
**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: WALTER MAGDZIARZ, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: RESOLUTION: AUTHORIZING CHANGING THE VILLAGE'S NEW HOME FEE
AGENDA: SEPTEMBER 15, 2020 VILLAGE BOARD MEETING
DATE: SEPTEMBER 10, 2020

ISSUE

Shall the Village Board approve a Resolution authorizing a change in the Village's new home fee.

DISCUSSION

At the September 1, 2020 meeting of the Village Board, Board members discussed the merits of changing the capital development fees charged to new residential building permits as part of a proposal to remove an abandoned topsoil stockpile in a Village subdivision. Capital development fees are one portion of the total building permit fee charged to persons obtaining a building permit to construct a new home in Sugar Grove.

The Village Board agreed that increasing the capital development fees to a value that would provide sufficient funds for removing and restoring a topsoil stockpile in Hannaford Farm subdivision was fair and sensible for all undeveloped lots and directed Village staff to implement the change. The attached Resolution reflects the implementation strategy Village staff recommends the Village Board adopt.

The Resolution amends the same Resolution that was adopted by the Village Board on February 4, 2020 and will fix the building permit fee at \$20,850. This fee does not include deposits and escrows the Village normally collects for street damage and cleaning, street tree purchase and other similar expenses associated with new construction. Adoption of the Resolution will not change active annexation agreements. In those instances, the Village will continue to approve case-by-case annexation agreement amendments to change the capital development/building fee in certain subdivisions. However, the Resolution will provide the ceiling for such future amendments.

The Resolution becomes effective November 1, 2020 has an expiration date of April 30, 2021. Village staff anticipates presenting a similar Resolution prior to the expiration date with an updated value for the cap amount.

ATTACHMENTS

- Resolution Amending Resolution 2020-0204 (the Village's New Home Fee)

COSTS

There is no cost with approval of the Resolution since this is not an out-of-pocket expense to the Village.

RECOMMENDATION

That the Village Board approve a Resolution Amending Resolution 2020-0204 (the Village's New Home Fee), subject to Attorney review.



RESOLUTION NO.2020-0915A

A Resolution Amending Resolution 2020-0204 (the Village's New Home Fee)

WHEREAS, the Village of Sugar Grove ("Village") is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution, and accordingly, acts pursuant to the powers granted to it under 65 ILCS 5/1-1 *et seq.*; and,

WHEREAS, the Village has in effect ordinances regulating zoning, subdivision, improvement of land, and building permits, which include provisions for applicable fees related thereto; and,

WHEREAS, the Village also has entered into a number of annexation agreements, each of which establishes a schedule of fees for certain types of development and permitting; and,

WHEREAS, the Board of Trustees recognizes that since the inception of each respective fee schedule, external conditions have changed in such a manner that necessitates greater consistency and equity in the application of certain building and permitting fees in order to encourage development throughout the Village; and,

WHEREAS, the Board of Trustees previously adopted Resolution 2020-0204 establishing a cap on the Village's new home fee; and,

WHEREAS, the Board of Trustees finds it necessary and proper to amend Resolution 2020-0204 in order to establish a new maximum cap on its new home fee from the effective date of this Resolution through April 30, 2021.

NOW THEREFORE BE IT RESOLVED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows:

MAXIMUM FEE IMPOSED FOR NEW HOME

A maximum fee shall be established for the construction of new homes as follows:

1. The Village's new home fee shall not exceed \$20,850.00 for any single permit.
2. The aforementioned cap on the Village's new home fee shall remain in effect through April 30, 2021.
3. Properties subject to fees established by annexation agreement shall petition the Board of Trustees for a lot-by-lot amendment to any such agreement in accordance with the procedure set forth in said agreement to seek the relief established by this

Resolution. Notwithstanding the foregoing, the fee cap set forth in this Resolution shall not be construed to encompass or replace additional financial obligations otherwise existing which may be specific to a property.

GENERAL PROVISIONS

REPEALER: All resolutions or portions thereof in conflict with this Resolution are hereby repealed.

SEVERABILITY: Should any provision of this Resolution be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and effect the same as if the invalid portion had not been a part of this Resolution.

EFFECTIVE DATE: This Resolution shall be in full force and effect from and after November 1, 2020, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, this 15th day of September 2020.

ATTEST:

P. Sean Michels,
President of the Board of Trustees

Alison Murphy,
Village Clerk

| | Aye | Nay | Absent | Abstain |
|-----------------------|-----|-----|--------|---------|
| Trustee Sean Herron | ___ | ___ | ___ | ___ |
| Trustee Ted Koch | ___ | ___ | ___ | ___ |
| Trustee Jen Konen | ___ | ___ | ___ | ___ |
| Trustee Heidi Lendi | ___ | ___ | ___ | ___ |
| Trustee Rick Montalto | ___ | ___ | ___ | ___ |
| Trustee Ryan Walter | ___ | ___ | ___ | ___ |