

ORDINANCE NO. 2004- _____

**AN ORDINANCE AMENDING CHAPTER 3.04, WAIVER OF FEES, OF THE VILLAGE OF
BUFFALO GROVE MUNICIPAL CODE**

WHEREAS, the Village of Buffalo Grove is a Home Rule Unit pursuant to the Illinois Constitution of 1970; and

WHEREAS, various costs are incurred by the Village for processing petitions, permits, applications, development and zoning ordinance matters, including costs related to physically inspect work undertaken as a result of these processes; and

WHEREAS, it is necessary that the Village recover the costs of processing such petitions, permits, applications, development and zoning ordinance matters, including, where applicable, the costs of inspection; and

WHEREAS the Village acknowledges that certain organizations operate on a not for profit basis with limited funding and other organizations operate with funding raised from governmental taxes and fees; and

WHEREAS, the Village desires to balance the needs to recover a portion of the costs incurred to process petitions, permits, applications, development and zoning matters with the funding realities of not for profit and governmental organizations.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BUFFALO GROVE, COOK AND LAKE COUNTIES, ILLINOIS, the following:

Section 1. Chapter 3.04 of the Village of Buffalo Grove Municipal Code is amended to read as follows:

3.04.010 Authorized

- A. Except as hereinafter set forth in this Chapter and notwithstanding the provisions of any ordinance to the contrary, the Corporate Authorities may, at their discretion, waive any or all fees due from:
 - 1. A governmental unit, which would pay such fees from tax moneys;
 - 2. A nonprofit organization organized and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation;
 - 3. A charitable organization organized and operated to benefit an indefinite number of the public. The service rendered to those eligible for benefits must also confer some benefit on the public;
 - 4. A religious organization which means any church, congregation, society or organization founded for the purpose of religious worship.

- B. Notwithstanding the above, the Corporate Authorities authorize the Village Clerk or designee the administrative authority to waive any and all fees due the Village those organizations identified in Subsection A that had previously been granted similar fee waivers. Such administrative waiver shall be conditioned upon a review of any prior application requests to ascertain that all applicable ordinance requirements governing such applications have been met. Such administrative waivers shall not apply to initial applications.

- C. The Corporate Authorities may, at their discretion, waive any or all fees due the Village.

Section 2. This Ordinance shall take effect on May 1, 2004.

Section 3. The Village's policy toward the waiver of fees, charges and deposits is hereby established and attached hereto as Exhibit "A" to this Ordinance.

Section 4. This Ordinance shall be published in pamphlet form. Sections 2 and 3 of this Ordinance shall not be codified.

AYES: _____

NAYES: _____

ABSENT: _____

PASSED: _____, 2004.

APPROVED: _____, 2004.

PUBLISHED: _____, 2004.

APPROVED:

Village President

ATTEST:

Village Clerk

EXHIBIT “A”

VILLAGE OF BUFFALO GROVE FEE, CHARGE AND DEPOSIT WAIVER POLICY

The following represents the Village’s Fee, Charge and Deposit Waiver Policy as of March 15, 2004. This Policy is intended to act as a guide to the Corporate Authorities as well as Village staff in matters relating to the waiver of fees, charges and deposits adopted by Ordinance. All Chapters or Sections are those as adopted and published within the Village of Buffalo Grove Municipal Code.

- There should be no waiver of fees, charges or deposits which are required to be charged and collected pursuant to Chapter 3.06.
- There should be no waiver of fees and/or charges which are required to offset the cost of any water meter pursuant to Section 13.04.060.
- There should be no waiver of fees and/or charges which are required pursuant to Sections 13.04.320(F)(2) and 13.04.320(F)(3).
- Any fees payable pursuant to Title 5 (with the exception being fees due pursuant to Chapter 5.20, Liquor Controls) may be waived in an amount no greater than fifty percent (50%) of the amount payable.
- Any fees payable pursuant to Title 14 may be waived in an amount no greater than fifty percent (50%) of the amount payable.
- Any fees payable pursuant to Title 15 may be waived in an amount no greater than fifty percent (50%) of the amount payable.
- There shall be no waiver of fees and/or charges which are required pursuant to Sections 16.20.080 (D)(2) and 16.20.080(D)(3).
- Any fees payable pursuant to Section 16.20.080 (D)(1) may be reduced to one-percent (1%) of the estimated cost of all improvements, both public and private, rather than the 3½% as set forth in said Section.

Notwithstanding the above, any and all fees payable and subject to waiver, pursuant to the Village’s Municipal Code, from an applicant and considered “diminimus” (defined as a cumulative value of less than \$1,000) shall be waived. Amounts in excess of \$1,000 shall be paid at a rate no greater than 50% of the amount payable pursuant to the applicable Municipal Code schedule(s).

Individual permits with an initial value of greater than \$1,000 shall be paid in an amount no greater than 50% of the amount payable pursuant to the applicable Municipal Code schedule(s).