

ORDINANCE NUMBER 04 - 21

**ORDINANCE PROVIDING FOR A
FEE-IN-LIEU OF SITE RUNOFF STORAGE**

WHEREAS, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the Village of East Dundee has adopted a Storm Water Ordinance providing for the uniform treatment of storm water management in order to govern the location, width, course, and release rate of all storm water runoff within the Village; and

WHEREAS, pursuant to Article 13 therein, the Director or the Administrator, may require in limited circumstances described in Article 2 of the Storm Water Ordinance that an applicant may request the approval of the payment of a fee-in-lieu of site runoff storage to fulfill all or part of the site runoff storage runoff requirement for development; and

WHEREAS, the Village Engineer has made a detailed analysis of the cost of providing storm water detention generally within the corporate limits of the Village and has presented his findings to the President and Board of Trustees; and

WHEREAS, the Village desires to establish a uniform schedule for determining the fee-in-lieu amount pursuant to this ordinance.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

Section One. That the fee-in-lieu as defined in Article 13 of the East Dundee Storm Water Ordinance be established to be **\$80,707** per acre foot of required storm water storage.

Section Two. That payments made to the Village as a fee-in-lieu shall be held by the Village and expended generally for the purpose of public storm water management within the corporate limits of the Village of East Dundee.

Section Three. Severability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section Four. Repeal. All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

Section Five. Publication. This ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this ^{7th} ~~19th~~ day of ^{June} ~~April~~, 2004, pursuant to a roll call vote as follows:

AYES: Zaeske, Bartels, Schock, Van Ostenbridge, Scarpelli
NAYES: None
ABSENT: Ruffalo

Approved by me this 7th day of June, 2004.

Roger Ahrens
ROGER AHRENS, President

Published in pamphlet form this ^{11th} day of June, 2004, under the authority of the President and Board of Trustees.

ATTEST:

Jane E. Theis
JANE THEIS, Village Clerk

Recorded in the Village Records on June 11th, 2004.

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