

CITY OF AURORA, ILLINOIS
RESOLUTION NO. R10-317
DATE OF PASSAGE September 14, 2010

A RESOLUTION SETTING CERTAIN DEVELOPMENT USER FEES
IN THE CITY OF AURORA

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals and welfare; and

WHEREAS, in furtherance of it's home rule powers, it is necessary and desirable for the City of Aurora to assess development and related fees in order to provide for reasonable cost recovery, and

WHEREAS, it is, therefore necessary and desirable to assess and increase development fees in order to support enough staff to improve our delivery timeframes for plan review and inspection services; with those increased fees being effective on Oct 1, 2010; and certain fees being subsequently adjusted annually on January 1st of each year.

WHEREAS, it is further desirable to provide for ease in locating all related fees in one document, therefore, this Resolution supersedes all prior Resolutions as to these fees which includes but is not limited to the following Resolutions and Ordinances R88-162, R90-61, R91-118, R92-44, R97-348, R00-161, O88-66, O88-79, R88-229, and O91-88 are hereby superseded.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Aurora, Illinois, that the fees for development and related fees as set forth in Exhibit "A"; attached hereto and incorporated herein by reference as if fully set forth, shall be in effect upon adoption hereof and for each of the effective dates indicated.

PASSED AND APPROVED ON September 14, 2010

<u>[Signature]</u>	<u>Michael B. Santillo</u>
<u>[Signature]</u>	<u>Schepetovsky Burns</u>
<u>[Signature]</u>	<u>[Signature]</u>
<u>Ally Schuler</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>Billmore</u>

Ayes 11 Nays 1 Not Voting _____

Attest:
Christina Vonhoff
City Clerk

Thomas Weisner
Mayor Thomas Weisner

Exhibit A
DEVELOPMENT USER FEES

SECTION ONE: LAND USE PETITIONS AND GENERAL ZONING RELATED FEES.

All fees as stated below shall be paid to the City with the submittal of a Land Use Petition or other request forms, unless stated otherwise within. All fees shall be payable to the city by certified check or money order. The fees for Land Use Petitions and general zoning related requests are hereby established as follows:

1) Land Use Petitions:

- a) The filing fees for a Land Use Petition shall be based on the type of petition submitted as follows:
 - i) *Annexation* ... \$750.00 plus \$35.00 an acre over five (5) acres or any fraction thereof with the total fee not to exceed \$4,250.00.
 - ii) *Annexation Agreement or Annexation Agreement Revision* ... \$1,000.00 plus \$40.00 an acre over five (5) acres or any fraction thereof with the total fee not to exceed \$5,000.00.
 - iii) *Preliminary Plat or Preliminary Plat Revision* ... \$750.00 plus \$35.00 an acre over five (5) acres or any fraction thereof with the total fee not to exceed \$4,250.00.
 - iv) *Preliminary Plan or Preliminary Plan Revision* ... \$750.00 plus \$35.00 an acre over five (5) acres or any fraction thereof with the total fee not to exceed \$4,250.00. The preliminary plan fee shall be waived in the event that said plan is also being submitted as a preliminary plat and thus subject to the preliminary plat petition fee.
 - v) *Final Plat or Final Plat Revision* ... \$750.00 plus \$35.00 an acre over five (5) acres or any fraction thereof with the total fee not to exceed \$4,250.00.
 - vi) *Final Plan, Final Plan Revision, or Church Site Plan* ... \$750.00 plus \$35.00 an acre over five (5) acres or any fraction thereof with the total fee not to exceed \$4,250.00. The final plan fee shall be waived in the event that said plan is also being submitted as a final plat or a special use and thus subject to the final plat or special use petition fee.
 - vii) *Special Use, Special Use Revision, or Application for Conditional Use* ... \$800.00 plus \$35.00 an acre over five (5) acres or any fraction thereof with the total fee not to exceed \$4,300.00.
 - viii) *Special Use Planned Development, Planned Development District or Plan Description Revision* ... \$800.00 plus \$40.00 an acre over five (5) acres or any fraction thereof with the total fee not to exceed \$4,800.00.
 - ix) *Rezoning* ... \$800.00 plus \$35.00 an acre over five (5) acres or any fraction thereof with the total fee not to exceed \$4,300.00. The rezoning fee shall be waived in the event that said rezoning is also being submitted as a special use petition and thus subject to the special use petition fee.
 - x) *Variance, a residential zoned lot* ... \$200.00.

xi) *Variance, a non-residential zoned lot ... \$750.00* The variance fee shall be waived in the event that said variance is also being submitted as a final plan or a special use and thus subject to the final plan or special use petition fee.

xii) *Miscellaneous*, other petitions including but not limited to Agreements (other than Annexation Agreements), De-Annexations, Downzoning, Certificate of Appropriateness, Petitions to the Zoning Board of Appeals, Administrative Variances, Dedications and Vacations shall be charged a fee not to exceed ...\$200.00.

b) The filing fee shall be due and payable with the initial submittal of any Land Use Petition.

2) General zoning related requests:

a) The fee for a general zoning related request shall be based on the type of petition submitted as follows:

i) Certificate or Letter of zoning compliance ...\$20.00

ii) Certificate or Letter of non-conforming use ...\$30.00

iii) Certificate or Letter of zoning verification ...\$3.00

b) The fee shall be due and payable at the time of and with each property certification request.

3) Non-Profit Organizations and Government Agencies:

a) The Land Use Petition and General zoning related fees stated above shall be waived by fifty percent (50%) for non-profit organizations and government agencies, upon request and with proof of said designation by the State of Illinois or the United States Government.

SECTION TWO: ENGINEERING PLAN FILING, ENGINEERING PLAN REVIEW AND ENGINEERING SITE INSPECTION FEES.

All fees as stated below shall be paid to the City prior to final construction plan approval by the City Engineer, unless stated otherwise within. All fees shall be payable to the city by certified check or money order. The fees for engineering plan filing, engineering plan review and engineering site inspection, are hereby established as follows:

1) Engineering plan filing:

a) The filing fees shall be based on the area of site disturbance as follows:

- i) Disturbance less than 1 acre ... \$ 500.00
- ii) Disturbance from 1 to less than 5 acres ... \$ 650.00
- iii) Disturbance from 5 to less than 10 acres ... \$ 850.00
- iv) Disturbance from 10 to less than 20 acres ... \$ 1, 000.00
- v) Disturbance 20 acres and greater ... \$ 1, 250.00

b) Filing Fee shall not apply to plan submittal for single family home or duplex on a single lot.

c) The filing fee shall be due and payable with the initial submittal of any engineering plan.

d) The Engineering plan filing fee shall be a credit to the Engineering plan review and Engineering site inspection fees stated below in 2) and 3).

2) Engineering plan review:

a) The review fees shall be based on a fixed rate of two and one-quarter (2.25) percent multiplied by the Engineer's estimate of public improvement costs for the project and the minimum review fee shall be \$ 750.00

b) The following are exceptions specific to the minimum review fee listed in 2)a):

i) Non residential or multifamily development that meets all the following criteria, (1) through (5) below, the review fee shall be \$ 300.00

(1) No public utilities

(2) No right of way improvements

(3) No stormwater permit (<5, 000 square feet of disturbance)

(4) No floodplain

(5) No wetlands

ii) Single family home or duplex on a single lot, the minimum review shall be \$ 150.00

3) Engineering site inspection:

a) The inspection fee shall be based on a fixed rate of two and one-quarter (2.25) percent multiplied by the Engineer's estimate of public improvement costs and the minimum inspection fee shall be \$ 750.00.

b) The following are exceptions specific to the minimum inspection fee listed in 3)a:

i) Non residential or multifamily development that meets all the following criteria, (1) through (5), the inspection fee shall be \$ 300.00

(1) No public utilities

(2) No right of way improvements

(3) No stormwater permit (<5, 000 square feet of disturbance)

(4) No floodplain

(5) No wetlands

ii) Single family home or duplex on a single lot, the inspection fee shall be \$ 150.00

4) Certificate of occupancy re-inspections:

a) A re-inspection fee of fifty dollars (\$50.00) for the first re-inspection, and one hundred dollars (\$100.00) for each subsequent re-inspection shall be assessed.

b) Said fee shall be due and payable to the city prior to a re-inspection taking place.

SECTION THREE: BUILDING AND PERMIT USER FEES.

1.0 Fee Tables

30 July, 2010

The following tables (1.1, 1.2, & 1.3) shall represent the City of Aurora's Building Permit fee structure for New, Additions and Remodeling. Please see miscellaneous tables (1.4 & 1.5) for additional miscellaneous permit fees.

Note: Additional Non-Building & Permits Division derived fees not regulated by this resolution may also be added to the permit application (reference; Engineering, Fire, Parks, Planning, Schools, and Water/Sewer Impact & Recapture Fees).

1.1 New Construction				
App Type	Description	Permit Inspection Fee (PIF)	Plan Review Fee (PRF)	Certificate (CERT)
SFHC, SFHT	Single Family Homes and Townhomes	NVALU*MFN	15% of PIF	\$75
		\$1200 minimum		
COMN CRHR CR>4	Commercial New (all but Single Family and Townhomes)	NVALU*MFN	15% of PIF	\$150
		\$2500 minimum	\$650 minimum	

1.2 Additions				
App Type	Description	Permit Inspection Fee (PIF)	Plan Review Fee (PRF)	Certificate (CERT)
SFHA	Single Family Home and Townhome Addition	NVALU*MFN + RVALU*MFR	15% of PIF	\$75
		\$81/trade minimum	\$36/internal review agency minimum	
COMA	Commercial Addition (all but Single Family and Townhomes)	NVALU*MFN + RVALU*MFR	15% of PIF	\$150
		\$2500 minimum	\$650 minimum	

1.3 Remodeling				
App Type	Description	Permit Inspection Fee (PIF)	Plan Review Fee (PRF)	Certificate (CERT)
SFHR SFFD RCIS NSP SAF1	Single Family Home and Townhome Remodeling	RVALU*MFR	15% of PIF	\$75
		Min= Higher of \$106 Or \$53/trade minimum	Min = Higher of \$50 OR \$18/internal review agency	
COMR&T COMS C-RF C-FD FSPK FALR DEMO SDEM GSTR	Commercial Remodeling (all but Single Family and Townhomes)	RVALU*MFR	15% of PIF	\$150
		Min = Higher of \$150 or \$75/trade	\$41/internal review agency minimum	

1.4 Miscellaneous Single Family or Townhome Permits				
App Type	Description	Permit Inspection Fee (PIF)	Plan Review Fee (PRF)	Certificate (CERT)
		Unless stated otherwise \$20/ req'd Inspection Minimum	Unless stated otherwise minimum = greater of \$50 -OR- \$18 / req'd internal review agency	
FENC DRV1	Single Family & Townhome Fencing & Private Driveways	RVALU*MFR*.50	15% of PIF	N/A
DECK	Single Family & Townhome Decks	RVALU*MFR*.50	15% of PIF	\$15
DEMO	Single Family & Townhome Demolition	RVALU*MFR*.50	15% of PIF	\$15
SFAS	Single Family & Townhome Sheds	RVALU*MFR*.50	15% of PIF	\$15
ROOF	Single Family & Townhome Roofing	RVALU*MFR*.50	15% of PIF	\$15
POOL	Single Family & Townhome Swimming Pools	RVALU*MFR*.50	15% of PIF	\$15
SFGR	Single Family & Townhome Garages	RVALU*MFR*.83	15% of PIF	\$15

1.5 Miscellaneous Commercial (Non-Single Family and Townhome) Permits				
App Type	Description	Permit Inspection Fee (PIF)	Plan Review Fee (PRF)	Certificate (CERT)
		Unless stated otherwise \$81/ req'd Inspection Minimum	Unless stated otherwise \$36 / req'd review agency Minimum	
COAS FTNK FTNT TRLS TRLC VEND	Commercial Accessory Structures, Moving Structures & Demolition, Tents, Tanks, Trailers	Valuation*MFR	15% of PIF	\$150
HOOD	Commercial Hoods, Paint Booths	Valuation*MFR	15% of PIF ---\$300 min	\$75
SGNW SGNS	Signage	Valuation*MFR	15% of PIF	N/A
COFO	Commercial Foundation Only	N/A	15% of COMN PIF	\$75
COSS	Commercial Structural Shell	N/A	15% of COMN PIF	\$75
COIS	Commercial Improved Shell	N/A	15% of COMN PIF	\$75
CNFL	Commercial Non-Flamable Shell	N/A	15% of COMN PIF	\$75

2.0 Definitions

Application Fee:

Deposit intended to cover costs of application processing and plan review services. Collected at time of application submittal, this deposit shall be applied toward the plan review and permit fees. This deposit shall be non-refundable should the application or the permit be canceled.

Archiving Fee:

This fee shall be assessed at time of permit issuance. The archiving fee shall be \$0.80 per submitted page larger than 8 ½ by 11 inches and \$0.05 per 8 ½ by 11 inch page. This fee shall be adjusted annually by the same percentage change as in our outsourced direct costs to archive documents. Until time of completion of all final inspections, this fee shall be refundable upon applicant's presentation of a scanned stamped field permit set and full as-built set of scanned construction documents in a file format acceptable to the Code Official. This documentation shall also be accompanied by an affidavit from the design professional in responsible charge attesting to the projects compliance to the permitted work and to the completeness and accuracy of the drawing submittals. All submitted in a format acceptable to the Code Official.

Building Valuation Data (BVD); Nationally averaged per square foot construction cost factors obtained from International Code Council: <http://www.iccsafe.org/cs/documents/bvd.xls>

- The applicable Building Valuation Data table shall be the BVD table issued in August for the year preceding the year of the application.

Certificate Issuance Fees (CERT);

- Certificate of Occupancy or Certificate of Completion Issuance. These Certificates are paid at permit issuance. Certificate of occupancy (COCO) permits shall be charged at \$150 plus a re-inspection fee/trade if re-inspection is required.
- Temporary Certificate of Occupancy Issuance. Temporary Certificates shall cost 2 times the Standard Certificate of occupancy cost. These Certificates can be paid at time of service or out of Contractor Escrow.
 1. Temp C.O. Bonds:
 - a. In addition to the Temporary Certificate fees a Temp. C.O. Bond shall be collected with all Temporary Certificates. Temp C.O. bond shall be a cash bond in the amount of 10% of the balance of work as certified by the general contractor and the design professional in responsible charge. These cash bonds may be paid for at Temp C.O. issuance or out of Contractor Escrow accounts.
 - b. If bond amount exceeds \$5,000. A cash bond of \$5,000 plus an irrevocable letter of credit for the balance may be accepted as determined by the Code Official.
- Compliance Certificates resulting from third party inspections (Elevators, Alarms, Sprinklers, etc.) shall be issued at \$15 dollars plus \$15 dollars per each COA correspondence required in pursuing compliance.

Contractor Registration Fees;

- Starting Jan 01, 2011; Contractor registrations for which Aurora collects fees based upon Aurora Building Code regulations shall be \$200.
 1. Contractors who qualify for the **Aurora StAR** Contractor designation will receive a 50% registration discount.
 2. **Aurora StAR** (Superior Approval Rate) Contractor: Shall be a contractor who on Jan 01st falls within the TOP 25% of inspection passing rate (AP & AE) for contractors in their trade the previous calendar year.

Construction Revisions after Permit Issuance;

- Construction revision documentation shall be accompanied by the additional cost of work information. The PIF fees for the project shall be recalculated to cover the difference in cost and an additional plan review expediting fee shall be collected at the time of submittal.

Fee Recalculation, for fee rate changes;

- Should a Permit application submitted prior to a January 1st fee adjustment, be pursued in good faith and not be determined to be abandoned, fees shall remain as calculated at the time of application.
- Should a Permit application be determined to be abandoned (as defined in Chapter 01 of IBC) and an extension be requested, the fee rates shall be recalculated at the rates applicable at the time of extension as if it were a new application.

Green Permit Rebate (GPR):

- Projects achieving an Aurora Emerald (highest level) Certificate shall be rebated 10% of the PIF after issuance of the certificate of occupancy.
- Projects achieving an Aurora Gold (2nd highest level) Certificate shall be rebated 7% of the PIF after issuance of the certificate of occupancy.
- Projects achieving an Aurora Silver (3rd highest level) Certificate shall be rebated 5% of the PIF after issuance of the certificate of occupancy.
- Projects achieving an Aurora Bronze (4th highest level) Certificate shall be rebated 2% of the PIF after issuance of the certificate of occupancy.
- In addition to the rebates above; projects achieving LEED Gold shall be rebated and additional 2% of the PIF after LEED certification.
- In addition to the rebates above; projects achieving LEED Platinum shall be rebated and additional 5% of the PIF after LEED certification.

Gross Square Footage (GSF):

- Overall total square footage (outside dimensions) of new construction and additions.

Internal Review Agency:

- Required review agencies internal to the City of Aurora (e.g. Building & Permits, Zoning, Engineering, etc.)

Labor Inflation Rate; obtained from US Bureau of Labor Statistics (Table 7 Compensation: employment cost index for total compensation) Industry – Public administration. <http://www.bls.gov/news.release/eci.t07.htm>

- From Table 7. The percent change for the 12 months ended June of the previous year shall represent the Labor Inflation Rate. All flat rate fees, deposits and fee minimums shall be adjusted annually Jan 1st by this percentage rate.

Location Factor (LF); obtained from Means Construction Cost Data:

- The Location Factor shall be the Commercial Location Multiplication factor for Aurora's zip codes, found in the reference sections of the RS Means Construction Cost Data published by Reed Construction Data issued the year preceding the year of the application.

Multiplication Factor New Construction (MFN):

- Multiplication factor for all new construction and additions shall be .005.

Multiplication Factor Remodeling Construction (MFR):

- Multiplication factor for all remodeling work shall be .035.

Overtime Inspections:

- Per our labor agreement Overtime Inspections may be requested at the applicants cost and pursuant to all of our Labor agreements and constraints.

Plan Review Expediting Fee:

- At the applicants option (s)he may pay a Review Expediting Fee of Triple the standard Plan Review Fee (\$540 minimum) to cut the first review completion date from the current review timeline standard to half of that time. Availability of Review Expediting shall be determined by the Code Official. The applicant shall request /apply for expediting at the time of application.

Plan Review Fee (PRF):

- Standard in house plan reviews shall be calculated as indicated in section 1.0, this fee covers the cost of application, resubmittal entries and plan review time. Should Aurora outsource the plan review services (i.e. Elevators, etc.) the fee shall be the cost of the outsourced services including incidentals (postage, etc.) plus 10%.
- (PRF) Revision Fee. If the third revision re-submittal of a trade is received of an item that has been cited at least two plan review correction reports running; the Code official may assess a prorated per trade additional plan review fee and also may insist upon a project plan review meeting to be charged at \$55/hr/staff member required.

Penalty Permit Fee:

- Where work requiring permit is started prior to obtaining said permit, Plan Review and Permit Inspection fees specified below may be doubled at the discretion of the Code Official.
- Where Permitted work varies from the approved plans, penalty re-inspection fees and penalty permit fees may be required at the discretion of the Code Official.

Permit Extension Fee:

- This fee is intended to cover the clerical costs of permit expiration reminders and permit re-issuance. It shall be 10% of the original permit inspection fee or \$25 whichever is greater. Homeowners doing work at their residence shall be granted the first permit extension (at 180 days of inactivity) at no charge.

Permit Inspection Fee (PIF):

- This fee is intended to cover the costs of permit issuance, permit scheduling and inspection services.
- This fee shall be calculated as described in section 1.0.
- Should Aurora outsource the inspection services (i.e. Elevators, etc.) the fee shall be the cost of the outsourced services including incidentals (postage, etc.) plus (10%) OR \$75 minimum whichever is greater.
- Refund requests: 50% of the unused remainder of the PIF fee shall be refundable if; a written request for cancellation and refund is received within 3 months of permit issuance, and no work has been started.

Recording Fees:

- Should recording of documentation be required the fees and direct costs plus 10% for such recording shall be assessed at permit issuance or land petition submittal.

Reinspection Fees: Reinspection fees may be drawn from a contractor escrow or paid at time of occurrence.

- Reinspection fees of \$75/trade shall be charged for the following:
 1. The third inspection of the same type/items and trade.
 2. An inspection for which access to the site was not available and the inspection was not canceled 24 hours prior.
- Penalty Reinspection fees of \$150/trade shall be charged for the following:
 1. Inspections for which the applicant clearly was not ready for the inspection and failed to cancel the inspection 24 hours prior to the inspection.
 2. Second and subsequent inspections (of any trade), for which access to the site was not available and the inspection was not canceled 24 hours prior.
 3. The fourth or subsequent inspection of the same type/items and trade.

Valuation, for new structures and additions (NVALU): shall be the greater of:

- Shall equal the total construction cost valuation of the project per contractors estimate **OR**,
- The Building Valuation Data (ICC) per square foot construction cost factor multiplied (**X**) by the Location Factor multiplied (**X**) by the actual gross square footage of the structure. = $BVD * LF * GSF$ whichever is greater.

Valuation, for remodeling or repair work (RVALU): shall be the greater of:

- The total construction cost valuation of the project per contractors estimate **OR**,
- The fair market value of all materials and labor as determined by the Code Official whichever is greater.

3.0 Fee Waivers

- 3.1 Unless otherwise directed by, annexation, developmental or franchise agreements, other Governmental Taxing Bodies will be assessed all applicable fees, but will be assessed a Permit Inspection fee of 50% of the normally calculated Permit Inspection fee.

- 3.2 If not eligible for federal/state reimbursement, Department of Housing and Urban Development CHDO or CBDO designated Not for Profit housing organizations will be assessed all applicable fees, but will be assessed a Permit Inspection fee of 50% of the normally calculated Permit Inspection fee. The burden of proving that the facility qualifies for the partial waiver as set forth in this paragraph shall be borne by the facility asserting the entitlement to the partial waiver of fees. When permit costs are eligible for reimbursement these fees will not be waived.
- 3.3 If not eligible for federal/state reimbursement, Not for profit housing rehab projects administered by the City of Aurora will be assessed all applicable fees, but will be assessed a Permit Inspection fee of 50% of the normally calculated Permit Inspection fee. When permit costs are eligible for reimbursement these fees will not be waived.
- 3.4 Fees for certified private educational facilities: Upon presentation of acceptable documentation, certified private educational facilities (Kindergarten and above grades) will be assessed all applicable fees, but will be assessed a Permit Inspection fee of 50% of the normally calculated Permit Inspection fee for; remodeling, repair, additions, alterations or similar improvements to buildings and structures. Fees shall not be waived for new construction. The burden of proving that the facility qualifies for the partial waiver as set forth in this paragraph shall be borne by the facility asserting the entitlement to the partial waiver of fees.

F10.133

RECOMMENDATION

TO: THE COMMITTEE OF THE WHOLE

FROM: THE FINANCE COMMITTEE

The Finance Committee at Their Regular Finance Meeting on Tuesday, August 24, 2010

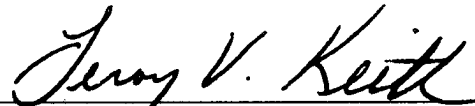
Recommended **APPROVAL** A Resolution Setting Certain Development User Fees In The City
Of Aurora (Held from 08/10/2010 meeting)

The Vote 3-0

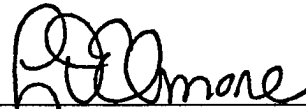
Alderman Bob O'Connor, Excused Absent

Submitted By

Alderman Robert O'Connor, Chairman



Alderman Leroy Keith



Alderman Lynda Elmore, Acting Chairman



Alderman Abby Schuler, Alternate,

Dated This 25th Day of August, 2010