative and no consideration, review or hearing shall be given or scheduled until all applicable fees are paid. All fees payable pursuant to this Section shall be paid at the time of filing and shall be in cash or check payable to the Village of Lombard.

(M) The Director of Community Development of the Village of Lombard shall have the sole authority to determine whether any fee has been collected in error and if such a determination is made, the fee shall be returned to the applicant.

(N) Publication, Court Reporter and Cost Recovery Fees

1. Any filing which requires notification to be published within a newspaper of general circulation in the Village, shall also be subject to a \$200.00 fee for each required public hearing notification.

2. Any public hearing filing to be heard by the Lombard Plan Commission, shall also be subject to a \$35.00 court reporter fee.

3. Any other fees, as defined and made applicable pursuant in Title 1 Chapter 16 of this Code, shall also be paid by the applicant/petitioner.

(O) Reimbursement of Public Hearing Fees

1. When a petition is withdrawn prior to publication of a legal notice, the entire public hearing fee shall be refunded minus \$25.00 to cover the cost of check reimbursement.
2. When a petition is withdrawn after the publication of a legal notice, but prior to the public hearing, the entire public hearing fee shall be refunded minus \$25.00 to cover the cost of check reimbursement.
3. When a petition is withdrawn after a public hearing, no refund shall be given.

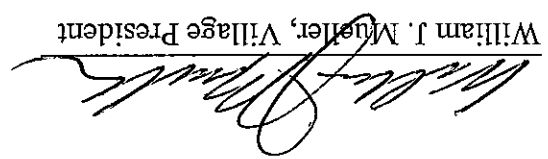
SECTION 2: That this ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed on first reading this 5th day of February, 2004.
First reading waived by action of the Board of Trustees this _____ day of _____, 2004.

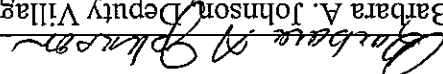
Passed on second reading this 9th day of February _____, 2004, pursuant to a roll call vote as follows:

Ayes: Trustees Destephano, Tross, Koenig, Sebby, Florey, Soderstrom
Nays: None
Absent: None

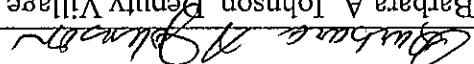
Approved by me this 19th, day of February _____, 2004.


William J. Mueller, Village President

ATTEST:


Barbara A. Johnson, Deputy Village Clerk

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Barbara A. Johnson, Deputy Village Clerk

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