

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2017 - 33

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE PROVIDING A ONE YEAR EXTENSION OF THE
LIMITED TEMPORARY REDUCTION IN CERTAIN FEES AS AN
INCENTIVE FOR NEW CONSTRUCTION

Adopted December 5, 2017, by the Mayor and City Council of the City of Genoa,
DeKalb County, Illinois, and approved and published in pamphlet form
this 5th day of December 2017.

The City of Genoa

ORDINANCE NO. 2017- 33

An Ordinance providing a one year extension of the limited temporary reduction in certain fees as an incentive for new construction.

Whereas, the United States remains as far as housing starts in the deepest economic recession since the 1930's, and

Whereas, the economy locally in Genoa, as throughout northern Illinois, has been severely affected by the national economic downturn, and

Whereas, with reduction of property valuation and small cumulative increase in the Consumer Price Index, property taxes for operating revenue have been stagnated by the State of Illinois property tax cap, and

Whereas, no permits were sought during the 2008 construction season in Genoa for new residential housing units, and

Whereas, very few permits were sought during the 2009 through 2017 construction seasons in Genoa for new residential housing units, and

Whereas, the Genoa-Kingston Unit School District No. 424 had previously endorsed eliminating School Impact fees for no more than 20 new residential housing starts for each year in 2009, and the program continued in 2010 through 2017 in order to provide new growth assessed valuation for operating income for School District services, and

Whereas, the Genoa Township Park District had previously endorsed eliminating Park Impact fees for no more than 20 new residential housing starts for each year in 2009, and the program continued in 2010 through 2017 in order to provide new growth assessed valuation for operating income for Park District services, and

Whereas, the conditions warranting the program extension remain extant for the calendar year 2017, now, therefore

BE IT ORDAINED by the Mayor and City Council of the CITY OF GENOA, DeKalb County, Illinois, as follows:

SECTION 1: That between January 1, 2018, which shall be the effective date of this ordinance after adoption and December 31, 2018, the City Building Inspector shall issue building permits for new residential dwelling units upon receipt of the first twenty properly completed applications therefore, under these terms:

- a. Receipt by the Building Inspector of a written request by the applicant for a building permit that the applicant wishes to participate in the reduced fee option established under this ordinance;

- b. Without requiring payment of the other applicable Park Impact fee previously established by ordinance;
- c. Without requiring payment of the other applicable School Impact Fee previously established by ordinance;
- d. Upon payment of all other fees previously established by ordinance, even if the applicant and the City had previously agreed that such fees be paid at a time other than prior to the issuance of a building permit.
- e. In no case shall any refund of any previously paid fee be applicable under this program, and this program shall not apply to any contribution where a land dedication has previously been made to provide for the park impact requirement, and no refund or repayment of any kind for any land dedication shall apply to this program.

SECTION 2: That during calendar year 2018, the City Building Inspector shall issue building permits for new residential dwelling units upon receipt of the first 20 properly completed applications therefore, under the terms as set forth in Section 1 of the ordinance.

SECTION 3: That the City Building Inspector shall perform these following duties when administering the reduced fee option program established by this ordinance:

- a. The Building Inspector shall consecutively number applications in the order received by him, and shall determine that the application is properly completed and the proper fees have been tendered, and issue or deny an application for a building permit under Section 1 or 2 of this ordinance, in such order.
- b. The Building Inspector shall not refund any fee or dedication previously paid by an applicant for participation in this reduced fee program;
- c. Should the Building Inspector determine that an application for a building permit under this program is not properly completed or that the proper fee has not been tendered, then he shall reject the application, and any subsequently submitted application for a building permit for the same location shall be considered a new application.
- d. In no case shall any refund of any previously paid fee be applicable under this program, and this program shall not apply to any contribution where a land dedication has previously been made to provide for the park impact requirement, and no refund or repayment of any kind for any land dedication shall apply to this program.

SECTION 4: This program shall expire and this ordinance shall be repealed upon the first to occur of the issuance of the 20th permit under this program for a new residential dwelling in 2018, or December 31, 2018.

SECTION 5: This ordinance shall not apply for any property subject to an Annexation Agreement unless the Agreement provides for payment of all fees at the time of building permit and the payment of School and Park Impact fees without limitation on amounts or increases, or if it is adopted as part of Annexation Agreement Amendment. Adoption of an amendment to an annexation agreement shall be only if all terms of the amendment are satisfactory to corporate authorities of the City of Genoa, and shall be at the sole discretion of the aforesaid corporate authorities. A permit application to be considered under the reduction program may be filed for a property where an Annexation Agreement amendment is required following adoption of this ordinance, but the applicability for the program for no more than 20 permits in 2018 shall not

begin until the approval of an Annexation Agreement Amendment, if one is approved by the corporate authorities.

SECTION 6: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 7: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 8: This Ordinance shall be in full force and effect following its passage, as provided by law.

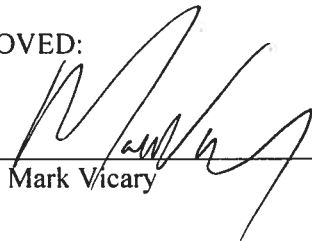
Voting Aye: 6 - DiGuido, Stevenson, Winter, Cravatta, Lang, Wesner

Voting Nay: 0

Absent: 2 - Carroll, Brust

Abstain: 0

APPROVED:



Mayor Mark Vicary

ATTEST: Janis Tures (Seal)
City Clerk ~~Kim Winker~~ Janis Tures, Pro Tem Clerk

Passed: December 5, 2017

Approved: December 5, 2017

