

ORDINANCE NUMBER: 2016-02

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR
THE VILLAGE OF CHERRY VALLEY, ILLINOIS
DELETING CHAPTER 2, ARTICLE VII. ANNEXATION.
SECTION 2-601 THROUGH SECTION 2-605 AND
TRANSFERRING THEM TO CHAPTER 50, ARTICLE V.
ANNEXATION. SECTION 50-227 THROUGH SECTION 50-231**

WHEREAS, the Ordinance Committee for the Village of Cherry Valley, Illinois, has been reviewing its Code of Ordinances to update the same; and,

WHEREAS, specifically, the Ordinance Committee reviewed Chapter 2. Administration. Article VII. Annexation and determined this Article of Chapter 2 should not be located in Chapter 2 Administration but rather should be in Chapter 50 Planning; and,

WHEREAS, in order to transfer Chapter 2, Article VII. Annexation. Section 2-601 through Section 2-605, it is necessary to enact an ordinance to transfer those Sections to Chapter 50.

NOW, WHEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, AS FOLLOWS:

SECTION 1: Chapter 2. Administration, Article VII. Annexation. Section 2-601 through Section 2-605 shall and hereby are deleted in their entirety.

SECTION 2: Chapter 50. Planning of the Code of Ordinances, shall and hereby is amended to add Article V. Annexation which shall read as follows:

ARTICLE V. ANNEXATION

Sec. 50-227. Annexation of real estate into village.

Upon annexation of real estate to the village, it shall be the sole responsibility of the owner of such property to pay for the installation of all streets including curbs, gutters and sidewalks, and water lines, if water is available, and sewer lines to the extent such improvements are to be located on the property in question. Such improvements must be completed prior to the final approval regarding the construction of any and all buildings located on the premises in question.

(Code 1974, § 20-1)

Sec. 50-228. Plat to indicate the location of improvements.

As to all streets and sidewalks and all other capital improvements, the owner of the property in question shall, at the time of submission of the petition for annexation,

provide to the village a plat indicating the location of such improvements. If such property being annexed to the village is not contemplated for immediate construction, the owner, shall submit such plat indicating the location of such improvement and the specifications regarding the construction prior to the issuance of any building permits. (Code 1974, § 20-2)

Sec. 50-229. Modification of requirement regarding owner's responsibility for improvements.

Upon being duly made and seconded, and by a majority vote of all elected officials, the requirement that the owner shall be solely responsible for the improvements as stated in section 50-227 may be modified. (Code 1974, § 20-3)

Sec. 50-230. Annexation costs.

The petitioner for annexation of real estate to the village shall reimburse the village for the following expenses incurred by the village, unless specifically waived by the board of trustees:

- (1) Publication costs.
- (2) Map drafting fees.

(Code 1974, § 20-212)

Sec. 50-231. Additional expenses incurred.

The fees as stated in Section 50-230 shall be paid to the village prior to the village taking the final vote regarding the annexation. If the village discovered additional expenses after taking the final vote on the annexation, then those additional expenses shall be paid by the petitioner within 30 days from the date of invoice from the village to the petitioner. (Code 1974, § 20-213)

SECTION 3: This Ordinance shall become in full force and effect from and after its approval, passage and publication in pamphlet form.

PASSED UPON MOTION BY NANCY BELT

SECONDED BY GARY MAITLAND

BY ROLL CALL VOTE THIS 5TH DAY OF JANUARY, 2016

AS FOLLOWS: NANCY BELT, JEFF FUSTIN, SALLY HOLLEMBEAK,
GARY MAITLAND, DAVID SCHROEDER

VOTING "AYE": NONE

VOTING "NAY": NONE

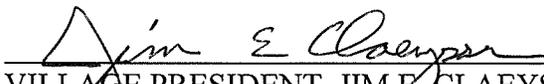
ABSENT, ABSTAIN, OTHER: STEPHEN APPELL

APPROVED JANUARY 5, 2016

ATTEST:



DEPUTY VILLAGE CLERK,
KATHLEEN TRIMBLE



VILLAGE PRESIDENT, JIM E. CLAEYSSEN