



Incorporated in 1869

Village of Rochester

SANGAMON COUNTY, ILLINOIS

ORDINANCE
NUMBER 16-01

**AN ORDINANCE AMENDING THE VILLAGE CODE TO CHANGE THE
PRELIMINARY PLAT REVIEW FEE**

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Sorling Northrup – 1 N. Old State Capitol Plaza, Suite 200, Springfield, IL 62701

ORDINANCE NO. 16-01

AN ORDINANCE AMENDING THE VILLAGE CODE TO CHANGE THE PRELIMINARY PLAT REVIEW FEE

WHEREAS, the Village of Rochester, Sangamon County, State of Illinois, is a duly organized and existing Village created under the provisions of the laws of the State of Illinois, and is operating under the provisions of the Illinois Municipal Code; and,

WHEREAS, the Village of Rochester (hereinafter, the “Village”), is an Illinois municipal corporation; and,

WHEREAS, the Illinois Municipal Code sets forth the rights of municipalities to require preliminary plats for development and provides that municipalities may charge a reasonable fee in connection with said preliminary plat (65 ILCS 5/11-12-8); and,

WHEREAS, the Corporate Authorities believe it is in the best interest of the Village to amend its Code to increase the maximum preliminary plat review fee deposit from \$1,000.00 to \$1,500.00.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Rochester, County of Sangamon, as follows:

Section 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

Section 2. Amendment to Village Code 35-8-1. Chapter 35 Article 8 Section 35-8-1 of the Village Code shall be amended as follows:

35-8-1 PRELIMINARY PLAT FEE. All preliminary plats filed with the Village Clerk and distributed for review by the Plan Commission under the provisions of this Article shall be subject to:

(A) preliminary plat review by a consulting engineering firm authorized by the Village Board to make such review;

(B) any other review, study or analysis as may be deemed necessary due to the specific impact of the proposed preliminary plat on

the Village by the Plan Commission or the Village Board of Trustees; and

(C) payment of all expenses incurred by the Village in relation to the requirements for consideration of the preliminary plat. The subdivider shall deposit with the Village Clerk at the time of submission of such preliminary plat, a cash amount of One Thousand Five Hundred Dollars (\$1,500.00) toward payment of all expenses to be incurred by the Village related to the preliminary plat.

The consulting engineering firm shall be compensated by the Village for one preliminary plat review cycle as outlined in Section 35-3-3 of this Chapter, to be provided in accordance with the regular rates charged to the Village by the consulting engineer for such services. Any other expense incurred by the Village shall be charged to the subdivider at the actual amount. If the aggregate of all expenses incurred by the Village in relation to the preliminary plat, including consulting engineering service fees for the one preliminary plat review cycle, are less than One Thousand Five Hundred Dollars (\$1,500.00), the difference shall be refunded to the subdivider upon the Village's approval of the preliminary plat. If the aggregate of all expenses are greater than One Thousand Five Hundred Dollars (\$1,500.00), the difference shall be paid by the subdivider upon the Village's submission of the final invoices for all such expenses. The subdivider shall remit to the Village an amount equal to the difference between the actual total expenses incurred by the Village and the amount deposited with the Village prior to approval of the preliminary plat.

All pre-application maps for Minor Subdivisions filed with the Village Clerk and distributed for review by the Plan Commission under the provisions of this Article shall be subject to:

(A) pre-application map review by a consulting engineering firm authorized by the Village Board to make such review;

(B) any other review, study or analysis as may be deemed necessary due to the specific impact of the proposed pre-application map on the Village by the Plan Commission or the Village Board of Trustees; and

(C) payment of all expenses incurred by the Village in relation to the requirements for consideration of the pre-application map.

The subdivider shall deposit with the Village Clerk at the time of submission of such pre-application map, a cash amount of Five Hundred Dollars (\$500.00) toward payment of all expenses to be incurred by the Village related to the pre-application map. The consulting engineering firm shall be compensated by the Village for one pre-application map review cycle as outlined in Section 35-6-2 of this Chapter, to be Subdivision Code 35-5-9 35-47 [September 26, 2008] provided in accordance with the regular rates charged by the consulting engineer to the Village for such services. Any other expense incurred by the Village shall be charged to the subdivider at the actual amount. If the aggregate of all expenses incurred by the Village in relation to the pre-application map, including consulting engineering service fees for the one map review

cycle, are less than Five Hundred Dollars (\$500.00), the difference shall be refunded to the subdivider upon the Village's final approval of the pre-application map. If the aggregate of all expenses are greater than Five Hundred Dollars (\$500.00), the difference shall be paid by the subdivider upon the Village's submission of the final invoices for all such expenses. The subdivider shall remit to the Village an amount equal to the difference between the actual total expenses incurred by the Village and the amount deposited with the Village prior to approval of the preliminary plat.

Should the subdivider decide to pursue approval of the preliminary plat or pre-application map review from the Plan Commission and additional reviews are necessary, or other issues related to the preliminary plat or pre-application map arise that require review and/or comment, the subdivider shall deposit with the Village Clerk an additional cash amount as determined by the Village Board of Trustees through a proposal by the Village Engineer or any other designated party to provide these review services. (Ord. No. 16-01; 02-08-16).

Section 3. Amendment to Village Code 41-7-1. Chapter 41 Article 7 Section 41-7-1

of the Village Code shall be amended as follows::

41-7-1 PRELIMINARY PLAT FEE. All preliminary plats filed with the Village Clerk and distributed for review by the Plan Commission under the provisions of this Article shall be subject to:

(A) preliminary plat review by a consulting engineering firm authorized by the Village Board to make such review;

(B) any other review, study or analysis as may be deemed necessary due to the specific impact of the proposed preliminary plat on the Village by the Plan Commission or the Village Board of Trustees; and

(C) payment of all expenses incurred by the Village in relation to the requirements for consideration of the preliminary plat.

The subdivider shall deposit with the Village Clerk at the time of submission of such preliminary plat, a cash amount of One Thousand Five Hundred Dollars (\$1,500.00) toward payment of all expenses to be incurred by the Village related to the preliminary plat. The consulting engineering firm shall be compensated by the Village for one preliminary plat review cycle as outlined in Section 41-3-3 of this Chapter, to be provided in accordance with the regular rates charges to the Village by the consulting engineer for such services. Any other expense incurred by the Village shall be charged to the subdivider at the actual amount. If the aggregate of all expenses incurred by the Village in relation to the preliminary plat, including consulting engineering service fees for the one preliminary plat review cycle, are less than One Thousand Five Hundred Dollars (\$1,500.00), the difference shall be refunded to the subdivider upon the Village's approval of the preliminary plat. If the aggregate of all

expenses are greater than One Thousand Five Hundred Dollars (\$1,500.00), the difference shall be paid by the subdivider upon the Village's submission of the final invoices for all such expenses. The subdivider shall remit to the Village an amount equal to the difference between the actual total expenses incurred by the Village and the amount deposited with the Village prior to approval of the preliminary plat.

Should the subdivider decide to pursue approval of the preliminary plat from the Plan Commission and additional reviews are necessary, or other issues related to the preliminary plat or pre-application map arise that require review and/or comment, the subdivider shall deposit with the Village Clerk an additional cash amount as determined by the Village Board of Trustees through a proposal by the Village Engineer or any other designated party to provide these review services. (See Sec. 12-7-1) (Ord. No. 16-01; 02-08-16).

Section 4. Amendment to Village Code 41-7-7. Chapter 41 Article 7 Section 41-7-7

of the Village Code shall be amended as follows:

41-7-7 INDIVIDUAL PROPERTY SITE PLAN REVIEW FEE. All individual property site plans filed with the Village Clerk and distributed for review by the Plan Commission under the provisions of this Article shall be subject to:

(A) individual property site plan review by a consulting engineering firm authorized by the Village Board to make such review;

(B) any other review, study or analysis as may be deemed necessary due to the specific impact of the proposed individual property site plan on the Village by the Plan Commission or the Village Board of Trustees; and

(C) payment of all expenses incurred by the Village in relation to the requirements for consideration of the individual property site plan. Business and Industrial Code 41-5-7 41-47 [September 26, 2008]

The property owner shall deposit with the Village Clerk at the time of submission of such site plan, a cash amount of One Thousand Five Hundred Dollars (\$1,500.00) toward payment of all expenses to be incurred by the Village related to the site plan. The consulting engineering firm shall be compensated by the Village for one individual property site plan review cycle as outlined in Section 41-6-1 of this Chapter, to be provided in accordance with the regular rates charges to the Village by the consulting engineer for such services. Any other expense incurred by the Village shall be charged to the property owner at the actual amount. If the aggregate of all expenses incurred by the Village in relation to the site plan, including consulting engineering service fees for the one individual property site plan review cycle, are less than One Thousand Five Hundred Dollars (\$1,500.00), the difference shall be refunded to the property owner upon the Village's approval of the site plan. If the aggregate of all

expenses are greater than One Thousand Five Hundred Dollars (\$1,500.00), the difference shall be paid by the property owner upon the Village's submission of the final invoices for all such expenses. The property owner shall remit to the Village an amount equal to the difference between the actual total expenses incurred by the Village and the amount deposited with the Village prior to approval of the individual property site plan (Ord. No. 16-01; 02-08-16).

Section 5. Severability. In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

Section 6. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Rochester prior to the effective date of this ordinance.

Section 7. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

SO ORDAINED this 8 day of February, 2016, at Rochester, Sangamon County, Illinois.

	YES	NO	ABSENT	PRESENT
MARIBETH EANDI	X			
HAROLD HENDRICKSON	X			
JOE HILL			X	
WAYNE LIKEN			X	
STACIA MUNROE	X			
DOUG ZOBRIST	X			
DAVID ARMSTRONG	X			
TOTAL	5	0	2	0

APPROVED by the President of the Village of Rochester, Illinois this 8 day of

February, 2016.



DAVID L. ARMSTRONG, Village President

Attest:



LYNN LANGDON, Village Clerk