

ORDINANCE NO. 2016-25

AN ORDINANCE OF THE VILLAGE OF CHERRY VALLEY, ILLINOIS AMENDING MULTIPLE PROVISIONS OF THE VILLAGE CODE OF ORDINANCES REGARDING VARIOUS ZONING, LAND USE AND DEVELOPMENT PERMIT FEES

WHEREAS, the Village of Cherry Valley, Illinois (“Village”) imposes various permitting fees related to zoning, land use and/or development; and

WHEREAS, said fees are referenced throughout various sections of the Village Code of Ordinances (“Village Code”); and

WHEREAS, anytime the Village desires to change the fee amounts imposed, an amendment to each of said fee sections is required; and

WHEREAS, it is inefficient and impractical to have to make multiple Village Code section amendments each time the fee amounts are to be changed; and

WHEREAS, the Village has determined it would be more efficient and practical to remove the fee amounts referenced in each of these particular sections and enumerate these fees in a schedule which may be amended from time to time without having to make multiple Village Code section amendments; and

WHEREAS, the Village has determined it is in the best interest of the Village and its citizens to make such amendments.

NOW THEREFORE, be it ordained by the President and Board of Trustees of the Village of Cherry Valley, Illinois, as follows:

1. The above recitals are incorporated herein and made part hereof.
2. That Section 6-34(d) of the Village Code regarding the fees for signs shall be amended to read as follows (strikethroughs denote deletions and underlines denote additions):

“(d) *Permit fees.* The fee for a permit to construct a sign less than 300 square feet in total area shall be ~~\$50.00~~ as set forth in the Village’s zoning, land use and development permit fee schedule which may be amended by the Village from time to time by resolution or ordinance. The fee for the construction of a sign of 300 square feet or greater of total area shall be ~~\$150.00~~ as set forth in the Village’s zoning, land use and development permit fee schedule which may be amended by the Village from time to time by resolution or ordinance. This fee is for the construction of new signs and not for the replacement of existing signs.”

3. That Section 6-103 of the Village Code regarding fees for electronic message signs shall be amended to read as follows (strikethroughs denote deletions and underlines denote additions):

"Prior to the installation of any electronic message display, the owner shall file an application with the Village of Cherry Valley, Illinois, and pay an application fee of ~~\$150.00~~ as set forth in the Village’s zoning, land use and development permit fee schedule which may be amended by the Village from time to time by resolution or ordinance."

4. That Section 50-181(a) of the Village Code regarding the fees for site plan review application shall be amended to read as follows (strikethroughs denote deletions and underlines denote additions):

“(a) Except for those conditions noted in this section, every application for a building permit for new construction, exterior modifications, or building additions shall be promptly forwarded by the village administrator to the planning and development committee for the committee's review. Such review must be completed within 45 days from the receipt by the village of the building application. The fee for an application for a building permit shall be as set forth in the Village’s zoning, land use and development permit fee schedule which may be amended by the Village from time to time by resolution or ordinance. Applications from building permits for construction or remodeling of detached single-family residential structures or structures accessory thereto shall not be subject to the site plan review.”

5. That Section 58-115 of the Village Code regarding fees for excavations shall be amended to read as follows (strikethroughs denote deletions and underlines denote additions):

Section 58-115 Permit Fee – The fee of a permit required by this division ~~shall be \$5.00~~ shall be as set forth in the Village’s zoning, land use and development permit fee schedule which may be amended by the Village from time to time by resolution or ordinance and shall be payable with the application required by this division.

6. That Section 82-10(f) of the Village Code regarding the fees for accessory structures shall be amended to read as follows (strikethroughs denote deletions and underlines denote additions):

“(f) *Permit required.* A building permit is required to construct an accessory building. Each application for a building permit to construct an accessory building must contain a site plan, topography drawing and the design of the building. If the board of trustees for the Village of Cherry Valley finds the building permit is not appropriate, the proper village clerk shall be instructed to issue a denial for the building permit request. The fee for an application for a building permit to construct an accessory building shall be as set forth in the Village’s zoning, land use and development permit fee schedule which may be amended by the Village from time to time by resolution or ordinance.”

7. That Section 82-112(b) of the Village Code regarding the fees for application and issuance of zoning permit” shall be amended to read as follows (strikethroughs denote deletions and underlines denote additions):

“(b) The applicant for the zoning permit shall tender to the village, along with their application, the sum of ~~\$50.00~~ set forth in the Village’s zoning, land use and development permit fee schedule which may be amended by the Village from time to time by resolution or ordinance, to process the zoning permit except as provided in this section. All zoning permit applications for decks, fences, porches, patios, storage sheds and aboveground pools shall pay a ~~\$5.00~~ the application fee set forth in the Village’s zoning, land use and development permit fee schedule which may be amended by the Village from time to time by resolution or ordinance. All applications requesting a zoning permit for the enclosure of existing porches or the enclosure of existing concrete slabs shall pay no application fee.”



**A RESOLUTION OF THE VILLAGE OF CHERRY VALLEY, ILLINOIS
ESTABLISHING ZONING PERMIT FEES**

WHEREAS, the Village of Cherry Valley has in effect ordinances regulating zoning and improvements of land and permits; and

WHEREAS, said adopting ordinances provide by their respective terms that said zoning fees and other charges shall be set by Resolution from time to time by the Board of Trustees.

NOW THEREFORE BE IT RESOLVED by the President and Board of Trustees of the Village of Cherry Valley as follows:

1. The above recitals are incorporated herein and made a part hereof.
2. That effective August 1, 2016, the Village of Cherry Valley zoning fees and other charges shall be and are hereby set as described in Exhibit A, attached hereto and made part hereof by this reference.
3. All resolutions or portions thereof in conflict with this resolution are hereby repealed.
4. Should any provision of this resolution 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 resolution.

PASSED UPON MOTION BY: NANCY BELT

SECONDED BY: SALLY HOLLEMBEAK

BY ROLL CALL VOTE THIS 1ST DAY OF AUGUST, 2016

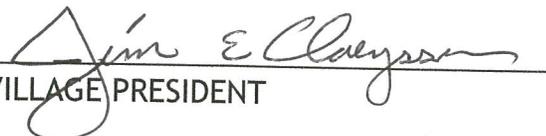
AS FOLLOWS:

VOTING "AYE": STEPHEN APPELL, NANCY BELT, JEFF FUSTIN,
SALLY HOLLEMBEAK, DAVID SCHROEDER

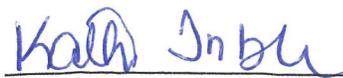
VOTING "NAY": NONE

ABSENT, ABSTAIN, OTHER: GARY MAITLAND

APPROVED AUGUST 1, 2016


VILLAGE PRESIDENT

ATTEST:


DEPUTY VILLAGE CLERK

8. That Section 82-337(a) of the Village Code regarding the fees for additions and enlargements shall be amended to read as follows (strikethroughs denote deletions and underlines denote additions):

“(a) A conforming structure containing a nonconforming use may be enlarged or extended only if the entire structure is thereafter devoted to a conforming use. The fee for an application for a building permit for such additions and enlargements shall be as set forth in the Village’s zoning, land use and development permit fee schedule which may be amended by the Village from time to time by resolution or ordinance.”

9. Except as amended in this Ordinance, all other ordinances of the Village shall remain in full force and effect as previously enacted except that those ordinances, or parts thereof, in conflict are hereby repealed to the extent of such conflict.
10. This Ordinance shall be in full force and effect from after its passage, approval, and publication in pamphlet form as provided by law.

PASSED UPON MOTION BY: NANCY BELT

SECONDED BY: SALLY HOLLEMBEAK

BY ROLL CALL VOTE THIS 1ST DAY OF AUGUST, 2016

AS FOLLOWS:

VOTING “AYE”: STEPEHEN APPELL, NANCY BELT, JEFF FUSTIN,
SALLY HOLLEMBEAK, DAVID SCHROEDER

VOTING “NAY”: NONE

ABSENT, ABSTAIN, OTHER: GARY MAITLAND

ATTEST:

APPROVED AUGUST 1, 2016


KATHLEEN TRIMBLE, DEPUTY CLERK


JIM E. CLAEYSSSEN, PRESIDENT