

ORDINANCE NO. 17442

AN ORDINANCE CLARIFYING THE ENGINEERING REVIEW FEE **(Clarifying the engineering review fee for general development)**

WHEREAS, the Mayor and City Council have determined that private subdivision and development activities should bear a reasonable portion of the expense to the public caused by professional engineering services needed to review subdivision and development proposals; and

WHEREAS, the Mayor and City Council previously established an Engineering Review Fee to partially offset the uncompensated cost borne by the City of Joliet in obtaining professional engineering services that are specifically and uniquely attributable to residential and commercial subdivision and development; and

WHEREAS, the Mayor and City Council also find and determine that the amount of the Engineering Review Fee is reasonably related and proportionate to the cost incurred by the City in obtaining professional engineering services that is specifically and uniquely attributable to residential and commercial subdivision and development; and

WHEREAS, the Engineering Review Fee has been applied to general development which does not have public improvements; and

WHEREAS, the Mayor and City Council wish to clarify and simplify application of the Engineering Review Fee to general development which does not have public improvements through establishment of a set fee; and

WHEREAS, this Ordinance is adopted pursuant to the home rule powers of the City of Joliet.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF JOLIET, ILLINOIS, PURSUANT TO ITS STATUTORY AND HOME RULE AUTHORITY, AS FOLLOWS:

SECTION 1: The Mayor and City Council hereby find that the recitals contained in the preamble to this Ordinance are true, correct and complete and hereby incorporate it into this Ordinance by reference.

SECTION 2: Section 3.3A (1) of the Subdivision Regulations of the City of Joliet is hereby amended in its entirety to read as follows:

3.3A (1) Be made on forms available at the office of the Director of Community Development and shall be accompanied by a Planning Review Fee of One Hundred Twenty Dollars (\$120.00), plus Twelve Dollars (\$12.00) per lot, to a maximum fee of Twelve Hundred Dollars (\$1,200.00) and the Engineering Review Fee, calculated as follows:

ESTIMATED COST OF PUBLIC IMPROVEMENTS	ENGINEERING REVIEW FEE
< \$500,000	0.025 times the estimated cost of public improvements
\$500,001 - \$1,000,000	\$12,500 plus 0.0175 times the estimated cost of public improvements in excess of \$500,000
\$1,000,001-\$2,000,000	\$21,250 plus 0.01 times the estimated cost of public improvements in excess of \$1,000,000
> \$2,000,000	\$31,250 plus 0.0025 times the estimated cost of public improvements in excess of \$2,000,000

and

ESTIMATED COST OF SITE IMPROVEMENTS NOT INCLUDING PUBLIC IMPROVEMENTS*	ENGINEERING REVIEW FEE
< \$500,000	0.025 times the estimated cost of site improvements
\$500,001 - \$1,000,000	\$12,500 plus 0.0175 times the estimated cost of site improvements in excess of \$500,000
\$1,000,001-\$2,000,000	\$21,250 plus 0.01 times the estimated cost of site improvements in excess of \$1,000,000
> \$2,000,000	\$31,250 plus 0.0025 times the estimated cost of site improvements in excess of \$2,000,000

*Site improvements not including public improvements means improvements to the site which are non-public / not covered by a building permit; e.g. including but not limited to site grading/earthworks, underground utilities, parking lot, driveways and aprons, on-site lighting and erosion control.

The applicant shall be entitled to a one-time credit against the final plat Engineering Review Fee in an amount equal to the paid preliminary plat Engineering Review Fee, provided the preliminary plat on which the final plat is based is still in effect.

SECTION 3: Section 3.3J of the Subdivision Regulations of the City of Joliet is hereby amended in its entirety to read as follows:

3.3J The application for approval of a final plat shall contain a good faith estimate prepared by a professional engineer licensed to practice in the State of Illinois of the probable expenses to design, construct and place in service all of the public improvements required by the Subdivision Regulations within the proposed final plat of subdivision and the estimated cost of site improvements not including public improvements (improvements to the site which are non-public / not covered by a building permit; e.g. including but not limited to site grading/earthworks, underground utilities, parking lot, driveways and aprons, on-site lighting and erosion control). This estimate shall be subject to the review and approval of the City Manager and may be adjusted prior to final action by the Mayor and City Council on the final plat. The City Manager may defer the submittal of the good faith estimate beyond the time of application provided it is submitted before final action of the Mayor and City Council.

SECTION 4: Section 3.4A (11) of the Subdivision Regulations of the City of Joliet is hereby amended in its entirety to read as follows:

3.4A (11) If a final plat is not required because the proposed subdivision is considered a minor subdivision, then the Engineering Review Fee typically imposed on a final plat shall instead be imposed, administered and collected as part of the approval of the recording plat of subdivision. If a final plat is not required for any other reason, then the Engineering Review Fee (including the fee for the estimated cost of site improvements not including public improvements) shall instead be imposed, administered and collected as part of the building permit.

SECTION 5: Section 8-60, Engineering Review Fee, of the Code of Ordinances of the City of Joliet shall be added as follows:

Sec. 8-60.- Engineering review fee.

(a) The engineering review fee shall be calculated as follows:

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< \$500,000	0.025 times the estimated cost of public improvements
\$500,001 - \$1,000,000	\$12,500 plus 0.0175 times the estimated cost of public improvements in excess of \$500,000
\$1,000,001-\$2,000,000	\$21,250 plus 0.01 times the estimated cost of public improvements in excess of \$1,000,000
> \$2,000,000	\$31,250 plus 0.0025 times the estimated cost of public improvements in excess of \$2,000,000

and

ESTIMATED COST OF SITE IMPROVEMENTS NOT INCLUDING PUBLIC IMPROVEMENTS*	ENGINEERING REVIEW FEE
< \$500,000	0.025 times the estimated cost of site improvements
\$500,001 - \$1,000,000	\$12,500 plus 0.0175 times the estimated cost of site improvements in excess of \$500,000
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> \$2,000,000	\$31,250 plus 0.0025 times the estimated cost of site improvements in excess of \$2,000,000

*Site improvements not including public improvements means improvements to the site which are non-public / not covered by a building permit; e.g. including but not limited to site grading/earthworks, underground utilities, parking lot, driveways and aprons, on-site lighting and erosion control.

(b) The engineering review fee shall apply as set forth in the subdivision regulations or, if the subdivision regulations not applicable, when site improvements are otherwise required.

SECTION 6: The City Manager is hereby authorized to promulgate regulations deemed expedient to the administration of this Ordinance.

SECTION 7: This Ordinance is severable and the invalidity of any portion hereof shall not be construed so as to invalidate the remainder.

SECTION 8: It is the intention of the Mayor and City Council that the fee imposed herein be considered a "fee" for the purposes of Section 15 of the *Local Government Taxpayers' Bill of Rights Act*, (50 ILCS 45/1 *et seq.*).

SECTION 9: This Ordinance shall take effect immediately upon its passage.

PASSED this 1st day of December, 2015.



MAYOR



CITY CLERK

VOTING YES: Councilwoman Gavin, Councilmen Gerl, Hug, McFarland, Morris, Mudron, Councilwoman Quillman and Councilman Turk.

VOTING NO: None.

NOT VOTING: Mayor O'Dekirk.