

## ORDINANCE NO. O2020-23

**AN ORDINANCE AMENDING CHAPTER 12 OF TITLE 8 OF THE  
WARRENVILLE CITY CODE REGARDING CASH CONTRIBUTIONS IN LIEU OF  
THE DEDICATION OF LAND FOR PUBLIC USE**

WHEREAS, the City is a home rule municipal corporation pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the City has established Chapter 12, entitled “Land Dedication for Public Use,” of Title 8, entitled “Building Regulations,” of the Warrenville City Code (“**City Code**”), providing for the dedication of land for public purposes for new residential subdivisions and planned unit developments or a payment of a cash contribution (“**Cash Contribution**”) in-lieu of such land dedication; and

WHEREAS, the City desires to amend Section 8-12-1 of the City Code to clarify that Cash Contributions for park, recreation, or municipal purposes may be used for the acquisition and improvement of new land or the improvement of other existing land which already serves such needs; and

WHEREAS, pursuant to the City’s power under applicable law and the home rule powers of the City, the Mayor and the City Council have determined that it is in the best interest of the City and the public to amend the City Code pursuant to this Ordinance;

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

SECTION 1: Recitals. The recitals listed above are incorporated in this Ordinance as if fully set forth in this Ordinance.

SECTION 2: Amendment to Subsection 8-12-1.D. Subsection 8-12-1.D, titled “Criteria for Requiring a Contribution in lieu of Municipal and School Sites,” of Section 8-12-1, titled “Dedication of Land or Cash Contribution”, of Chapter 12, titled “Dedication of Land for Public Use, of Title 8, titled “Building Regulations”: [additions are **bold and double underlined**; deletions are ~~struck through~~]

“D. Criteria For Requiring A Contribution In Lieu Of Municipal And School Sites: Where the development is small and the resulting site is too small to be practical, or when the available land is inappropriate for park, recreational or Municipal purposes or a school site, the City shall require the subdivider or developer to pay a cash contribution in lieu of the land dedication required. The cash contributions in lieu of park, recreation, or Municipal land dedication shall be held in trust by the City, solely for the acquisition **and improvement** of land as hereinbefore classified, which will be available to serve the immediate or future needs of the residents of that subdivision or development, or for the improvement of other existing land which already serves such needs. The cash contributions in lieu of school sites shall be held in trust by the City, solely for the use in the acquisition of land and/or site improvements for a school site to serve the immediate or future needs of the residents of that subdivision or development, or for the improvement of any existing school land or site improvements thereto which already serves such needs. If any portion of a cash contribution in lieu of

school site dedication is not expended for the purposes set forth herein within seven (7) years from the date of receipt, the principal amount thereof, without interest, shall be refunded to the developer who made such contribution.

\* \* \*

SECTION 3: EFFECTIVE DATE. This Ordinance shall be in full force and effect ten days after its passage, approval, and publication in the manner provided by law.

PASSED THIS \_\_\_\_ day of \_\_\_\_\_, 2020.

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED THIS \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

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