

ORDINANCE NUMBER 2007-02

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE VILLAGE OF VERNON HILLS, CHAPTER 25 – COMPREHENSIVE FEES AND PENALTIES AS IT PERTAINS TO LIQUOR & BUSINESS LICENSES, AND REIMBURSEMENT OF DEVELOPMENT REVIEW FEES.

WHEREAS, in order to promote the public health, safety, comfort, convenience, and general welfare of the people of Vernon Hills, the Board of Trustees of the Village of Vernon Hills is authorized to prescribe rules, regulations, and standards for the construction and maintenance of buildings and structures, and, the use of private and public property within the Village; and

WHEREAS, the Board of Trustees, finds that enforcing local, state, and federal rules, regulations, and standards preserves the quality and value of property throughout the Village; and

WHEREAS, the Board of Trustees has determined in order to enforce local, state, and federal rules, regulations, and standards adopted by the Village it is necessary to assess reasonable fees to off-set the cost associated enforcing said rules, regulations, and standards; and

WHEREAS, the Board of Trustees has created a separate chapter in the Vernon Hills Code of Ordinances for the sole purpose of listing all the current fees and penalties charged and assessed by the Village, entitled Comprehensive Fees and Penalties.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, ILLINOIS AS FOLLOWS:

SECTION I. That Chapter 25, Section 25-3 of the Village of Vernon Hills Code of Ordinances is hereby amended and is approved to read as follows:

Sec. 25-3. ~~Alcoholic~~ Alcohol Liquor Control – Chapter 3

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| Class A: | \$300 New License Application Fee \$2000 Annual License Fee |
| Class AA: | \$300 New License Application Fee \$2500 Annual License Fee |
| Class B: | \$300 New License Application Fee \$2000 Annual License Fee |
| Class C: | \$300 New License Application Fee \$500 Annual License Fee |

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| Class D: | \$300 New License Application Fee \$1000 Annual License Fee |
| Class E: | \$300 New License Application Fee \$1000 Annual License Fee |
| Class F: | \$100 Flat Fee |
| Class G: | \$100 Flat Fee |
| Class H: | \$300 New License Application Fee \$750 Annual License Fee |
| Class I: | \$300 New License Application Fee \$1000 Annual License Fee |

SECTION II. That Chapter 25, Section 25-5 of the Village of Vernon Hills Code of Ordinances is hereby amended and is approved to read as follows:

Sec. 25-5. Building Code - Chapter 5

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| Administrative processing fee when Village abates a nuisance (i.e. long grass & weed cutting, garbage removal) | \$100 plus contractor cost to Village |
| Administrative Fee for permit refund Miscellaneous residential Other | \$25 \$50 |
| After Hours Construction Permit | \$50 |
| Appeal decision/interpretation of Code Official or Notice of Violation | \$100 |
| Cash Permit Bonds when based of total cost of construction. \$5,000 or less \$5,001 to \$15,000 \$15,001 or more New, detached single-family dwellings when applicant has active subdivision bond New, detached single-family dwellings when applicant <u>does not</u> have an active subdivision bond New, attached single-family dwellings when applicant has active subdivision bond | \$50 \$150 1% not to exceed \$5,000 \$2000 \$5,000 \$1,000 |

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| Certificates of Occupancy Temporary residential per unit Temporary commercial – new building Retail/office tenant space Kiosks | \$100 \$350 \$150 \$100 |
| Consultant Fees | 100% of cost passed on to applicant |
| Demolition of existing retail/office tenant space prior to issuance of building permit | \$500 |
| Elevator Certificates | \$50 annual fee plus consultant fee charged to Village |
| Elevator Reinspection Fee | \$50 plus consultant fee charged to Village |
| Elevator – Failure to maintain a valid certificate. | \$100 per month |
| Footing & Foundation Permit (all permit & impact fees must be paid) Residential (detached single-family) Other | \$250 \$500 |
| Miscellaneous inspection fee | \$50 |
| Permit Fees Residential \$1,500 or less \$1,501 to \$5,000 \$5,001 or more New, attached & detached single-family dwelling (habitable area) Commercial | \$30 \$50 1% of construction cost \$1.00 per square foot 1% of construction cost \$75 minimum |
| Plan Review Fees (fees based on initial review and one re-review) Residential (Driveways, fences, sheds exempt – plan required) New, attached & detached single-family dwelling (habitable area) New, commercial, industrial, institutional, multi-family Plan review fee when consultant reviews entire plan | 20% of permit fee \$25 minimum \$.20 per square foot 20% of permit fee \$75 minimum \$200 plus 100% consultant |
| Reinspection fee | \$50 |
| Removal or defacing of placard without approval | \$100 |
| Renewal of permit | 20% for one year \$30 minimum |

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| Signs – Permit Fee | 1% of value plus \$1 per square foot \$75 minimum |
| Signs – Plan Review Fee | \$75 |
| Temporary Banner | \$25 |
| Stop Work Order for permitted projects | \$100 per occurrence |
| Tents (greater than 100 square feet in area) | \$50 minimum \$100 maximum (two or more) |
| Temporary Trailer/Storage Container (i.e. holiday retail merchandise, seasonal salt bins, etc.) when approved by the Village Board | \$50 per trailer |
| Water Heater – residential | No fee - \$50 bond required |
| Work without a permit | 1 st offense Double permit fee - \$50 minimum 2 nd & subsequent offenses within 12 month period Quadruple permit fee - \$200 minimum |

SECTION IV. That Chapter 25, Section 25-10 of the Village of Vernon Hills Code of Ordinances is hereby amended and is approved to read as follows:

Sec. 25-10. Licenses, Permits, And Miscellaneous Business Regulations – Chapter 10

| BUSINESS/LICENSE TYPE | ANNUAL & RENEWAL FEE |
|---|---------------------------------|
| Appliance and machine repair shops, per year | \$100 |
| Auctioneers, per year. | \$100 |
| Bakery, per year | \$100 |
| Bank, money brokers, loan company, savings and loan institution, commodity and/or stock and bond brokers, per year | \$100 |
| Barber and hair cutting facilities, excluding beauticians: | \$100 flat fee |
| Building materials, per year | \$100 |
| Carwashes (auto laundries), per year | \$100 |
| Catering & Banquet Halls, per year | \$100 |
| Circuses, sideshows, menageries, concerts, caravans or other entertainment under a covering or canvas, also carnivals, animal shows, rides, automobiles or recreational vehicle shows and exhibitions and displays of fireworks, where an admission for entry is charged, per day | \$100 per day |
| Confectionery and candy stores, per year | \$100 |
| Country club, per year | \$100 |
| Delicatessen, per year | \$100 |
| Drug (pharmacy), per year | \$100 |
| Dry cleaning, laundries and Laundromats (full- or self-service), per year | \$100 |
| Farmers Market Stall Fee, annual | \$200 |
| Farmers Market Stall Fee, daily | \$50 |
| Florist, per year | \$100 |
| Filling and service stations, including gasoline, auto repair, auto body repair facilities, per year | \$100 |

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| Food manufacturers | \$100 |
| Fruit stores, grocery stores and food markets: | \$100 flat fee |
| Fuel oil delivery, per year | \$100 |
| Hotel-motel, per year | \$250 flat fee |
| Ice cream parlors, per year | \$100 |
| Jewelry | \$100 |
| Massage Establishment | \$100 |
| Meat and/or seafood dealers, per year | \$100 |
| Motor vehicle agency (sales and/or rentals), per year | \$100 |
| Movie theater, closed circuit television shows and similar shows (excluding cable TV.), per screen, per year | \$100 per screen |
| News agency/distribution, per year | \$100 |
| Outdoor Establishment Permit | \$250 New Application Fee \$100 Annual Renewal Fee |
| Parking garages and lots (operated for profit), per building and/or lot | \$100 |
| Preschool and day care facilities, excluding nonprofit organizations, per year | \$100 |
| Printer and stationer store, per year | \$100 |
| Private teenage club, per year | \$100 |
| Resale Establishment | \$100 |
| Restaurants--Itinerant preparing, offering for sale, or selling food and/or beverage from a motor vehicle, trailer or moveable or temporary structure. | \$100 |
| Restaurants--Permanent, per year | \$100 |
| Secondhand or resale shop, per year | \$100 |
| Shoe repair, per year | \$100 |
| Tennis, racquetball or physical fitness or recreational complexes, including bowling alleys, per year | \$100 |
| Ticket brokers, per year | \$100 |
| Tobacco | \$300 |
| Tobacconist, per year | \$300 |

SECTION IV. That Chapter 25, Section 25-26 of the Village of Vernon Hills Code of Ordinances is hereby amended and is approved to read as follows:

Sec. 25-26. Development Review & Observation - Appendix B

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| Cultural/Community Center Fund Donation | \$500 per dwelling unit |
| Engineering Review for minor projects not requiring P&Z or VB approval. | \$100 |
| Engineering Review & Observation | 4% of cost of site/engineering construction cost as approved by the Village Engineer |
| Reimbursement of Fees (consulting, attorney, court reporting fees) (Pursuant to the terms of the "Reimbursement of Fees Agreement" attached hereto as Exhibit "A"). | Under 5 acres - \$3,000 5 to 10 acres - \$6,000 Over 10 acres - \$10,000 |
| Site Grading Plan & Site Review – Commercial | \$500 revision to approved plan - \$125 |
| Site Grading Plan & Site Review – Residential | \$200 revision to approved plan - \$50 |

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| Technical Review (all projects) | Minimum \$1,500 increase \$500 per acre Maximum \$7,500 |
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SECTION IV. Severability. In the event that any section, clause, provision, or part of this ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable full force and effect. If any part of this ordinance is found to be invalid in any one or more of its several applications, all valid applications that are severable from the invalid applications shall remain in effect.

SECTION V. Repeal and Savings Clause. All resolutions, policies or ordinances or parts thereof in conflict herewith are hereby repealed to the extent of such conflict; provided, however, that nothing herein contained shall affect any rights, actions or causes of action which shall have accrued to the Village of Vernon Hills prior to the effective date of this ordinance.

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

SECTION VII. This ordinance shall be known as Ordinance 2007-02.
Adopted by roll call vote as follows:

Ayes: 6-Schultz, Schwartz, Williams, Hebda, Koch, Byrne
Nays: 0-None
Absent and not voting: 1-Marquardt

Roger L. Byrne, Village President

Passed: 1/16/2007
Approved: 1/16/2007
Published in pamphlet form: 1/17/2007

Attest

Linda Pelletier, Village Clerk

REIMBURSEMENT OF FEES AGREEMENT

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| 13. Petitioners Name: | | |
| Company: | | |
| Address: | | |
| Telephone: | | |
| E-Mail: | Fax: | |

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| 14. Owner: | |
| Address: | |
| Telephone: | |
| E-Mail: | Fax: |

APPLICATION INSTRUCTIONS

15. APPLICATION

Applications for a Zoning Amendment, Special Use Permit, Zoning Variation, Administrative Appeals, or Subdivision Review shall be filed with the Village Clerk on the attached forms. The application shall include a check for the review fee per the approved fee schedule or ordinance (Ordinance 2004-13 Adopted March 3, 2004). Following the receipt of the application, the item will be scheduled for a public hearing before the appropriate Village Committee.

16. REIMBURSEMENT OF FEES

In the event that it is necessary for the Village to obtain professional services, including, but not limited to, attorneys, engineers, planners, architects, surveyors, traffic or drainage experts, or other consultants, in connection with any Petitioner's request for the Village to consider or otherwise take action upon annexation, zoning change, subdivision development, PUD or other improvement or development upon real property, then the Petitioner and Owner of the property shall be jointly and severally liable for the payment of such professional fees plus ten percent (10%) to cover the Village's administrative expenses. At the time the Petitioner requests action from the Village, he/she will be required to, in addition to all applications fees, deposit the following amounts with the Village as an initial deposit to be credited against fees and costs incurred for the above described services:

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| 5 ACRES AND UNDER | 5.1 TO 10 ACRES | OVER 10.1 ACRES |
| \$3,000 | \$6,000 | \$10,000 |

The Village shall send the Petitioner regular invoices for the fees and costs and the Petitioner shall reimburse the Village within fifteen (15) days of receipt of said invoice. Failure to remit payment within fifteen (15) days will cause all reviews to cease.

A Petitioner, who withdraws a petition for annexation into the Village, may apply in writing to the Village for a refund of his initial deposit. The Board of Trustees may, in its discretion, approve the refund application less any actual fees and costs, which the Village has already incurred relative to the petition.

Any professional fees incurred as a direct or indirect result of the Petitioner, Owner or their agent requesting a professional opinion or other wise requesting relief or assistance from the Village, whether or not related to real property, shall be reimbursed in accordance with this section if, in the discretion of the Village, a professional opinion is desired.

Upon the failure of the Owner or Petitioner to reimburse the Village in accordance with this subsection no action on any request made by the Owner or Petitioner will be undertaken by the Village Board of Trustees, or by any other official, quasi-official or deliberative individual or body hereunder; and such request shall remain in abeyance until all outstanding fees are paid in full. Further, the Village may deny any application for a grading, building or other permit if such amounts have not been paid in full. Upon any failure to reimburse the Village in accordance with this section, the Village may in its discretion, elect to place a lien against any real property associated with the Petitioner's request. Interest in the amount of one and one-half percent (1 1/2% with a minimum of \$5.00) per month shall accrue on all sums outstanding for thirty (30) days or more. Said lien shall be in an amount equal to the outstanding amount owed to the Village.

The Village President and Board of Trustees and Village Manager and staff members are hereby authorized to assign requests for professional services to the Village staff or to consultants, as it deems appropriate.

The remedies available to the Village as set forth hereinabove are non-exclusive and nothing herein shall be construed to limit or waive the Village's right to proceed against any or all parties in a court of law of competent jurisdiction.

17. **ACKNOWLEDGEMENT**

By signing below, the Petitioner and Owner acknowledge that each of them has read the foregoing paragraphs and each of them fully understands and agrees to comply with the terms set forth herein, further, by signing below, each signatory warrants that he/she/it possesses full authority to sign.

The Owner and Petitioner agree that Owner and Petitioner shall be jointly and severally liable for payment of fees referred to in the application sections of the ordinance of the Village of Vernon Hills, and as referred to hereinabove.

Village of Vernon Hills, Illinois

Village Manager: _____

Attest: _____ **Date:** _____

Petitioner: _____

Owner _____

Attest: _____ **Date:** _____

*When any professional services contemplated by this section are rendered by the Village staff, then in such case the party making the request shall reimburse the Village for its costs incurred in providing said professional services. Said reimbursement shall be at the rate of **Forty-Five Dollars (\$45.00)** per hour.*