

ORDINANCE 2020-054

ADOPTED: AUGUST 24, 2020

AMENDING CHAPTER 9 "ESTABLISHMENT OF FEES" OF THE MUNICIPAL CODE OF THE CITY OF DEKALB, ILLINOIS AS IT PERTAINS TO MODIFYING THE FILING FEES FOR ANNEXATION, ZONING, AND PLAT PETITIONS.

WHEREAS, the City of DeKalb (the "City") is a home rule unit of local government which may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare, pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, the City wishes to amend a portion of Chapter 9 "Establishment of Fees" of the Municipal Code. The amendments propose a revision to petition fees (Section 9.02); and,

THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of DeKalb, DeKalb County, Illinois, as follows:

SECTION 1: Chapter 9 "Establishment of Fees" of the Municipal Code, Section 9.02 "Petitions" is amended as indicated in the attached Exhibit A;

SECTION 2: All ordinances or portions thereof in conflict with this Ordinance, including the prior versions of the ordinances included above, are hereby repealed;


SECTION 3: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and affect the same as if the invalid provision had not been a part of this Ordinance.

SECTION 4: That the City Clerk and/or Executive Assistant be authorized to attest the Mayor's signature.

SECTION 5: This Ordinance shall be in full force and effect after passage and publication pursuant to law. Publication date: August 25, 2020. Effective date: September 3, 2020.

ADOPTED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 24th day of August 2020 and approved by me as Mayor on the same day. Passed on First Reading by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None. Second Reading waived by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None.

ATTEST:


RUTH A. SCOTT, Executive Assistant

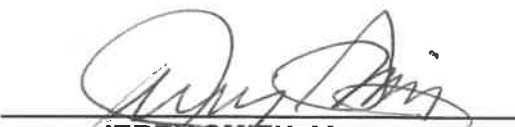

JERRY SMITH, Mayor



EXHIBIT A

CHAPTER 9

ESTABLISHMENT OF FEES

LATEST REVISION: December 18, 2018 (2018-090)

SECTIONS:

- 9.01 ESTABLISHED.
- 9.02 PETITIONS.
- 9.03 MAP FEES.
- 9.04 AMBULANCE SERVICE FEES.
- 9.05 ENGINEERING AND PLANNING REVIEW AND INSPECTION FEES.
- 9.06 ELEVATOR LICENSE FEES.
- 9.07 FINGERPRINT APPLICANT FEE.
- 9.08 OVERWEIGHT OR OVERSIZE VEHICLE PERMIT FEES.

9.01 ESTABLISHED.

The fees which follow in this Chapter 9 are hereby established. (1974-048)

9.02 PETITIONS. (2002-016)

- a) For the filing of the following petitions to the City Council or appropriate departments of the City:

Annexations	<u>\$ 300.00 + \$ 50.00 for each acre or fraction thereof</u>
Annexation Agreements	\$ 500.00
<u>Text Amendment</u> <u>Unified Development Ordinance</u>	<u>\$ 250.00</u>
Rezoning <u>Map Amendment (Rezoning)</u>	\$ 500.00
Special Use P <u>permits, provided</u> in Unified Development Ordinance	\$ 500.00
Variance, Board of Appeals <u>\$250.00 Non-Residential</u>	\$ 500.00 <u>100.00-Residential:</u>

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Appeals ~~to any Appeal Board~~ \$ 100.00

Amendment to Annexation Agreement _____ \$ 250.00
-or Planned Development Agreement

Planned Development – Sketch Plan (Concept Plan) _____ No Fee
~~—(Concept Plan)~~

Planned ~~Unit~~ Developments _____ \$ 500.00 + \$ 50.00 for each
~~-(P)reliminary (P)lans~~ _____ acre or fraction thereof

Planned ~~Unit~~ Developments _____ \$ 300.00 + \$ 50.00 for each
~~-(F)inal (P)lans~~ _____ acre or fraction thereof

Subdivisions ~~r~~ - Minor (up to 3 lots) \$ 300.00

Subdivision - Major (over 3 lots) \$ 500.00

~~(Preliminary Plat) Subdivisions, over 3 lots _____ \$ 500.00~~

~~—(Preliminary Plats)~~

Subdivision - Major (over 3 lots) \$ 300.00

~~Subdivisions, over 3 lots _____ \$ 300.00~~

~~—(Final Plats)~~

(Final Plat)

Vacation of ~~P~~lats, ~~S~~treets \$ 500.00
or ~~A~~lleys (1991-093, 1994-130)

- b) The fees listed in this Section include the recording fees for documents, which are necessary to complete the process. (1991-093)

9.03 MAP FEES.

- a) The fee to be charged any person desiring copies of the Official Zoning Map, the Official Ward Map, or other City produced maps shall be the currently established price (depending on size, and color) to reimburse the City for the actual cost of production. (1979-026, 1998-116, 2002-016)

9.04 AMBULANCE SERVICE FEES. (2016-020, 2017-003, 2018-090)

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- a) Fees for ambulance service provided by the City of DeKalb shall be as follows (Effective January 1, 2019):

Mileage (per mile)	
(resident)	\$ 25.00
(non-resident)	\$ 25.00

Basic Life Support	
(resident)	\$1,800.00
(non-resident)	\$1,800.00

Advanced Life Support 1	
(resident)	\$1,800.00
(non-resident)	\$1,800.00

Advanced Life Support 2	
(resident)	\$1,800.00
(non-resident)	\$1,800.00

Treat, No Transport Billable	\$ 250.00
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Intercept	\$ 800.00
(billed to transporting Fire Department)	

- b) On or before July 1 of each year, the Transport Loaded Mile, Basic and Advanced Life Support fees for residents, residents in Northern Illinois University – owned housing and non-residents – shall be positively adjusted in accordance with the most recent increase in the Consumer Price Index (CPI) – All Urban Consumers for the Chicago, Gary and Kenosha region, if any. Said increase shall be based upon either the most recent annual to annual comparison, or most recent available monthly comparison, at the discretion of the Finance Director. The adjusted fees shall be rounded up to the nearest whole dollar except for the Transport/Loaded Mile fee which shall be rounded up to the nearest cent. (2006-078, 2011-031 2015-033)

9.05 ENGINEERING AND PLANNING REVIEW AND INSPECTION FEES. (2016-004)

- a) Review and Inspection Fee Liability: Whenever a proposed development or construction project located within the City, whether a subdivision, planned unit development, building construction or expansion project or other project, requires plan review and/or construction observation or inspection to be performed by a land planner, licensed civil engineer or a person supervised by a land planner or licensed civil engineer, as established either by local, state or federal regulations or as determined by the City Engineer or Community Development Director, the Owner of the project shall be responsible for the land planning and zoning review fees, the civil engineering plan

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review fees and the construction observation/inspection fees incurred by the City in the course of performing such services. As a condition precedent to the City initiating formal review of any project subject to this requirement, the Owner shall be required to execute a Professional Fee Reimbursement Agreement in form and content acceptable to the City Manager and shall be required to post the escrow contemplated in subsection e) below.

- b) **Third Party Services Authorized:** The City Engineer shall be authorized and directed to determine, on an ongoing basis, whether civil engineering review/inspection projects or portions thereof should be completed by City personnel or by qualified third parties. The City Engineer shall be authorized to select among the then-current list of qualified third party providers which has been approved by the City Council, and the City Manager or designee shall be authorized to execute agreements with such third party providers, without regard to staff spending authority, provided that the expenses incurred by such third party providers are subject to a professional fee reimbursement agreement as described below. With regard to land planning and zoning review services, the Community Development Director shall make the determination as to whether the services should be provided by City personnel or by qualified third parties, and the Community Development Director shall utilize the same process as outlined above for the selection and contracting of the same.

- c) **Method of Calculating Fees:** Where the services contemplated in a) are provided to the City by a third party, the Owner shall be responsible for the payment of the actual costs incurred by the City, plus a five percent (5%) administrative fee to the City. Where the services contemplated in a) are provided by City personnel, the City Engineer and Community Development Director shall impose charges for such costs using a fee schedule acceptable to the City Manager, which is comparable in charges and rates to the fee schedules utilized by the then-current and approved third party service providers. The fee for such City personnel shall be based on the hourly fee schedule, plus costs, plus a five percent (5%) administrative fee to the City. Charges shall be invoiced on a monthly basis. Any fees incurred hereunder shall constitute a debt due and owing to the City.

- d) **Professional Fee Reimbursement Agreement:** The City Manager or designee thereof shall be authorized to execute a Professional Fee Reimbursement Agreement with the Owner of any project contemplated in a) above. Such agreement shall provide that the Owner is responsible for establishing an initial fee escrow with the City, out of which the City shall pay expenses associated with the City’s provision of land planning and zoning review services and civil engineering services to the project for plan review and construction observation/inspection. Such agreement shall provide that the escrow shall be regularly replenished to replace expenses paid out of the escrow and shall provide remedies for circumstances where the Owner fails to fulfill its obligations, including but not limited to cessation of work on the project and/or the issuance of stop work orders for the project. As such agreement is providing for the payment of expenses by a third party, the City Manager shall be authorized to execute such agreement without regard to otherwise applicable staff spending authority limitations.

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e) Escrow Fund: The Finance Director or designee shall establish a means of aggregating dollars received by the City for project escrow, and accounting for such funds on a project by project basis. Sums received by the City shall be held in escrow, and any interest accruing on such funds shall accrue to the City. The Finance Director or designee shall process payments out of such escrow accounts in accordance with the City’s usual and customary bill payment process and shall regularly inform the Owner as to the remaining balance in such project escrow. The Owner shall, at any time upon request of the City, provide additional funding to maintain the escrow account at a level that will ensure funding of all outstanding eligible expenses relating to the project. Upon successful completion of a project, including successful inspection of all items requiring inspection, the issuance of a final certificate of occupancy and the conclusion of any applicable maintenance or warranty periods for public improvements, the Finance Director shall refund any unused portion of the escrow to the Owner.

1. Initial escrow amounts shall be established as follows:

Number of Acres Affected	Initial Escrow Amount
0 – 0.5 acres	\$ 1,000.00
0.51 – 1.0 acres	\$ 2,000.00
1.01 acres – 5.0 acres	\$ 5,000.00
5.01 acres – 10.0 acres	\$10,000.00
10.01 acres or more	\$15,000.00

2. Upon submission of a plan, permit application or other initiating document and accompanying professional fee reimbursement agreement and escrow, the City Engineer and Community Development Director shall review the initial escrow amount deposited, and based upon the anticipated complexity of the plan, may require the escrow amount to be increased to an amount acceptable to the City Engineer and Community Development Director. Increasing the escrow to a sum in excess of \$20,000.00 shall require the approval of the City Manager.

3. The payment of the foregoing escrow and execution of a professional fee reimbursement agreement shall obviate the need for payment of a \$1,000 site plan review fee otherwise imposed under City Code, and this Ordinance shall supersede any ordinance imposing a contrary requirement.

f) Public Projects: The foregoing requirements shall not be applicable to any project constructed by the City of DeKalb or a superior governmental entity. The City Manager is authorized to enter into intergovernmental agreements with other units of local government for the purpose of providing for their establishment of escrow accounts or direct reimbursement or payment of costs associated with the services contemplated in a) above, for projects constructed by such other units of government.

9.06 ELEVATOR LICENSE FEES.

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- a) The fee for each inspection of an elevator, chair lift and/or escalator shall be as follows: (2000-069, 2001-013, 2002-016, 2005-073, 2009-027)

Installation Inspection	\$90.00
Semi-Annual Inspections	\$42.00
Code Compliance Re-Inspection	\$42.00

- b) In the event an elevator inspection fee is not paid within 30 days of the invoice date, the license fee charged will be double the amount listed above. (2009-027)

9.07 FINGERPRINT APPLICANT FEE (2004-090)

- a) The fee for each application for fingerprints shall be in an amount as established by the Chief of Police from time to time, based upon his determination of the appropriate fee to impose. (CPI 7-1-11, 2012-075)

9.08 OVERWEIGHT OR OVERSIZE VEHICLE PERMIT FEES (2009-078)

The fee for Overweight or Oversize Vehicle Permits is payable at the time such permit request is made based on the following fee schedule:

OVERWEIGHT VEHICLES

Permit Size Weight in Pounds	Fee One-Way*	Fee Roundtrip*	Fee Multiple Trips (April – December)*
73,281 - 80,000	25**	40**	100**
80,001 - 100,000	45	75	150
100,001 - 120,000	65	100	200
120,001 - 160,000	85	125	N/A
Over 160,000	115	150	N/A

OVERSIZE VEHICLES (Except City Police Escort Required Loads)

Permit Size with Load (No Load Police Escort)	Fee One-Way*	Fee Roundtrip*	Fee (Multiple)*
	25**	40**	100**

*If a vehicle requires a permit due to multiple weight and/or dimension issues, the total fee will be based on either the fee for the weight category or the oversize fee, whichever is larger. Vehicles carrying grain shall be exempt from paying permit fees. Loads requiring

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special review involving engineering loads, such as house moves crossing bridges, will be assessed the actual cost of consultant engineering review fees in addition to these fee schedules. If City police escorts are needed, then contact the DeKalb Police Department for fees they may assess in addition to the above schedules.

**Trucks weighing 24,001- 73,280 pounds using local streets not truck routes for other than local deliveries shall pay these overweight permit fees.

Petition Filing Fees

Municipality	Zone/Map Amendment (Rezoning)	Zone/Ordinance Amendment (Text Amendment)	Variance	Special Use Permit	Annexation	Annexation Agreement	Preliminary Plan - Planned Development	Final Plan - Planned Development	Preliminary Plat of Subdivision	Final Plat of Subdivision	Publication and Mailing of Public Hearing Notice
Geneva	\$500 for two iterations of staff review, \$100 for each additional review	\$500 for two iterations of staff review, \$100 for each additional review	\$250 Single Family, \$500 Commercial	\$500 for two iterations of staff review, \$100 for each additional review	\$500 for two iterations of staff review, \$100 for each additional review	\$1,000 - Deposit	\$500 for two iterations of staff review, \$100 for each additional review	\$500 for two iterations of staff review, \$100 for each additional review	\$500 for two iterations of staff review, \$100 for each additional review	\$500 for two iterations of staff review, \$100 for each additional review	Petitioner provides stamped envelopes with return address to the City for surrounding property owners. City responsible for publication and mailing notices. Publication and mailing fees included in upfront fee. Does not require certified mail.
St. Charles	\$500	\$500	\$300	\$750	\$900	\$500	\$500	\$500	\$500	\$300	City responsible for publication and mailing notices. Publication and mailing fees included in upfront fee. Certified mail is required.
Rochelle	\$250	\$250	\$250	\$250	Negotiated in Annexation Agreement	Negotiated in Annexation Agreement	\$250	\$250	\$350 for 1-20 lots, \$20 for each additional lot	\$350 for 1-20 lots, \$20 for each additional lot	Petitioner provides stamped envelopes with return address to the City for surrounding property owners. City responsible for publication and mailing notices. Publication and mailing fees included in upfront fee. Does not require certified mail.
DeKalb County	\$800 Upfront: Additional costs added after review	\$800 Upfront: Additional costs added after review	\$750 Upfront: Additional costs added after review	\$800 Fee: Additional costs added after review	NA	NA	\$800 Upfront: Additional costs added after review	\$800 Upfront: Additional costs added after review	\$800 Upfront: Additional costs added after review	\$800 Upfront: Additional costs added after review	County responsible for publication and mailing notices. Costs for postage and publication charged to petitioner on top of upfront fee. Does not require certified mail.
Batavia	\$700	\$500	\$200 Residential, \$750 Commercial	\$500	\$500 - 1 lot or less than 1 acre; \$500 plus \$500 per additional acre over 1 acre or fraction thereof up to 10 acres, plus \$200 per additional acre or fraction thereof over 10 acres	No separate fee for Annexation Agreement; 50% of current annexation fee for Amendment to Annexation Agreement	\$500	\$500	\$500 and additional \$200 for each acre over 1 acre	\$300	City responsible for publication and mailing notices. Costs for postage and publication charged to petitioner on top of upfront fee. Certified mail is required.
Belvidere	\$350	\$500	\$350	\$500 if accessory to an established use, \$700 when establishing a primary use.	\$400	No separate fee for Annexation Agreement	\$350	\$350	\$500 + \$75/lot	\$500 + \$75/lot	Petitioner is responsible for publication and mailing notices. Certified mail is required.
Carpentersville	\$500	\$350	\$150 Residential, \$500 Commercial	\$500	\$500 per acre	No separate fee for Annexation Agreement	\$1,000	\$1,000	\$1,000	\$1,000	Petitioner is responsible for publication and mailing notices. Certified mail is required.
Sugar Grove	\$765	\$785	\$510	\$765	\$1,025 + \$20 for each acre	No separate fee for Annexation Agreement	\$305 and additional \$20 per acre	\$765 and additional \$20 per acre	\$305 and additional \$20 per acre	\$305 and additional \$20 per acre	Petitioner is responsible for publication and mailing notices. Certified mail is required.
Sycamore	\$300	\$300	\$900	\$300	\$2,000 per acre - Industrial and Commercial; \$3,000 per acre single family or multi-family	No separate fee for Annexation Agreement	\$150	\$150	\$150	\$150	City responsible for publication and mailing notices. Certified mail is not required.
DeKalb - Current	\$500	\$500	\$500	\$500	\$300	\$500	\$500	\$300	\$300 for 1-3 Lots - Minor Subdiv., \$500 for 4 or more lots	\$300 for 4 or more lots	Petitioner is responsible for publication and mailing notices. Certified mail is not required.
DeKalb - Proposed	\$500	\$250	\$100 Residential, \$250 Non-Residential	\$500	\$300 + \$50 for each acre or fraction thereof	\$500	\$500 + \$50 for each acre or fraction thereof	\$300 + \$50 for each acre or fraction thereof	\$300 for 1-3 Lots - Minor Subdiv., \$500 for 4 or more lots	\$300 for 4 or more lots	Petitioner is responsible for publication and mailing notices. Certified mail is not required.