

CITY OF WARRENVILLE
DuPage County, Illinois

ORDINANCE NO. 2470

**ORDINANCE AMENDING CERTAIN PROVISIONS OF THE CITY OF
WARRENVILLE'S STORM WATER AND FLOODPLAIN ORDINANCE**

WHEREAS, the Mayor and City Council find and hereby declare that it is in the best interests of the City and its residents to amend certain provisions of the Storm Water and Floodplain Ordinance (Title 8, Chapter 5 of the City Code) with respect to storm water management, as hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WARRENVILLE, DU PAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION ONE: The foregoing recitals shall be, and they are hereby, incorporated as findings of fact as if said recitals were fully set forth within this Section One.

SECTION TWO: Section 8-5-1 of Title 8, Chapter 5 of the City Code of the City of Warrenville shall be and is hereby amended in its entirety so that said Section 8-5-1 shall hereafter be and read as follows:

8-5-1: **ADOPTION OF COUNTYWIDE STORM WATER AND FLOODPLAIN ORDINANCE:** Those certain documents titled "DuPage County Countywide Stormwater And Floodplain Ordinance, effective August 1, 2008," three (3) copies of which are on file in the office of the city clerk, shall be and are hereby adopted as the ordinance for the city, regulating storm water management, Best Management Practices (BMPs), erosion control, and floodplain matters within the city; and each and all of the regulations, provisions, penalties, conditions and terms of said countywide storm water and floodplain ordinance, as amended herein, on file in the office of the city clerk, are hereby referred to, adopted and made part hereof as if fully set forth in this section.

SECTION THREE: Section 8-5-3 of Title 8, Chapter 5 of the City Code of the City of Warrenville shall be and is hereby amended in its entirety so that said Section 8-5-3 shall hereafter be and read as follows:

8-5-3: **FEES:** The fees for review, issuance and inspection of the storm water management permit for an approved development shall be as follows:

A. Application Fee: An application fee shall be charged as follows:

1. For single-family residential developments not involving or impacting floodplain or wetland areas and exempt from BMP (Best Management Practices) and detention requirements \$ 600.00
2. For single-family residential developments requiring detention or involving or impacting floodplain or wetland areas:
 - Projects up to one acre in size: \$ 950.00
plus \$600.00 per acre for each additional acre or portion thereof.
 - For single-family residential projects over one acre, the maximum application fee shall be: \$7,500.00
3. For attached multiple-family residential and nonresidential developments not involving or impacting floodplain or wetland areas and exempt from detention requirements: \$1,000.00
4. For attached single-family residential, multiple family residential, and nonresidential developments not involving or impacting floodplain or wetland areas but requiring detention, and detention is provided in an off site shared detention facility:
 - Projects up to one acre in size: \$1,800.00
plus \$250.00 per acre for each additional acre or portion thereof
 - The maximum application fee for such developments shall be: \$5,000.00
5. For attached single-family and multiple-family residential and nonresidential developments requiring on-site detention or involving or impacting floodplain or wetland areas and multiple lot subdivision developments involving the creation of a shared detention facility:

Projects up to one acre in size: \$ 1,800.00
 plus \$600.00 per acre for each additional acre
 or portion thereof

The maximum application fee for such
 developments shall be: \$10,000.00

B. Inspection Fee: An inspection fee shall be charged a follows:

1. For subdivisions and nonresidential properties of 3 acres
 or less: \$ 500.00
2. For properties over 3 acres: \$ 500.00
 plus 2.5% of the engineer's estimate of probable
 construction cost of the stormwater management,
 BMP, and erosion control improvements.
3. Individual residential properties where BMPs are required and
 installed: \$ 250.00

C. Additional Fees: Payments shall be made from the application fee for City services for the review of the document, issuance of the permit and inspection of installation of the stormwater facilities based on time spent by staff multiplied by the employee actual hourly rate or consultant's hourly rate. Consultants may add a charge for overhead and professional fee. An additional charge of 25% shall be added to the staff or consultant charge for city administrative and executive services. In the event the amount of the application or inspection fee is exhausted by such charges, the city, at its discretion, may require the payment of additional monies for such services.

D. County Fees: Fees in addition to those listed above may be required by the County of DuPage for the review and certification of Special Management Area.

SECTION FOUR: Section 8-5-9 of Title 8, Chapter 5 of the City Code of the City of

Warrenville shall be and is hereby amended in its entirety so that said Section 8-5-9 shall hereafter be and read as follows:

8-5-9: **OVERSIGHT COMMITTEE:**

- A. The City of Warrenville Plan Commission shall serve as the Oversight Committee with respect to administration of the Storm Water and Floodplain Ordinance.
- B. Any party aggrieved by an administrative order requirement, decision or determination made pursuant to this chapter by an authorized administrative official of the city or any

person seeking a variance from the requirements of said chapter may file a petition for review with the oversight committee.

- C. The petition for review of an order or decision shall be filed with the authorized administrative official within twenty (20) days of the date of the order or decision being appealed. A petition for review in the nature of a variance may be filed at any time. The petition shall contain:
1. The name, address and telephone number of the party filing the petition, and
 2. The location of the property affected, and
 3. Identification of the provision of the ordinance governing the decision being appealed or from which a variance is sought, and
 4. A statement of the grounds on which the petition or variance request is based, and
 5. A brief summary of the factual evidence upon which the petition is based, and
 6. A plot plan and verbal description of the use affected.
- D. The oversight committee, after notice to the applicant, shall conduct a public hearing on the petition. The applicant and other interested parties shall be given an opportunity to be heard and to present evidence in support of the petition at the hearing. Upon the conclusion of the hearing the oversight committee shall enter a written finding of facts and a decision regarding the petition. Any party to the hearing may, within twenty (20) days, appeal to the city council for review of the decision. Upon timely application for an appeal, the city council shall review the hearing record and oversight committee decision. The decision of the city council shall be final.

SECTION FIVE: A new Section 8-5-13 shall be and is hereby added to Title 8, Chapter 5 of the City Code of the City of Warrenville which new Section 8-5-13 shall hereafter be and read as follows:

8-5-13: WATER QUALITY BEST MANAGEMENT PRACTICES:

- A. Water Quality Best Management Practices (BMP) for a development or improvement as presented in Appendix E of the County Ordinance, Part I – Technical Guidance, Water Quality Best Management Practices, Part I – Technical Guidance, Water Quality Best Management Practices, shall be required. An applicant may request, however, that the Oversight Committee approve a payment option as a variance to physically providing for water quality BMP on site. All funds paid to the city under this section shall be separately segregated, held and disbursed only to pay the costs of the design, construction and maintenance of BMP as the City deems appropriate.

B. If approved by the City, the payment rate due from an owner-developer for the "Payment Option for water quality BMP" shall be calculated as follows:

Single or two family residential land uses	\$ 3,000 per acre
Multiple family or non-residential land uses	\$15,000 per acre
Roadway developments	\$30,000 per acre
Religious institutions defined under §15-10 of the Illinois Property Tax Code and governmental entities not to include roadways and parking lots	\$ 3,000 per acre

SECTION SIX: Any policy, resolution or ordinance of the City which conflicts with the provisions of this ordinance shall be and is hereby repealed and shall be of no further force or effect to the extent of such conflict.

SECTION SEVEN: This ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED THIS 18th day of August, 2008.

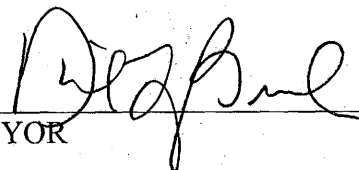
AYES: Ald. Aschauer, Leonard, Weidner, Bevier, Wiesbrock, Barry, and Schultz

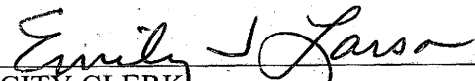
NAYS: None

ABSENT: Ald. Halley


APPROVED THIS 20th day of August, 2008.

ATTEST:


MAYOR


CITY CLERK

LKLA134097WREV8/14/08

PUBLISHED IN PAMPHLET FORM BY
AUTHORITY OF THE CITY COUNCIL
OF THE CITY OF WARRENVILLE,
DUPAGE COUNTY, ILLINOIS, THIS
20 DAY OF AUG 20 08

CITY CLERK