

**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: 4d

Title:

Recommendation to Approve an Amendment to Title 15 of the City Code Pertaining to Recording Fees for Structures in Drainage/Utility Easements

Presenter:

Rita Tungare, Director of Community & Economic Development
Bob Vann, Building and Code Enforcement Division Manager

Meeting: Planning & Development Committee

Date: November 12, 2018

Proposed Cost: \$N/A

Budgeted Amount: \$

Not Budgeted: ☐**Executive Summary** (if not budgeted please explain):

Permit applications to place structures within recorded easements (i.e. drainage/utility) are required by the City to have a "Release and Indemnity Agreement" recorded with the Kane/DuPage County Recorder of Deeds. The current fee collected by the Recorder's Office for the recording of this document is \$47.00. For the convenience of the applicant, the Building and Code Enforcement Office collects this fee and then has the Agreement recorded. Our office was advised by the Kane County Recorder's Office that effective on December 1st, 2018 the recording fee for these Agreements will be increased to the amount of \$52.00

Staff recommends amending the ordinance language in Title 15 Building & Construction, Chapters 15.101 Administration, Enforcement, Fees and Penalties, Section 15.101.150 Permit and Inspection Fees, Item 5 Miscellaneous Permits to reflect the updated fees.

Paragraph g "Fences", Item i, for the time frame of January 1, 2019 to December 31, 2019 and January 1, 2020 to December 31, 2020 to amend the current language of "plus a recording fee of forty-seven (\$47.00) dollars" to read as follows:

"plus the current Kane/DuPage County Recorder of Deeds Recording fee in effect at time of permit application". (Due at time of submittal)

And Paragraph k "Lawn Sprinklers", If the sprinkler heads are located in the right-of-way a recording fee of forty-seven (\$47.00) dollars (Due at the time of submittal) is amended to read as follows:

"If the sprinkler heads are located the right-of-way a current Kane/DuPage County Recorders of Deeds recording fee in effect at time of permit application". (Due at time of submittal)

Attachments (please list):

- Draft copy of ordinance amending Title 15
- Copy of fee schedule for Kane County Recorder that will be effect as of December 1, 2018
- Copy of the fee schedule for DuPage County Recorder

Recommendation/Suggested Action (briefly explain):

Staff recommends approval of the amendment to Title 15 of the City Code pertaining to recording fees for drainage/utility easements

City of St. Charles
Ordinance No. _____

**An Ordinance Amending Title 15 of the St Charles Municipal Code, Entitled
“Building Construction”, Chapter 15.101 Administration, Enforcement, Fees,
and Penalties, Section 15.101.150 “Permit and Inspection Fees”**

WHEREAS, the City Council of the City of St. Charles hereby finds that it is in the City’s best interest to update current recording fees charged by Kane/DuPage County Recorders of Deeds; and

WHEREAS, to provide assistance to applicants of permits for the recording of Release and Indemnity Agreements; and

WHEREAS, to maintain a current and efficient process when cost adjustments are mandated by the Recorder of Deeds Office;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois as follows:

SECTION ONE: That Title 15, “Building and Construction”, Chapter 15.101 “Administration, Enforcement, Fees, and Penalties”, Section 15.101.150 “Permit and Inspection Fees”, be amended as follows:

B. Building Permit Fees

Item 5 “Miscellaneous Permits”

Paragraph g “Fences”, Item i, is amended to read as follows:

- g. Fences: (Excluding arbors and decorative landscape fences outside of easements and not more than 30 inches in height)

January 1, 2018 to December 31, 2018

Fences: (Excluding arbors and decorative landscape fences outside of easements and not more than 30 inches in height)

- i. Base fee: seventy (\$70.00) dollars plus the current Kane/DuPage County Recorders of Deeds Recording Fee in effect at time of permit application, if applicable for lots with fences in the easements. (Due at the time of submittal)
- ii. Partial Fence Installation – Repair and requires no recording fee - thirty (\$30.00) dollars (Due at the time of submittal)

January 1, 2019 to December 31, 2019

Fences: (Excluding arbors and decorative landscape fences outside of easements and not more than 30 inches in height)

- i. Base fee: eighty (\$80.00) dollars plus the current Kane/DuPage County Records of Deeds Recording Fee in effect at time of permit application, if applicable for lots with fences in the easements. (Due at the time of submittal)
- ii. Partial Fence Installation – Repair and requires no recording fee -thirty (\$30.00) dollars (Due at the time of submittal)

January 1, 2020 and thereafter

Fences: (Excluding arbors and decorative landscape fences outside of easements and not more than 30-inches in height)

- i. Base fee: eighty five (\$85.00) dollars plus the current Kane/DuPage County Records of Deeds Recording Fee in effect at time of permit application, if applicable for lots with fences in the easements. (Due at the time of submittal)
- ii. Partial Fence Installation – Repair and requires no recording fee -thirty (\$30.00) dollars (Due at the time of submittal)

Paragraph k “Lawn Sprinklers”, is amended to read as follows:

k. Lawn sprinklers:

Base fee: one hundred fifteen (\$115.00) dollars (Due at the time of submittal)

If the sprinkler heads are located the right-of-way a current Kane/DuPage County Records of Deeds recording fee in effect at time of permit application. (Due at time of submittal)

SECTION TWO: That after the adoption and approval hereof this Ordinance shall be printed or published in book or pamphlet form, published by the authority of the City Council.

SECTION THREE: That this Ordinance shall be in full force and effect from and after its passage in accordance with law and this ordinance is authorized to be printed or published in book or pamphlet form by the authority of the City Council.

Presented to the City Council of the City of St. Charles, Illinois this ____ day of

_____, 2018.

Ordinance No. _____

Passed by the City Council of the City of St. Charles, Illinois this ____ day of _____, 2018.

Approved by the Mayor of the City of St. Charles, Illinois this ____ day of _____, 2018.

Mayor

Attest:

City Clerk

Council Vote:

Ayes: _____
Nays: _____
Abstain: _____
Absent: _____

Approved as to Form:

City Attorney

Date: _____

SANDY WEGMAN
RECORDER
719 S BATAVIA AVE., BLDG C
GENEVA, IL 60134

630-232-5935
wegmansandy@kanecountyrecorder.net

KANE COUNTY PRICE SCHEDULE
(PREDICTABLE FEE)
EFFECTIVE 12/1/2018
55 ILCS 5/3-5018.1

STANDARD DOCUMENTS

Real Estate Related Documents	\$62.00
Non Real Estate Related Documents	\$52.00

NON-STANDARD DOCUMENTS

Plats & Delineations governed by the Plat Act (Exempt from Standard Forms Legislation)

Plat (Subdivision, Townhouse, etc.)	\$90.00
- Each Additional Page	\$1.00
Plat of Survey (single page, 11" x 17", no more than two lots or parcels)	\$62.00

Plats Governed by the Condominium Act

Declaration and Plat are recorded as one instrument, Document priced as above.

Map is \$50 for 1st page, \$1 for each additional page.

\$112.00

UCC Financing Statement	\$60.00
UCC Termination	\$45.00

NON-CONFORMING DOCUMENTS	\$84.00
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More than 5 parcel numbers
More than 5 referenced document numbers

MILITARY DISCHARGE - DD214	NO CHARGE
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includes 4 certified copies

PHOTO COPIES (per page)	\$1.00
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CERTIFIED COPIES

First 4 pages	\$52.00
Each additional page	\$1.00

PLAT COPIES

First page	\$5.00
Each additional page	\$2.00

FAX

First page	\$5.00
Each additional page	\$1.00

Cash or check made payable to:
Kane County Recorder

Overages on checks shall not be
returned.

Recording Fee Schedule

Fees subject to change without notice.

Deeds, Mortgages, Releases/Satisfactions, Etc.

Documents related to property (includes parcel number and/or legal description)

First four (4) pages	\$40.00
Each additional page	\$1.00
Each additional document number therein noted	\$1.00

Judgments, Corporation Papers, Releases/Satisfactions, Etc.

Documents unrelated to property (does not include parcel number or legal description)

First four (4) pages	\$30.00
Each additional page	\$1.00

Non-Standard Documents

Documents non-conforming to our requirements (not on 8 ½ x 11 paper)

First four (4) pages	\$52.00
Each additional page	\$2.00

Military Discharge

Recording	No Charge
First copy	No Charge
Each additional copy	\$1.25

Copies

Per page	\$0.50
Certification	\$5.00

Faxed Copies

Per Page	\$0.50
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Payment

Required at the time of recording.

Credit Card	Visa, MasterCard, Discover, UnionPay
Check (no starter checks)	Payable to: DuPage County Recorder
Money Order	Payable to: DuPage County Recorder
Cash	

Payment Fees

Credit Card Convenience Fee \$30.00 and above	2.75%
Credit Card Convenience Fee \$29.99 and under	\$2.00
Returned Check Charge: Refer to Maker	\$4.50
Returned Check Charge: Stop Payment	\$4.50
Returned Check Charge: Non-Sufficient Funds	\$9.00