

VILLAGE OF LILY LAKE

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ORDINANCE NO. 2022-01

AN ORDINANCE AMENDING THE VILLAGE CODE

(Chapter 5—Fees, Subchapter 12—Stormwater Management Fees)

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ADOPTED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE  
VILLAGE OF LILY LAKE

February 28, 2022

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Published in pamphlet form by authority of the President and Board of Trustees of  
the Village of Lily Lake, Kane County, Illinois

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BE IT ORDAINED by the President and the Board of Trustees of the Village of LILY LAKE, Kane County, Illinois, that the Village Code, as amended, be further amended as follows:

§ 1. Amending Village Code

Chapter 5 of the Village Code is amended by adding the following as Subchapter 12—Stormwater Management Fees, and renumbering existing Subchapter 12—Reimbursement of Costs and the sections thereunder accordingly:

Subchapter 12— Stormwater Management Fees

§ 539. Schedule of fees — Stormwater Management

(a) The informational handout and schedule of fees set forth at the end of this Subchapter are adopted in connection with the review, issuance, and administration of stormwater permits.

(b) If any work or development requiring a stormwater management permit is commenced before the permit is issued the person responsible for the work and the owner of the property will be required to apply for a permit after the fact and pay 200% of the fees otherwise due. The fee imposed under the paragraph is in addition to any other fines or penalties that may otherwise be imposed.

## **VILLAGE OF LILY LAKE STORMWATER MANAGEMENT PERMIT FEES**

When a Stormwater Management Permit (Permit) is required, a non-refundable review fee is to be paid to The village. The review fee is calculated to cover the costs and expenses incurred by the Village in performing the following work: review of the Stormwater Management Permit application and supporting documents; preparing correspondence and reports; meeting with the Applicant and its representatives; communicating and coordinating with other governmental and private entities in matters related to the project; conducting site visits and construction observations and reports; recommending and approving performance guarantee reductions; recommending and approving partial or final acceptance of the Stormwater Management Permit and supporting documents; and recommending and approving partial or final acceptance of the constructed improvements associated with the Permit, all in accordance with the requirements of the Kane County Stormwater Management Ordinance. Such expenses may include but are not limited to the following:

### **I. Outside Consultants:**

- A. During the permit review process, the Administrator may engage professional assistance other than the staff in order to review and observe the improvements proposed by the Applicant, which may include Certified Review Specialists or legal counsel.
- B. The Applicant will be notified in writing that such professional assistance will be engaged.
- C. The Applicant and the village shall enter into an agreement whereby the Applicant agrees to pay for costs associated with such professional review assistance.
- D. The Applicant shall make a cash deposit, before the review is initiated, based on a fixed rate of 2% multiplied by the engineer's estimate provided in the Security Submittal of the Permit application. The Village shall draw from the Applicant's deposit as costs are incurred. The initial deposit must be renewed when half of the total deposit has been invoiced.
- E. Review comments and Letter of Credit reduction requests will not be processed if the deposited fund balance does not meet the requirements in (d) above.
- F. The Outside Consultant fee will be in addition to the Application and other fee categories on the attached Schedule A.

### **II. Public Recording Fees and Legal Fees**

### **III. Fee Schedule:**

- A. Fee Schedule amounts listed on Schedule A must be paid when a

Stormwater Management Permit Application is filed. Fee Schedule values are in addition to fees listed in I and II above.

If you have questions regarding the specific requirements for a Stormwater Management Permit or associated fees as they pertain to your project, please contact the Village Clerk at 630-365-9677 or the Village Engineers, Engineering Enterprises, Inc., 52 Wheeler Rd., Sugar Grove, IL 60554 (630-466-6700). The Village Hall is located at 43W870 Empire Road, Lily Lake, IL 60175 (Mailing address: 43W955 Twilight Lane, Suite A, St. Charles, IL 60175.)

## SCHEDULE A

Permit Review Category*	Fee**
Application Fee	\$75.00
<b>STORMWATER SUBMITTALS (outside Special Management Areas)</b>	
> 5000 sq. ft. disturbed, no Detention or BMP required	\$150.00
Small site - Category I BMP required	\$250.00
Small site - Detention & BMP required (< 5 acre non-residential or minor subdivision)	\$1,000.00
Large site - Detention & BMP required (>5 acre non-residential or major subdivision >5 lots)	\$3,000.00
Large site - Detention required PER ACRE OR LOT over threshold	\$50.00
Linear Utility or Trail, 1st mile	\$600.00
Linear Utility or Trail, each additional mile	\$250.00
<b>FLOODPLAIN/DEPRESSIONAL STORAGE SUBMITTALS (Special Management Area)</b>	
Accessory Structure > or = 200 sq. ft.	\$500.00
New Single Family Home /Addition	\$2,500.00
Existing Single Family Home Elevation	\$500.00
Small Site, no compensatory storage	\$200.00
Small Site, compensatory storage required	\$1,000.00
Development in the Regulatory Floodway: Channel modifications, bridges, dams, online detention, filling, and any development which affects flood elevations or floodway limits or requires modeling	\$7,000.00
Utility crossing at existing grade (sediment & erosion plan only) an other minor developments which do not require modeling	\$300.00
Streambank stabilization	\$150.00
<b>WETLAND SUBMITTAL (Special management area)</b>	
Wetland review - delineation report	\$75.00
Wetland review - buffer establishment (per wetland/linear water course)	\$150.00
Wetland review 80-150 rule (per wetland/linear water course)	\$750.00
Wetland mitigation plans WR admin only	\$75.00
Wetland bank or fee in lieu	\$75.00
<b>OTHER ADMINISTRATIVE FEES</b>	
Preapplication meeting, initial	\$0.00
Preapplication meeting, per additional meeting	\$200.00
Permit review submittals, 1st rejection (10% of original fee)	10%
Permit review submittals, 2nd rejection (20% of original fee)	20%
Permit review submittals, 3rd or more rejections (60% of original fee)	60%
Variance	\$700.00
Misc. staff time per hour	\$75.00
Appeals	\$350.00
Permit Renewal (25% of original fee)	25%
SSA Establishment	\$1,400.00
Recording Fee & Map Plotting	\$65.00
<b>BUILDING PERMIT FEES - (FOR STORMWATER PERMITS ISSUED THROUGH BUILDING PERMIT - APPLICATION FEE DOES</b>	
Single Family Home	\$300.00
Floodplain***	\$200.00
Site Visit	\$150.00
Hourly Rate	\$75.00

\* Site refers to the area of development as defined in the Stormwater Management Ordinance

\*\* Permit fees are non-refundable once review has begun

\*\*\* Floodplain will apply to fences, sheds <200 sq. ft. and pools not requiring compensatory storage. For other floodplain projects refer to Floodplain/Depressional Storage Submittal fee schedule above

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§ 2. Further amending Village Code

The Village Code is further amended by adding the following as paragraph (e) to § 540 of Chapter 5— Fees, Subchapter 13— Reimbursement of Costs, and renumbering the remaining paragraph accordingly.

Subchapter 13— Reimbursement of Costs

§ 540. All costs, expenses and fees to be reimbursed

\* \* \* \* \*

(e) In any action brought by the Village to collect any fee or fine imposed under any provision of this chapter, or enforce the provisions of any permit, or any stop-work order issued by the village, or the termination or revocation of any permit, the defendant shall pay the reasonable costs, expenses, and attorneys fees of the Village.

§ 3. Repealer

Any ordinance or any provision of any ordinance in conflict with the provisions of this ordinance is, to the extent of such conflict, repealed.

§ 4. Effective Date

This ordinance is fully effective from and after its passage, approval and publication as provided by law.

Adopted on February 28, 2022 pursuant to a roll call vote as follows:

[Signature page follows.]

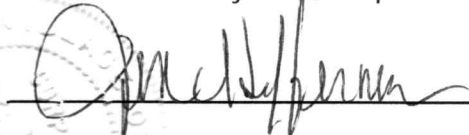
Trustee	Yes	No	Absent	Abstain
Conn	X			
Damisch			X	
Dell	X			
Diehl	X			
Florian	X			
Perry	X			
Overstreet				
Totals	5	0	1	0

Approved February 28, 2022.

  
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President

Attested, Filed in my office, and published in pamphlet form on February 28, 2022.

  
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Clerk of the Village of Lily Lake, Kane County, Illinois

