

CITY OF WARRENVILLE
DuPage County, Illinois

ORDINANCE NO. 2506

**ORDINANCE AMENDING TITLE 8, CHAPTER 5 OF THE CITY
CODE (STORMWATER AND FLOODPLAIN ORDINANCE)
RE FEES FOR PROJECTS INVOLVING WETLAND ISSUES**

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 the provisions of the its Stormwater and Floodplain Ordinance (Title 8, Chapter 5 of the City Code) of the City with respect to fees for projects involving wetland issues, as set forth hereinbelow;

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: Subsection D of 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 Subsection 8-5-3.D shall hereafter be and read as follows:

- D. **Additional Application and Inspection Fees for Development that Involves Wetland Issues:** In order for the City to (i) review and approve stormwater management permit applications for development that involve wetland issues and to (ii) inspect the installation and establishment of projects involving wetland issues, the City is required by the DuPage County Countywide Stormwater and Flood Plain Ordinance to utilize the services of special environmental consultants (i.e., environmental scientists and soil scientists). Since each development that involves wetland issues has unique circumstances and challenges and such developments can, by their nature, vary greatly in complexity, the City has determined that it would not be fair or equitable to establish a standard flat application and inspection fee for stormwater permits that involve wetland issues.

The applicant/developer shall reimburse the City for all environmental consulting costs it incurs during the review, approval and inspection of development that involves wetland issues. Said reimbursement shall be made within thirty (30) days from the

applicant/developer's receipt of an invoice for said costs from the City. The City's invoice to the applicant/developer shall add an additional charge of twenty-five percent (25%) to the consultant's charge for City administrative and executive services. If the developer/applicant does not pay said City invoices within thirty (30) days of their receipt, the Community Development Director shall be authorized to (i) draw on the applicant/developer's letter of credit in the amount of the unpaid invoice or (ii) in cases where there is no letter of credit, withhold the issuance or revoke previously issued construction and occupancy permits associated with the development project.

SECTION THREE: The remaining provisions of Section 8-5-3 of the City Code that are not expressly amended herein shall be and are hereby ratified and affirmed and shall remain in full force and effect.

SECTION FOUR: Any policy, resolution or ordinance of the City that 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 FIVE: This ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

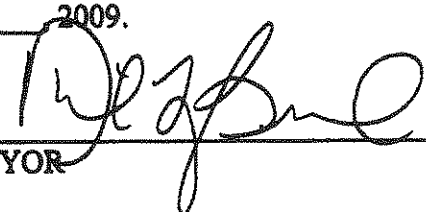
PASSED THIS 20th day of April, 2009.

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

NAYS: None

ABSENT: Ald. Schultz


APPROVED THIS 21st day of April, 2009.


MAYOR

ATTEST:

CITY CLERK

LKLA139872W4/16/09

PUBLISHED IN PAMPHLET FORM BY
AUTHORITY OF THE CITY COUNCIL
OF THE CITY OF WARRENVILLE,
DUPAGE COUNTY, ILLINOIS, THIS
22 DAY OF April 2009

CITY CLERK