

**VILLAGE OF OSWEGO
KENDALL COUNTY, ILLINOIS**

ORDINANCE NO. 25 - 112

AN ORDINANCE AMENDING APPENDIX A – COMPREHENSIVE SCHEDULE OF FEES, FINES, PENALTIES, UTILITY RATES, AND REBATES; AND APPENDIX B – UNIFIED DEVELOPMENT ORDINANCE SECTIONS 1, 9, 11, and 13 OF THE MUNICIPAL CODE FOR THE VILLAGE OF OSWEGO, KENDALL AND WILL COUNTIES, ILLINOIS

(Text Amendment- Fee Appendix & UDO Revisions)

**ADOPTED BY
THE PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF OSWEGO**

This 9th day of December 2025

Prepared by and Return to:
Village of Oswego
100 Parkers Mill
Oswego, IL 60543

Published in pamphlet form by authority of the President
and Board of Trustees of the Village of Oswego on December 10, 2025.

ORDINANCE NO. 25 - 112

AN ORDINANCE AMENDING APPENDIX A – COMPREHENSIVE SCHEDULE OF FEES, FINES, PENALTIES, UTILITY RATES, AND REBATES; AND APPENDIX B – UNIFIED DEVELOPMENT ORDINANCE SECTIONS 1, 9, 11, and 13 OF THE MUNICIPAL CODE FOR THE VILLAGE OF OSWEGO, KENDALL AND WILL COUNTIES, ILLINOIS

(Text Amendment- Fee Appendix & UDO Revisions)

WHEREAS, the Village of Oswego (“Village”) has a population of more than 25,000 and is therefore a “Home Rule Unit” under the 1970 Illinois Constitution; and

WHEREAS, the Illinois Constitution of 1970 provides that a Home Rule Unit may exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals and welfare; to license, to tax; and to incur debt; and

WHEREAS, the Village has in full force and effect a codified set of those ordinances of the Village which are of a general and permanent nature, which said codified set is known and designated as the Village Code of the Village of Oswego, as amended; and

WHEREAS, the Unified Development Ordinance was adopted by the Village Board on April 16, 2024, and went into effect on May 1, 2024; and

WHEREAS, the Village intends to amend various sections of the Unified Development Ordinance; and

WHEREAS, after proper notice was given, the Planning and Zoning Commission (the “PZC”) held a public hearing on the proposed amendments on December 4, 2025, and

WHEREAS, the PZC recommended approval of the Text Amendment, which recommendation is incorporated herein; and

WHEREAS, the Village President (the “President”) and the Board of Trustees of the Village (the “Village Board” and with the President, the “Corporate Authorities”) find that the Text Amendment promotes the public health, safety, comfort, convenience and general welfare; and

WHEREAS, based on the PZC’s recommendation, the Corporate Authorities desire to grant the Text Amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO, KENDALL AND WILL COUNTIES, ILLINOIS, in exercise of its home rule powers, as follows:

Section 1: That provisions of Appendix A of the Village Code of the Village of Oswego are hereby amended as follows:

TITLE 4—BUILDING REGULATIONS		
CHAPTER 1—BUILDING CODE		
Section 4-1-3		
	Building permit fees	
	Residential: <i>New Build</i>	
	Permit Cost	\$0.60 per square foot
	Permit minimum	\$46.00
	Review fee	20% of cumulative fees (building permit, plumbing inspections, water inspection, and occupancy permit)
	Review fee minimum	\$50.00
	Occupancy Permit	\$100.00
	Temporary Occupancy Permit	\$150.00
	Residential: <i>Addition and Accessory</i>	
	Permit cost	\$0.92 for every \$100.00
	Minimum permit cost	\$46.00
	Review fee	\$50.00
	Commercial: <i>New Build</i>	
	Permit cost: First 100,000 square feet	\$0.47 per square foot
	Permit cost: Second 100,000 square feet	\$0.25
	Permit cost: Third 100,000 square feet	\$0.10 per square foot
	Permit cost minimum	\$80.00

	Review fee	20% of cumulative fees (building permit, plumbing inspections, water inspection, and occupancy permit)
	Review fee minimum	\$100.00
	Occupancy Permit	\$100.00
	Temporary Occupancy Permit	\$150.00
	Commercial: <i>Addition/Build out/Accessory</i>	
	Permit cost	\$1.25 per \$100.00
	Permit cost minimum	\$80.00
	Review cost	20% of permit fee
	Review cost minimum	\$100.00
Section 4-1-3	Miscellaneous	
	Failed inspections	\$90.00 (each)
	<u>First</u>	<u>\$90</u>
	<u>Second</u>	<u>\$180</u>
	<u>Third</u>	<u>\$270</u>
	<u>Fourth or greater</u>	<u>\$360</u>
	Cancelled inspections	\$90.00 (each)
	Work started without a permit	Double the assessed permit fees
	Work started without a permit minimum	\$192.00
	Inspections for work started without a permit	\$90.00
	Residential Demolition permit fee	\$50.00
	Commercial Demolition Fee	\$100.00
	Temporary Certificate of Occupancy Bonds	
	Landscaping	\$1,000.00
	Public Walk	\$2,000.00
	Parkway Tree	\$250.00 (<i>each tree</i>)
	Driveway	\$1,080.00
	Final Grading	\$2,000.00
CHAPTER 2—ELECTRICAL CODE		
Section 4-2-3	Penalty	Class IV fine
CHAPTER 3—PLUMBING CODE		
Section 4-3-3	Inspection fees	
	Residential New Build	\$31.00 (<i>per inspection</i>)
	Commercial New Build	\$31.00 (<i>per inspection</i>)
	Canceled inspections	\$90.00 (<i>each</i>)
	Failed inspections	\$90.00 (<i>each</i>)
Section 4-3-6	Penalties	Class IV fine
CHAPTER 4—MECHANICAL CODE		
Section 4-4-3	Penalty	Class IV fine

CHAPTER 5—FUEL GAS CODE		
Section 4-5-3	Penalty	Class IV fine
CHAPTER 6—ENERGY CONSERVATION CODE		
Section 4-6-3	Penalty	Class IV fine
CHAPTER 8—FIRE CODE		
Section 4-8-3	Penalty	Class IV fine
CHAPTER 10—GENERAL PROVISIONS		
Section 4-10-3	Penalties	Class IV fine
CHAPTER 11—CONSTRUCTION OF UTILITY FACILITIES IN THE RIGHTS-OF-WAY		
Section 4-11-4	Permit required applications and fees (F) Application fees	\$1,000.00
Section 4-11-22	Penalties	Class IV fine
CHAPTER 13—TEMPORARY STRUCTURES		
Section 4-13-5	Fees (F) Permit fee	\$50.00
Section 4-13-7	Penalty	Class IV fine

Section 2: That provisions of Appendix B of the Village Code of the Village of Oswego are hereby amended as follows:

1.02 Authority and Purpose

The provisions of this Ordinance are adopted pursuant to the authority granted to the Village, as a Home Rule Unit, by the Illinois Municipal Code and other powers of the Village. The purposes of this Ordinance are many, but foremost are to:

- A. Protect and promote the health, safety, comfort, convenience, and general welfare of the public.
- B. Ensure adequate light, air, open space, privacy, and access to property.
- C. Implement the goals and objectives of the Village’s Comprehensive Plan and the other land use policies of the Village.
- D. Maintain and promote orderly land use patterns and development.
- E. Facilitate the provision and sustainability of adequate public services and infrastructure.

- F. Protect the Village's quality of life by ensuring that development is compatible and cohesive.
- G. Promote development that sustainably manages environmentally sensitive issues.
- H. Define the responsibilities of the Village's administrative bodies and establish procedures for the effective use of the provisions of this Ordinance.

9.02 Principal Uses and Structures

B. Use Standards for Principal Uses and Structures. The following standards apply to principal uses and structures as designated in the Use Standards column of Table 9.02.1 Principal Uses and Structures.

4. Bed and Breakfast Establishments: In addition to the requirements set forth in this Ordinance, all other applicable provisions of the Zoning Ordinance, Municipal Code ~~of~~ Ordinances, and Building Codes adopted by the Village shall be complied with. Compliance with all of the provisions of 50 ILCS No. 820 Bed and Breakfast Act is mandatory. If any standards of this Ordinance conflict with said Act, this Ordinance shall govern. A Special Use Permit shall not be given, nor shall a license be issued unless the following standards are met:

a. Requirements:

- (1) Number of guest rooms; the number of guest rooms shall be limited to a maximum of five (5). The occupancy limitation for a guest room shall be as follows:
 - (a) The guest rooms shall not be less than seventy (70) square feet for one (1) guest
 - (b) Nor less than one hundred (100) square feet for two (2) guests.
- (2) Operator Occupancy: Bed and Breakfast establishments shall be owner/operator occupied.
- (3) Signage:
 - (a) In the D-1 District, signage will be in accordance with the D-1 District sign standards.
 - (b) In residential districts, signage will be in accordance with signage for residential uses.
- (4) Food Service:
 - (a) Bed and Breakfast establishments shall restrict food service to overnight guests only.
 - (b) Breakfast Required: Bed and Breakfast establishments are required to include breakfast in the price of the room.
 - (c) Cooking in Rooms: Microwave ovens, hotplates or other cooking devices shall not be permitted in guest rooms.
- (5) Restrooms: Restroom facilities separate from those of the owner shall be provided for the guests. One (1) full restroom shall be provided for 1-3 guest rooms and two (2) full restrooms shall be provided for 4-5 guest rooms.
- (6) Site Plan: Bed and Breakfast uses require an approved site plan, which shall be reviewed and approved by the Village of Oswego Zoning Administrator.

b. Health & Safety:

- (1) A Village of Oswego Business Occupancy Permit shall be required in addition to the stipulations set forth in this Ordinance.
 - (2) Smoke/Carbon Monoxide Detectors: A smoke detector shall be installed in each guest room and on each building level, including the basement. One (1) carbon monoxide detector shall be located on the first floor and at least one (1) carbon monoxide detector is required within 15 feet of rooms used for sleeping. All said detectors shall be 110V with battery backup and interconnected.
 - (3) Emergency Lighting: Emergency lighting shall be provided for each floor and all pathways of the structure that is used for ingress and egress by registered guest. The emergency lighting shall comply with all current BOCA requirements.
 - (4) Floor Plan: A floor plan of the Bed and Breakfast establishment shall be submitted to the Oswego Zoning Administrator for review and approval which shall indicate: the size of all rooms, halls, exits, emergency lights, locations of detectors and fire extinguishers.
 - (5) Exit Posting: All Bed and Breakfast guest rooms shall have posted inside the entry door, a floor plan showing the direction of travel and distance to the nearest exit. Also posted shall be the allowable occupant load of the room.
 - (6) Exit Distance: Travel distance from any guest room to an approved exit shall not exceed seventy-five (75) feet.
- c. Licensing: Bed and Breakfast establishments shall obtain a license from the Village of Oswego in accordance with Title 3, Chapter 10.

29. Short Term Rentals. In addition to the requirements set forth in this Ordinance, all other applicable provisions of the Zoning Ordinance, Municipal Code of Ordinances, and Building Codes adopted by the Village shall be complied with. A Special Use Permit shall not be given, nor shall a license be issued unless the following standards are met:

- a. Licensing: Short Term Rentals shall obtain a license from the Village of Oswego in accordance with Title 3, Chapter 11.
- a. There shall be a minimum 7-night stay. Rentals of residential dwelling units less than seven (7) days is prohibited.
- b. There shall be no signage on the short term rental
- c. All parking must be provided on site on an existing driveway or garage space.

9.03 Accessory Uses and Structures

A. General Provisions for Accessory Structures.

1. Construction Phasing. No accessory structure may be constructed prior to the construction of the principal building to which it is accessory.
2. Location. Accessory structures may be located in the established front, corner side, interior side, and rear yards, unless otherwise established set forth by this Ordinance. Unless otherwise established by this Ordinance or easement provisions, Accessory structures, except fences and walls, are not allowed in any easement, except fences and walls. Accessory structures are not allowed to substantially block drainage paths.

3. Setback. Accessory structures must be located a minimum of five feet from any interior lot line or rear lot line, except fences and walls, unless otherwise established by this Ordinance. In the front yard and corner side yard, accessory structures must meet the minimum setback of the zoning district, except fences and walls, unless otherwise established by this ordinance.
4. Building Separation. No part of the accessory structure shall be located closer than ten (10) feet to any principal structure unless it is attached to or forms a part of such principal structure, however if the accessory structure is properly fire rated it may be located closer to the principal building per the Village of Oswego's adopted building codes.
5. Height. The maximum height of an accessory structure is 15 feet, unless otherwise established in this Ordinance, as measured to the top of the structure.

C. Use Standards for Accessory Uses and Structures. The following standards apply to accessory uses and structures in the Use Standards column of [Table 9.03.1 Accessory Uses and Structures](#).

13. Deck.

- a. Location. Decks are allowed in the rear yard only. Covered and uncovered decks are allowed in the rear yard only.
 - (1) Uncovered Decks. Uncovered decks must be a minimum of 5 ft from the property line.
 - (2) Covered Decks. Covered decks must meet the applicable rear and interior side setbacks.

18. Fence or Wall.

- a. Height. [Table 9.03.2 Maximum Fence Height](#) and Figure 9.03.1 Yards for Fence Height and Style provides maximum height requirements for fences or walls by zoning district, unless otherwise stated in this Ordinance. Maximum fence heights shown are for both open fence and solid fence designs, unless otherwise noted. The maximum height of a fence or wall is measured from the ground at the base of the fence or wall.

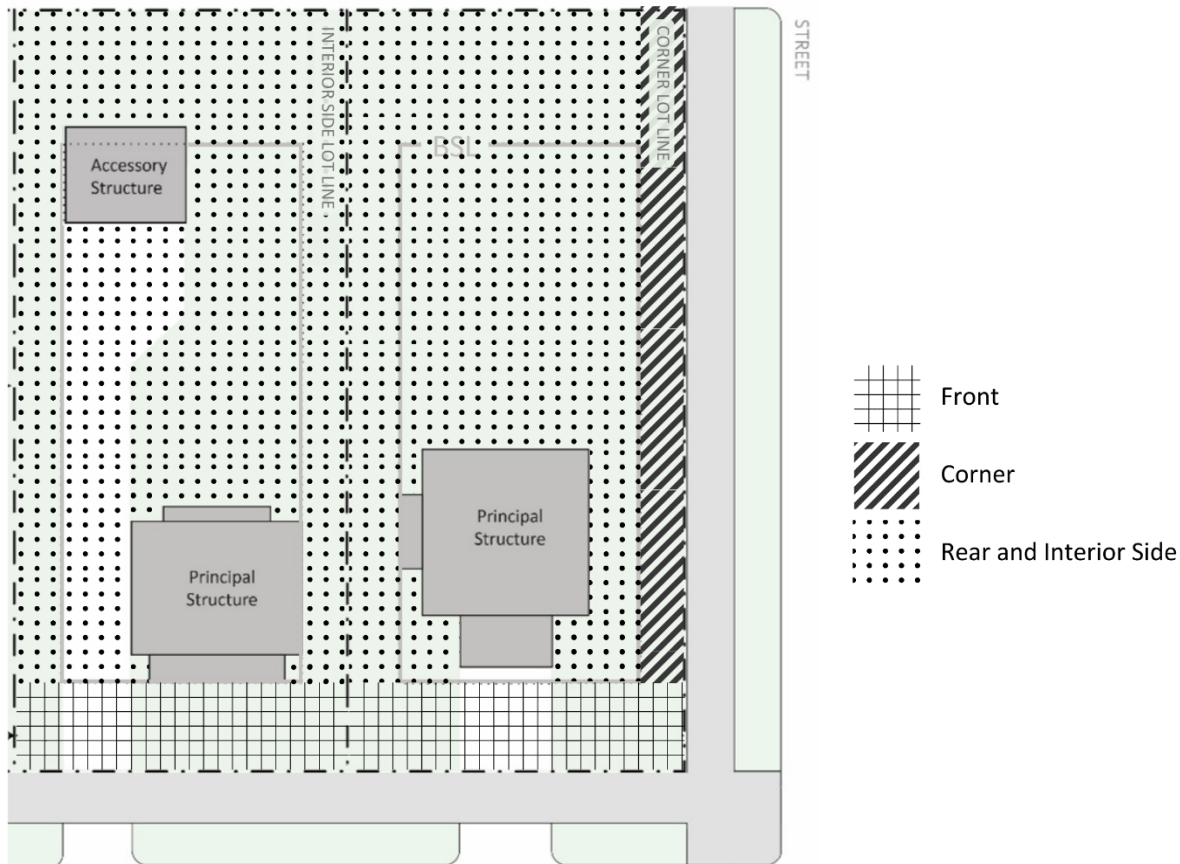
Table 9.03.2 Maximum Fence Heights

Zoning District	Required* Yard	Maximum Fence Height
R-1, R-2, R-3, R-4, R-5	Front	3 ft
	Corner Side	3 ft for solid designs 4 ft for open designs
	Interior Side	6 ft adjacent to residential districts 8 ft adjacent to non-residential districts
	Rear	6 ft adjacent to residential districts 8 ft adjacent to non-residential districts
D-1, B-1	Front	3 ft
	Corner Side	3 ft for solid designs 4 ft for open designs
	Interior Side	6 ft adjacent to non-residential districts 8 ft adjacent to residential districts
	Rear	6 ft adjacent to non-residential districts

		8 ft adjacent to residential districts
A-1, M-1	All Yards	8 ft
All Zoning Districts	Required* Yard	Maximum Fence Height
Parks and Schools	All Yards	8 ft
Utilities	All Yards	15 ft

* Non-conforming Principal Structures. Where a Principal Structure does not meet the minimum setback requirements of this Ordinance, the established building setbacks may be used in place of the required building setbacks at the discretion of the Zoning Administrator.

Figure 9.03.1 Yards for Fence Height and Style



- b. Access. Every fence with frontage on a right-of-way, except for corner lots, must include a gate that provides access to the right-of-way.
- c. Construction, Design, and Appearance. In all zoning districts, both sides of a fence or wall must be similar in construction, design, and appearance. The finished side of a fence or wall must face outward from the zoning lot so that all posts are located on the property owner's side of the fence or wall. Fences shall be installed and maintained in a professional, workmanlike manner.
 - (1) Residential Districts. In the R-1, R-2, R-3, R-4, and R-5 Districts, fences and walls may be constructed of treated wood, simulated wood, vinyl, decorative metal, brick, and stone. In residential zoning districts, fences may be constructed of vinyl-coated chain link for government facilities, parks, schools, and utilities only.

- (2) Business Districts. In the D-1 and B-1 Districts, fences and walls may be constructed of treated wood, simulated wood, vinyl-coated chain link, decorative metal, brick, stone, cinderblock, and concrete block.
 - (3) Agricultural and Manufacturing Districts. In the A-1 and M-1 Districts, fences and walls may be constructed of treated wood, simulated wood, vinyl, vinyl-coated chain link, metal mesh, decorative metal, brick, stone, cinderblock, and concrete block.
 - (4) Prohibited Materials. Fences must not be constructed of barbed wire, electrically charged wire, or razor wire, except for utilities in any district.
 - (5) Second Fence. A second fence may be installed parallel to an existing fence at the same lot line.
- d. Electric Pet Fence. Electric pet fences are allowed in the R-1, R-2, R-3, R-4, and R-5 Districts for single-unit dwellings, two-unit dwellings, and townhouse dwellings. Electric pet fences must be installed underground and located three feet from all lot lines. At least one sign indicating the presence of an electric pet fence signs must be installed adjacent to a right-of-way in accordance with Section 12.05.B.2 (Yard Signs).

9.04 Temporary Uses and Structures

Table 9.04.1 Temporary Uses and Structures

Temporary Uses and Structures	A-1	R-1	R-2	R-3	R-4	R-5	D-1	B-1	M-1	Use Standards
Construction Trailer	A	A	A	A	A	A	A	A	A	See 9.04.B.1
Farmers Market	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP		See 9.04.B.2
Garage or Yard Sale	A	A	A	A	A	A	A			See 9.04.B.3
Mobile Food Vendors	A	A	A	A	A	A	A	A	A	See 9.04.B.4
Model Unit	A	A	A	A	A	A	A			See 9.04.B.5
Temporary Outdoor Entertainment	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	See 9.04.B.6
Temporary Outdoor Sale	TUP						TUP	TUP	TUP	See 9.04.B.7
Temporary Storage Container	A TUP	A TUP	A TUP	A TUP	A TUP	A TUP	A TUP	A TUP	A TUP	See 9.04.B.8

B. Use Standards for Temporary Uses and Structures. The following standards apply to temporary uses and structures designated as allowed (“A”) or permitted with temporary use permit (“TUP”) in the zoning districts noted in the “Use Standards” column of [Table 9.04.1 Temporary Uses and Structures](#). Temporary uses may be located outdoors or within an enclosed building or structure.

8. Temporary Storage Container.

a. Retail Good Establishments and Restaurants:

- (1) Number. One temporary storage container per 20,000sf GFA (not to exceed 4 containers) per use at any one time.
- (2) Duration. Temporary storage containers must be located on a lot for a period of no more than 45 consecutive days unless used in conjunction with an approved building permit or if an extension of the duration is approved by the Zoning Administrator.
- (3) Frequency. A maximum of two instances of temporary storage container installation are allowed per calendar year.

b. All Other Uses.

- ~~a. (1) Number.~~ One temporary storage container is permitted per zoning lot use at any one time.
- ~~b. (2) Duration.~~ Temporary storage containers must be located on a lot for a period of no more than 15 consecutive days unless used in conjunction with an approved building permit or if an extension of the duration is approved by the Zoning Administrator.
- ~~c. (3) Frequency.~~ A maximum of two instances of temporary storage container installation are allowed per calendar year.
- ~~d. c. Improved Surface.~~ Temporary storage containers must be located on an improved surface. Containers must not be permanently attached to the ground, have permanent utility service, or be stacked on top of one another.
- d. Permanent Storage Containers. If a use requires a storage container for a duration or frequency greater than what is described above, it will be treated as outdoor storage and must meet the relevant standards.

11.02 Tree Preservation

B. Replacement Standards. Mature trees in good or excellent (or equivalent designation) to be removed must be replaced in accordance with the following standards.

1. Location. Replacement trees must be planted on the zoning lot in question to the greatest extent possible. If the replacement trees cannot be planted on the zoning lot in question then the Zoning Administrator will determine a suitable location for the replacement trees or a fee-in-lieu of the replacement trees in accordance with Section 11.02.B.3 (Tree Valuation).
2. Replacement Rate. The size of a mature tree is measured using its diameter at breast height (refer to [Figure 11.02.1 Tree Measurement](#)). The tree to be removed must be replaced within one year of the date of approval, or the applicant will be required to pay the Village an amount equal to the full value of the replacement trees.
 - a. Any tree designated for removal on an approved tree preservation and removal plan must be replaced by a sufficient number of new trees, in accordance with the Table 11.02.1 Tree Replacement Rate.

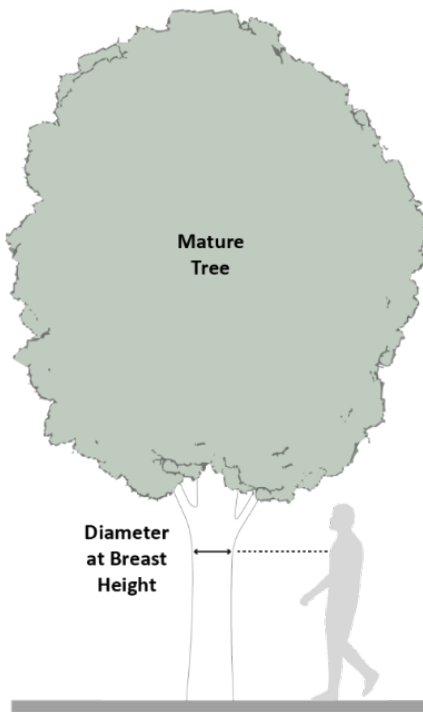
Table 11.02.1 Tree Replacement Rate

Existing Tree Caliper	Number of Replacement Trees (minimum 2.5" caliper)
6"-12"	3
12.1"-20"	4
20.1"-30"	5
30.1" +	7

- b. In the event that a tree designated for preservation is destroyed, damaged, or removed during the construction process, such tree must be replaced following the same replacement rate and pay a fee equal to the tree value identified in [Section 11.02.B.3 \(Tree Valuation\)](#).
3. Tree Valuation. The value of a tree will be determined by the Zoning Administrator based on the Village's wholesale price for a 2.5" caliper tree and the estimated cost of

installation. The fee will be placed into a fund for tree planting or landscaping elsewhere in the Village.

Figure 11.02.1 Tree Measurement



13.02 Definition of Terms

Deck: ~~An roofless~~ outdoor platform often constructed of wood or composite wood that is elevated from the ground and connects to the exterior wall of a building; a deck may be covered with a roof or uncovered.

Section 3: SEVERABILITY

This ordinance and every provision thereof shall be considered severable. If any section, paragraph, subdivision, clause, sentence, or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

Section 4: REPEALER

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5: EFFECTIVE DATE

This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication. Publication in pamphlet form is hereby authorized, as provided by law.

PASSED by the Board of Trustees of the Village of Oswego, Kendall and Will Counties, Illinois this 9th day of December 2025.

JAC COOPER	<u>AYE</u>	KARIN MCCARTHY-LANGE	<u>AYE</u>
JENNIFER HUGHES	<u>AYE</u>	KAREN NOVY	<u>AYE</u>
RACHELLE KOENIG	<u>AYE</u>	ANDREW TORRES	<u>AYE</u>

APPROVED By me, Ryan Kauffman, as President of the Village of Oswego, Kendall and Will Counties, Illinois, this 9th day of December 2025.

RYAN KAUFFMAN, VILLAGE PRESIDENT

TINA TOUCHETTE, VILLAGE CLERK

STATE OF ILLINOIS)
)
COUNTY OF KENDALL) SS

CLERK'S CERTIFICATE
(ORDINANCE)

I, Tina Touchette, the duly qualified Village Clerk of the Village of Oswego, Kendall and Will Counties, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of an Ordinance entitled:

AN ORDINANCE AMENDING APPENDIX A – COMPREHENSIVE SCHEDULE OF FEES, FINES, PENALTIES, UTILITY RATES, AND REBATES; AND APPENDIX B – UNIFIED DEVELOPMENT ORDINANCE SECTIONS 1, 9, 11, and 13 OF THE MUNICIPAL CODE FOR THE VILLAGE OF OSWEGO, KENDALL AND WILL COUNTIES, ILLINOIS

(Text Amendment- Fee Appendix & UDO Revisions)

which Ordinance was duly adopted by said Board of Trustees at a regular meeting held on the 9th day of December 2025, approved by the Village President on the 9th day of December 2025, and thereafter published in pamphlet form.

I do further certify, in my official capacity, that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of December 2025.

(Seal)

Tina Touchette, Village Clerk
Village of Oswego