



**VILLAGE OF MONTGOMERY**

**ORDINANCE NO. 1842**

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**AN ORDINANCE AMENDING SECTION 1-11 (BUILDING AND DEVELOPMENT FEES)  
OF THE VILLAGE CODE OF ORDINANCES  
VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES, ILLINOIS**

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PASSED BY THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES, ILLINOIS  
THIS 25<sup>th</sup> DAY OF February 2019.

PUBLISHED IN PAMPHLET FORM BY AUTHORITY  
OF THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES,  
ILLINOIS, THIS 26<sup>th</sup> DAY OF February, 2019.

**ORDINANCE NO. 1842**

**AN ORDINANCE AMENDING SECTION 1-11 (BUILDING AND DEVELOPMENT FEES)  
OF THE VILLAGE CODE OF ORDINANCES  
VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES, ILLINOIS**

**BE IT ORDAINED** by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall, Illinois, as follows:

**WHEREAS**, the Village of Montgomery (“Village”) is not a home rule municipality within Article VII, Section 6A of the 1970 Constitution of the State of Illinois, and therefore, acts pursuant to the powers granted to it under 65 ILCS 5/1-1 *et seq.*; and,

**WHEREAS**, on or about September 10, 2018, through Ordinance No.1821, the Village created a new Section 1-11 (Building and Development Fees) and adopted a comprehensive deposit, fee, and permitting schedule addressing Community Development Fees, Professional Consultant Fees and Site Control Fees (“Building and Development Fee Schedule”); and,

**WHEREAS**, the Village now wishes to amend and update certain provisions of Section 1-11.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, as follows:

**SECTION ONE:     TEXT AMENDMENT**

**The following provisions of Section 1-11 shall be amended as noted below. All remaining provisions of Section 1-11 not specifically indicated herein shall be deemed ratified and shall remain in full force and effect.**

**Table 1-12-T1- Fee Schedule of Residential Accessory Buildings and Alterations shall be amended to read as follows:**

Deck	\$55.00	Flat fee for inspection and compliance
Demolition	\$100.00	Flat fee for inspection and compliance
Driveways	\$55.00*	Flat fee for inspection and compliance *May have additional fees for required engineer reviews
Engineering Fee	\$350.00 flat fee	Review, Final Plat Review, Grading Inspection
Engineering Re-Inspection	\$75.00	
Electrical Upgrade	\$100.00	Flat fee for Service Upgrade
Fence	\$55.00	Flat fee for inspection and compliance
Finish Basement	Cost Based, \$55.00	Each additional \$1,000 valuation add \$6.00 to base fee

	(For up to \$1,000 valuation)	
Fire Pit	\$55.00	Flat fee for inspection and compliance
Gazebo	\$55.00	Flat fee for inspection and compliance
Irrigation System	\$100.00	Flat fee for inspection and compliance
Patio	\$55.00	Flat fee for inspection and compliance
Plumbing	Variable	\$60.00 per inspection, may have additional fees for required plumbing reviews
Pool (Above Ground)	\$55.00	Flat fee for inspection and compliance
Pool (In-Ground)	\$100.00	Flat fee for inspection and compliance
Re-roof	Cost Based, \$55.00 (For up to \$1,000 valuation)	Each additional \$1,000 valuation add \$6.00 to base fee
Remodeling/Alteration	Cost Based, \$55.00 (For up to \$1,000 valuation)	Each additional \$1,000 valuation add \$6.00 to base fee
Sewer & Water Inspection	\$50.00	(New Construction) Fox Metro
Siding	Cost Based, \$55.00 (For up to \$1,000 valuation)	Each additional \$1,000 valuation add \$6.00 to base fee
Shed	\$55.00	Flat fee for inspection and compliance
Windows and Doors	Cost Based, \$55.00 (For up to \$1,000 valuation)	Each additional \$1,000 valuation add \$6.00 to base fee

\*\* Any architectural, plan review or engineering review fee incurred by the Village of Montgomery for outside consultants or other professional assistance shall be assessed to the applicant. In the event that the plan review is performed solely by an outside professional, the amount described for buildings over 200 square feet and larger shall be waived. A deposit may be required at the time of submittal.

**Table 1-12-T2 Fee Schedule for Commercial/Industrial Buildings shall be amended to read as follows:**

**(a) Commercial and Industrial New Construction**

\$25.00 per hundred square feet or portion thereof (\$100.00 Minimum), of overall area of each floor, including basement, crawl space and garage.

\$20.00 per hundred square feet of additions or accessory buildings, or portion thereof (\$100.00 Minimum), of each floor, basement and crawl space.

Tower/Antenna	\$500.00 (new construction)	\$200.00 (modify existing)
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Demolition	\$300.00	Flat fee for inspection and compliance
Driveway/Parking Lot	Cost Based, \$100.00 (For up to \$5,000.00 valuation)	Each additional \$1,000 valuation add \$6.00 to base fee
Electrical Upgrade	\$100.00	Flat fee for Service Upgrade
Fence	\$55.00	Flat fee for inspection and compliance
Grading	\$50.00	Flat fee for inspection and compliance
Irrigation System	\$100.00	Flat fee for inspection and compliance
Plumbing	Variable	\$60.00 per inspection, may have additional fees for required plumbing reviews
Remodeling/Alteration	Cost Based, \$55.00 (For up to \$1,000 valuation)	Each additional \$1,000 valuation add \$6.00 to base fee
Signs (Permanent)	\$55.00	Flat fee for inspection and compliance
Signs (Temporary-Advertising)	\$15.00 Per 15 Day Period	Maximum of 12 per year
Storm water	\$500.00	Flat fee for inspection and compliance

Elevator Plan Review	\$100.00 per unit*	
Elevator New Construction	\$100.00 per unit*	
Elevator Re-Inspection	\$100.00 per unit*	
Elevator Modifications	\$55.00 Minimum	Reimbursement of outside consultant fees

\*Note: There are additional fees for the state mandated annual inspection and certification for elevators.

**Table 1-12-T3 Miscellaneous Building Fees shall be amended to read as follows:**

Building (Shell Only)	\$300	Flat fee for inspection and compliance
Certificate of Occupancy	\$40.00	Additional \$40.00 per unit if Multi-Unit
Failure to obtain Permit	\$45.00 Minimum	Permit fee may increase by 50%
Foundation Only	\$100.00 Residential \$300.00 Commercial	Flat fee for inspection and compliance
Moving/Raising/Underpinning	\$300.00	Flat fee for inspection and compliance
Plan Review**	\$125.00 or 10% of Building Fee	If over 200 Square feet, <200 sq. ft. no fee
Re-Inspections	\$60.00	Excluding Elevator
Re-Issuance of Permit	\$100.00	Contractor Changes

Sewage Disposal/Septic	Variable	See Fox Metro Water Reclamation/County
Solar Panel Installation**	Residential \$100.00 Commercial \$300.00	Flat fee for inspection and compliance
Wind Turbine**	Residential \$100.00 Commercial \$300.00	Flat fee for inspection and compliance

\*\*Any architectural, plan review or engineering review fee incurred by the Village of Montgomery for outside consultants or other professional assistance shall be assessed to the applicant. In the event that the plan review is performed solely by an outside professional, the amount described for buildings over 200 square feet and larger shall be waived. A deposit may be required at the time of submittal.


**SECTION TWO: GENERAL PROVISIONS**

**REPEALER:** All ordinances or portions thereof in conflict with this Ordinance are hereby repealed.


**SEVERABILITY:** Should any provision of this Ordinance 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 provision had not been a part of this Ordinance.

**EFFECTIVE DATE:** This Ordinance shall be in full force and effect from and after its approval, passage and publication in pamphlet form as provided by law.

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois this 25th day of February, 2019.

  
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 Matthew Brolley  
 President of the Board of Trustees of the Village of Montgomery



**ATTEST:**  
  
 \_\_\_\_\_  
 Penny FitzPatrick  
 Village Clerk of the Village of Montgomery

	Aye	Nay	Absent	Abstain
<del>Trustee Stan Bond</del>	<u>Vacant</u>			
Trustee Pete Heinz	—	—	✓	—
Trustee Steve Jungermann	✓	—	—	—
Trustee Denny Lee	✓	—	—	—
Trustee Doug Marecek	✓	—	—	—
Trustee Theresa Sperling	✓	—	—	—
Village President Matthew Brolley	<u>No vote cast</u>			



**VILLAGE OF MONTGOMERY**

**ORDINANCE NO. 1821**

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**AN ORDINANCE AMENDING THE VILLAGE CODE AND VILLAGE ZONING CODE  
REGARDING FEES  
VILLAGE OF MONTGOMERY, ILLINOIS**

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PASSED BY THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES, ILLINOIS  
THIS 10<sup>th</sup> DAY OF Sept., 2018.

PUBLISHED IN PAMPHLET FORM BY AUTHORITY  
OF THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES, ILLINOIS  
THIS 11<sup>th</sup> DAY OF Sept., 2018.

## ORDINANCE NO. 1821

### AN ORDINANCE AMENDING VILLAGE CODE AND VILLAGE ZONING CODE REGARDING FEES VILLAGE OF MONTGOMERY, ILLINOIS

**BE IT ORDAINED** by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, as follows:

**WHEREAS**, the Village of Montgomery (“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 of Montgomery Board of Trustees (“Village Board”) recently adopted a comprehensive development fee and deposit schedule pursuant to Ordinance No. 1811; and,

**WHEREAS**, for purposes of consistency with said newly adopted fee schedule, the Village Board finds that certain provisions of the Village Code and Village Zoning Code are duplicative and/or inconsistent and therefore should be repealed; and,

**WHEREAS**, in accordance with the foregoing, the Village Board finds that it is in the best interests of the citizens of the Village to repeal the duplicative and/or inconsistent provisions.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, as follows:

#### **SECTION ONE:**

**The following sections of the Village’s Zoning Ordinance shall be amended to read as follows:**

#### **4.14(2) Review Fees and Deposits**

A fee is required and set by ordinance by the Village Board. A deposit must be filed in accordance with the Village’s Ordinance regarding Fees and Deposits for Administrative and Consultant Expenses related to the Zoning, Subdividing, Development Recording, and Annexation of Lands of the Village of Montgomery.

#### **4.15(A)(10) Temporary Uses (Excluding Mobile & Stationary Vending)**

A fee for a temporary permit shall be charged. The fee shall be set by a separate ordinance of the Village and may be amended from time to time. Provided, however, those fees shall be waived for not-for-profit entities with an Internal Revenue Code 501(c) designation, and units of local

government. The schedule shall be available at the office of the Director of Community Development.

### **12.05(1) Permits for Permanent Signs**

No permanent sign shall be erected, altered or moved until the person proposing to erect, alter, or move such sign shall have obtained a permit from the Village. Such permit shall be issued only when the sign complies with all of the applicable provisions of this section. The fees for all permanent signs shall be set by separate ordinance of the Board of Trustees from time to time.

### **12.06(3)(b) Permits for Temporary Signs – Temporary Sign Erected by the Occupant of a Business or Manufacturing District – Fees**

The fees for all temporary signs shall be set by separate ordinance of the Board of Trustees from time to time; provided, however, that such fees shall be waived for not-for-profit entities with an Internal Revenue Code 501(c) designation, and units of local government.

**The following provisions of the Village’s Zoning Ordinance shall be repealed in their entirety:**

- 4.15(A)(8)(a)(iii) and (iv)
- 4.15(A)(8)(b)(iii)
- 4.15(A)(8)(c)(v)
- 4.15(A)(8)(e)(iv)
- 4.15(A)(8)(g)(iii)

**The following provisions of the Village’s Code of Ordinances shall be amended to read as follows:**

### **Section 2-3(1)(a): Letters of Credit and Performance Bonds**

(a) All letters of credit and performance bonds required by the village shall be in substantially the same format as the form on file with the Village Clerk, as may be amended from time to time. All letters of credit must be in an amount of 110 percent of the cost of the project.

### **Section 6-98: Application, Fees and Licenses**

Annual license fees, as set by ordinance, for building contractors as defined in the previous section, shall be due prior to the date on which said contractor, subcontractor, or other entity commences such activities described in section 6-97 of this article written within the Village. The Village clerk shall be authorized to publish a schedule of the fees, as set by ordinance, and further authorized to collect all sums owed for such licensure. The village clerk shall also be authorized to create and promulgate an official contractor’s license application which determines compliance with the terms of this chapter, and shall be authorized to grant a license for a period of one year to any applicant upon satisfactory proof of compliance and payment of licensure fees.



All remaining provisions not specifically enumerated above are hereby ratified and remain in full force and effect.

**SECTION TWO: GENERAL PROVISIONS**

**REPEALER:** All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

**SEVERABILITY:** Should any provision of this Ordinance 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 provision had not been a part of this Ordinance.

**EFFECTIVE DATE:** This Ordinance shall be in full force and effect after its approval, passage and publication in pamphlet form as provided by law.

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois this 10th day of Sept., 2018.

*M.B.*

Matthew Brolley,  
President of the Board of Trustees of the Village of Montgomery

ATTEST:

*Penny FitzPatrick*

Penny FitzPatrick,  
Clerk of the Village of Montgomery



	<b>Aye</b>	<b>Nay</b>	<b>Absent</b>	<b>Abstain</b>
Trustee Stan Bond	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Pete Heinz	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Trustee Steve Jungermann	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Denny Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Doug Marecek	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Theresa Sperling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Village President Matthew Brolley	<u>No vote cast</u>			