

	AGENDA ITEM EXECUTIVE SUMMARY		Agenda Item number: IIC9
	Title:	Motion approve An Ordinance Amending Title 15, “Buildings and Construction”, Section 15.101.150 “Permit and Inspection fees”, Subsection B. “Fee Schedule” and Title 18, “Stormwater Management”, Section 18.04.010 “Stormwater Management Ordinance - Adopted – Modifications”, Section A. “Permit Fees- Schedule” of the St. Charles Municipal Code (Site Development/Stormwater Permit Fees)	
Presenter:	Russell Colby, Community Development Director		
Meeting: City Council		Date: December 18, 2023	
Proposed Cost:		Budgeted Amount:	Not Budgeted: <input type="checkbox"/>
TIF District: None			
Executive Summary (if not budgeted, please explain): <p>The item was unanimously recommended for approval at the December 11, 2023 Planning & Development Committee, subject to a modification to add an additional deposit amount to be paid with the fee.</p> <p>(Fee equal to 2.5% of the approved Engineer’s Estimate for Probable Cost, plus deposit equal to 0.5% of the approved Engineer’s Estimate for Probable Cost).</p> <p>The code text has been revised per the Committee recommendation.</p>			
Attachments (please list): Ordinance			
Recommendation/Suggested Action (briefly explain): Motion to Approve			

City of St. Charles, IL
Ordinance No. 2023-M-_____

An Ordinance Amending Title 15, “Buildings and Construction”, Section 15.101.150 “Permit and Inspection fees”, Subsection B. “Fee Schedule” and Title 18, “Stormwater Management”, Section 18.04.010 “Stormwater Management Ordinance - Adopted – Modifications”, Section A. “Permit Fees-Schedule” of the St. Charles Municipal Code (Site Development/Stormwater Permit Fees)

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

1. That Section 15.101.150.B of Title 15, is hereby amended by adding the following row to the Fee Schedule table:

Permit Type	Fee
Site Development / Stormwater Permit	Payment due upon permit issuance equal to 3.00% of the approved Engineer’s Estimate of Proposed Construction (EOPC), comprised of 2.50% as a non-refundable permit fee, plus 0.50% deposit to cover additional costs.

2. That Sections 18.04.010.A of Title 18, “Stormwater Management” be deleted in its entirety and replaced by the following:

See Exhibit A

3. That after the adoption and approval hereof this Ordinance shall be (i) printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 18th day of December 2023.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 18th day of December 2023.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 28th day of December 2023.

Lora Vitek, Mayor

Attest:

City Clerk/Recording Secretary

COUNCIL VOTE:

Ayes:

Nays:

Absent:

Abstain:

APPROVED AS TO FORM:

City Attorney

DATE: _____

Exhibit A

A. Article II, 9-28.D is deleted in its entirety and the following inserted therefore:

“Fees for Site Development/Stormwater Permits

1. Review of Site Development/Stormwater Permits

Reimbursement shall be provided, either through a Reimbursement of Fees Agreement under Title 17, or through direct payment for:

- a. City staff review at the cost per productive work hour of each City staff member involved in reviews, meetings, or any associated task relative to a stormwater permit application.
- b. Fees for consultant’s review and consultation in connection with the review of the proposed work including meetings and associated tasks. Consultants may include but are not to be limited to Engineers and Wetland specialists.

The applicant shall pay all fees within 30 days of invoice by the City subsequent to performance of said tasks. Any dispute of payment shall be sent in writing to the Administrator within 30 days of invoice by the City. Failure to respond within the 30-day period shall result in a default of permit obligation and allow the Administrator to revoke the permit.

2. Fee and Deposit for issuance for Site Development/Stormwater Permits

Payment due upon permit issuance equal to 3.00% of the approved Engineer’s Estimate of Proposed Construction (EOPC), comprised of 2.50% as a non-refundable permit fee, plus 0.50% deposit to cover additional costs.

Fees are intended to cover all costs for any task associated with construction oversight, inspection and testing of the improvements approved under the Site Development / Stormwater permit. Professional services may be provided by City Staff or Consultants working on behalf of the City, including Construction Managers, Engineers, Wetland and Ecological Specialists.

In the event the total costs for Professional Services exceeds the permit fee, the additional 0.50% deposit shall be utilized to pay for any excess costs. Additional increments of 0.50% may be requested thereafter.

Any request for additional fees or use of the deposit shall be accompanied by an accounting of the fees incurred. Any portion of the deposit remaining after the completion of the project shall be returned to the applicant.”