



CITY OF WASHINGTON, ILLINOIS

City Council Agenda Communication

Meeting Date: September 19, 2022

Prepared By: Jon Oliphant, AICP, Planning & Development Director

Agenda Item: First Reading Ordinance – Chapter 160 Code Amendment

Explanation: Following dialogue and feedback at prior Committee of the Whole meetings, attached is a draft code amendment addressing Chapter 160 of City Code.

Chapter 160 would be modified to add language requiring the payment of a \$2,000 reimbursable grading fee for each new construction building permit to ensure that the final grading is done in accordance with the previously approved grading plan. This fee is the same as for the temporary certificate of occupancy. Upon completion of the house and before occupancy, staff would inspect the final grading. The City would have the right to make any grade modifications in accordance with the grading plan if it is not done within 30 days of the completion of the final building inspection. Any cost that the City has to bear that is not covered by the grading fee, is the sole responsibility of the contractor or property owner.

Fiscal Impact: Any revenue collected as part of the reimbursable grading fee would either be given back to the contractor or used towards the cost to restore the intended site grading.

Action Requested: Approval of the attached amendment ordinance. A first reading ordinance is scheduled for the September 19 City Council meeting and a second reading will be scheduled for the October 3 meeting.

ORDINANCE NO. _____

(Adoption of this ordinance would institute a refundable lot grading fee of \$2,000 prior to the issuance of a building permit for new construction projects.)

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF
THE CITY OF WASHINGTON, ILLINOIS BY AMENDING
CHAPTER 160 ENTITLED "BUILDING CODE"**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON,
TAZEWELL COUNTY, ILLINOIS, as follows:**

Section 1. That §160.009 of the Washington Municipal Code of Ordinances is hereby amended by adding subsections (D) through (F):

"§ 160.009 REFUNDABLE INSPECTION FEES

- (D) Prior to the issuance of a building permit, the owner or general contractor responsible for a new construction building project must deposit with the City, a refundable lot grading fee of two thousand dollars (\$2,000.00) (the "Lot Grading Fee"). The Lot Grading Fee shall be refunded to the owner and/or general contractor upon: (1) the final grading is satisfactorily completed within thirty (30) days following final inspection described in Section 160.009(A) and (2) the City Engineer (or his or her designee) certifies that the final lot grading complies with the approved site construction plans. If the City Engineer (or his or her designee) concludes that the lot grading is not in compliance with the approved construction plans, the owner and/or general contractor shall have twenty (20) days from receipt of the City Engineer's report, which illustrates the noncompliance, to bring the lot grading into compliance with the approved construction site plan. The Lot Grading Fee shall be forfeited upon the failure to notify the City of completion of the site grading within 30 days of the final inspection or upon the failure to conform the site grading with the approved site construction plan within twenty (20) days of receipt of the report by the City Engineer (or his or her designee).**
- (E) Upon the forfeiture of the Lot Grading Fee in accordance with Section 160.009(D), the City shall take reasonable actions to cause the lot grading to be in conformance with the construction site plan. If the costs incurred by the City exceed the Lot Grading Fee, the owner and the general contractor shall be jointly and severally liable for the expenses incurred by the City in excess of the Lot Grading Fee. Any additional amount due and payable by the owner and the general contractor hereunder shall be paid within thirty (30) days of the City's completion of the final grading.**
- (F) A Certificate of Occupancy shall not be issued by the City to the owner or general contractor until either the Lot Grading Fee is refunded in accordance with Section 160.009(D), or the additional cost described in Section 160.009(E) is paid in full."**

Section 2. That this ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

Section 3. That all ordinances or parts thereof in conflict herewith are hereby expressly repealed.

PASSED AND APPROVED this _____ day of _____, 2022.

AYES: _____

NAYS: _____

Mayor

ATTEST:

City Clerk