

COUNCIL WORKSHOP ITEM

ITEM: Technical Amendments Ordinance
DATE: March 15, 2002
PREPARED BY: Carol Conforti, Legal Department
PURPOSE: Adopt an Ordinance Making Certain Technical Amendments to the Municipal Code

DISCUSSION:

Attached find a technical amendments ordinance which corrects typographical errors, section number citations and inconsistencies throughout the Code. This ordinance makes non-substantive changes to the Village Code prior to publication of the next supplement.

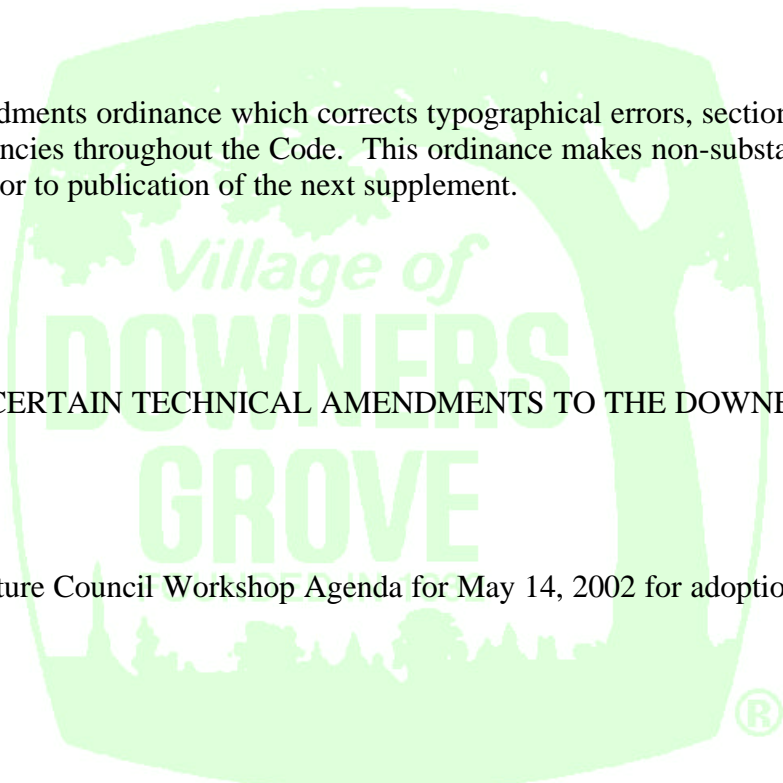
ATTACHMENT:

AN ORDINANCE MAKING CERTAIN TECHNICAL AMENDMENTS TO THE DOWNERS GROVE MUNICIPAL CODE

RECOMMENDATION:

Please place this item on the future Council Workshop Agenda for May 14, 2002 for adoption by ordinance.

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ORDINANCE NO. _____

**AN ORDINANCE MAKING CERTAIN TECHNICAL AMENDMENTS TO
THE DOWNERS GROVE MUNICIPAL CODE**

BE IT ORDAINED by the Council of the Village of Downers Grove, in DuPage County, Illinois,
as follows: (Additions are indicated by shading; deletions by ~~strikeout~~.)

SECTION 1. That Section 19-2 of the Downers Grove Municipal Code is hereby reserved as follows:

19-2. Applicability of Chapter, Reserved

~~The provisions of this Chapter shall not be applicable to the portion of any street maintained by the state or by the county. (Ord. No. 843, § 24.)~~

SECTION 2. That Section 26-125(5) of the Downers Grove Municipal Code is hereby amended as follows:

26-125. Detention Variance Fee Program.

1. Where a variance to the site runoff storage requirements of Section 26-53 is granted, payment into a detention variance fee program shall be made prior to the issuance of a Stormwater Management Permit as a condition of the variance.

2. Payment of a detention variance fee for the varied storage shall be made to the Village and is determined by applying the first applicable criteria as follows:

(a) A fee calculated by multiplying the per-acre-foot cost of the closest off-site storage facility times the varied storage where:

1. A design concept plan for the facility has been approved by the Oversight Committee and the Village Council containing an estimate of the per-acre-foot cost of constructing the storage, including operation and maintenance costs; and

2. A formula has been developed to determine that any investment in the facility shall be at least equal to the cost of planning, acquiring of lands, constructing, operating and maintaining the facility; and

3. The facility is located in the same watershed planning area as the variance.

(b) The fee is calculated by multiplying the varied storage amount by the cost per-acre-foot for the watershed planning area where the development is located, in accordance with the following fee schedule:

Salt Creek	\$133,000 per acre foot
East Branch DuPage River	\$106,000 per acre foot
Sawmill Creek	\$87,000 per acre foot

The fee shall include the cost of planning, acquiring land, construction, operation and maintenance.

3. Funds collected shall be accounted for in separate project or watershed planning area accounts. Funds shall be used in the same community or watershed planning areas as collected to enhance existing site runoff storage facilities and related components, construct off-site facilities and related

components, provide maintenance of stormwater facilities, or undertake other development that provides a watershed benefit.

4. The Village Council shall provide an accounting on an annual basis of all funds deposited in each project or watershed planning account and shall account for each fund on a first in, first out basis.

5. The Oversight Committee may prioritize and allocate funds on an annual basis within each watershed planning area account. Residents may make a request to the Oversight Committee by June 30th of each year for funds within the watershed planning accounts for uses identified in Section ~~26-54(3)26-125(3)~~.

6. All detention variance fees are refunded to the person who paid the fee, or to that person's successor in interest, whenever the Village fails to encumber the fees collected within 10 years of the date on which such fees are collected.

7. Refunds are made provided that the person who paid the fee, or that person's successor in interest, files a petition with the Village within one year from the date on which such fees are required to be encumbered.

SECTION. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:

Published:

Attest: _____
Village Clerk

[techamd]