

CHAPTER 5—FEES

Subchapter 1—Building Permits

§ 500. Schedule of fees – building permits

The following fees are imposed:

Residential construction (one and two family)

New construction

Engineering Review – \$900 (additional hourly rates may apply)

Culvert Permit – \$600

Plan Review (< 3200 ft²) – \$635

Plan Review (> 3200 ft²) – \$0.198/ft² (min \$200)

Inspection (< 3200 ft.²) – \$635

Inspection (> 3200 ft.²) – \$0.198/ft² (min \$200)

Reinspection – \$55 per discipline per inspection

Administration Fee – 30% of permit cost

Additions; alterations

Plan Review (actual square footage) – \$0.198/ft² (min \$200)

Inspection (actual square footage) – \$0.198/ft² (min \$200)

Reinspection – \$55 per discipline per inspection

Engineering Review (if necessary) – \$250

Administration Fee – 30% of permit cost

Early start for footing/ foundation - \$150

Commercial/industrial/institutional/public/multifamily

Plan Review – see Exhibit A immediately following

Inspections –

Building – \$.14/ft²

Plumbing/Mechanical/Electric –\$.047/ft²

Energy – \$.02/ft²

Engineering – per plan

Administration – 30% of permit cost

Miscellaneous	Deposit	Plan Review	Insp	Eng	Admin Fee	Total
Culvert – new		\$300		\$300		\$600
Culvert – replacement				\$300		\$300
Deck	\$250	\$25	\$105		\$39	\$169
Demolition		\$25	\$105		\$39	\$169
Demolition – pool		\$25	\$70		\$28.50	\$123.50
Driveway		\$25	\$70		\$28.50	\$123.50
Per inspection per discipline		\$35			\$10.50	\$45.50
Electric Gate	\$250	\$50	\$140		\$57	\$247
Fence		\$25	\$70		\$28.50	\$123.50
Irrigation Systems (requires Kane County Health Dept Approval		\$25	\$35		\$18	\$78
Minor electric/plumbing upgrade		\$25	\$35		\$18	\$78
Patio with steps		\$25	\$70		\$28.50	\$123.50
Pools –above-ground with deck	\$250	\$50	\$140	\$250	\$132	\$572
Pools – above-ground without deck	\$250	\$50	\$105	\$250	\$121.50	\$526.50
Pools – in-ground	\$500	\$300	\$250	\$250	\$240	\$1040
Reroof		\$25	\$70		\$28.50	\$123.50
Residing		\$25	\$70		\$28.50	\$123.50
Shed (simple; no foundation) <100 ft.²		\$25	\$35		\$18	\$78

Solar Panel Roofs	\$250	\$225	\$100	\$97.50	\$422.50
Towers (per foot of height)		\$25			\$25
Collocation of antennas on existing towers or structures		\$1200			\$1200
Connection to existing public sewers or stormwater facilities		\$25			\$25
Moving, raising, shoring or underpinning of structure or foundation		\$150			\$150
Signs and related structures (\$.13/ft ² of all areas –\$113 minimum fee)		\$113			\$113
Agricultural Buildings\$ (0.12/ ft ² of overall area of each floor and basement and crawl space – \$90 minimum fee.		\$90			\$90
Re-inspections (per discipline per inspection)			\$35		
Permit Renewal –	100% of original permit fee				
Commencement of work without a permit —	200% of original permit fee (other fines and penalties may be imposed)				
Consultant fees payable at the time of permit application (in addition to all other fees)	110% of actual cost				
Cancellation of permits	<p>A permit will be canceled if—</p> <p>(a) the applicant fails to provide sufficient information to establish that the minimum code requirements applicable to the improvement have been met within 6 months from the date of application;</p> <p>(b) an approved permit is not picked up within 12 months from the date of issue;</p> <p>(c) no inspections have been called for within 12 months of the date of issuance.</p> <p>If a permit is canceled, all fees paid are forfeited</p>				

EXHIBIT A

Plan Review Fee Schedule

COMMERCIAL

	Building Size	Building Review	25% of Building Fee	50% of Building Fee
Up	to 60,000 ft³	\$359.00	\$89.75	\$179.50
60,001	to 80,000 ft³	\$441.00	\$110.25	\$220.50
80,000	to 100,000 ft³	\$565.00	\$141.25	\$282.50
100,001	to 150,000 ft³	\$645.00	\$161.25	\$322.50
150,001	to 200,000 ft³	\$733.00	\$183.25	\$366.50
Over	200,000 ft³	\$864.00 + \$8.24	\$216.00 + \$2.06	\$432.00 + \$4.12
		(per 10,000 ft³)	(per 10,000 ft³)	(per 10,000 ft³)

Footing and Foundation 25% of Building Review Fee (Min. \$310.00)

NFPA 101 Plan Review 25% of Building Review Fee (Min. \$310.00)

Mechanical Review 25% of Building Review Fee

Plumbing Review 25% of Building Review Fee

Electrical Review 50% of Building Review Fee

Fire Code 50% of Building Review (Min. \$210.00)

Energy Code 50% of Building Review (Min. \$210.00)

Commercial/industrial Zoning \$130.00 per 20,000 ft² of site area

Elevator Plan Review \$310.00 per Elevator Bank

Hood & Duct Plan Review (Type 1 w/o suppression) \$250.00 per System

Hood & Duct Plan Review (Type 1 w/suppression (15 flow points or less) \$350.00 per System

Hood & Duct Plan Review (Type 1 w/suppression (16-29 flow points) \$375.00 per System

Hood & Duct Plan Review (Type 1 w/suppression (30 or more flow points) \$400.00 per System

Hood & Duct Plan Review (Type 2) \$200.00 per System

Spray Booth Plan Review \$350.00 per Booth

Specialty Plan Review \$155.00 per Hour

Technical Submittal \$100

In-Ground Pool Plan Review \$464.00 per Pool

Priority Express Plan Review x 2.5 of Base Plan Review

HPM, High Hazard, Processing Piping x 1.5 of Base Plan Review

Medical Case Facilities (Institutional Use Groups) x 1.5 of Base Plan Review

Subchapter 2—Development

§ 501. Schedule of fees – subdivisions

(a) The following fees are imposed for the services described:

(1) Concept review — \$150 per meeting of the plan commission or subcommittee thereof at which the plan is considered;

(2) Preliminary plan review — \$150 per meeting of the plan commission or subcommittee thereof at which the plan is considered;

(3) Engineering plan review — \$150 per meeting of the plan commission or subcommittee thereof at which the plan is considered;

(4) Final plan review — \$150 per meeting of the plan commission or subcommittee thereof at which the plan is considered;

(5) Amendment to approved plan — \$150;

(6) Minor subdivision — \$300;

(7) Vacation — \$300

Ord 2003-05, 6/16/2005; Ord 2009-19, 10/19/2009.

Subchapter 3—Liquor Licenses

§ 502. Schedule of fees – liquor licenses

(a) The following fees are imposed for the issuance of liquor licenses:

(1) for a Class A license, the sum of \$2,500;

(2) for a Class B license, the sum of \$2,500;

(3) for a Class C license, the sum of \$2,500;

(4) for a Class D license, the sum of \$750;

(5) for a Class F license, the sum of \$25 if the applicant is a nonprofit corporation, club or other nonprofit or charitable organization and \$100 if the applicant is not;

(6) for a Sunday Brunch Endorsement, the sum of \$150 in addition to the regular license fee for that class.

(b) If an application is made and a license granted during the first six months of a license year, the license fee for such period shall be the entire fee required for the annual license year. Where application is made and license granted during the last six months of each license year, the license fee shall be one-half of the entire fee required for the annual license year, provided that the proration provided for in this section shall not be allowed to any person who is or had been a licensee for the annual license year or part thereof preceding his or her application for a license, and provided that the benefit of this subsection shall not apply to a Class F license fee.

(c) The required fee shall be deposited with the local liquor control commissioner at the time of application for the license. This shall be by certified check, cashier's check or money order made payable to the village of Lily Lake. Such fee shall be returned to such applicant if his or her application is denied.

Ord 1991-03, 3/18/1991; Ord 1995-07, 9/18/1995; Ord 1997-03, 5/19/1997; Ord 2003-05, 6/16/2003; Ord 2009-19, 10/19/2009.

Subchapter 4—Regional Pollution Control Facilities

§ 503. Schedule of fees – Regional Pollution Control Facilities

(a) At the time of filing its application the applicant shall pay a non-refundable fee of \$500,000 plus \$1,000 per acre for each acre, or portion thereof, in excess of 250 acres encompassed by the proposed Regional Pollution Control Facility, or expansion, which is to be used for the active storage, disposal, transfer or incineration of waste. If applying for site approval of a Hazardous Waste Disposal Site the fee shall be \$750,000 plus \$1,000 per acre for each acre, or portion thereof, in excess of 250 acres encompassed by such proposed Hazardous Waste Disposal Site or such expansion which is to be used for the. active storage, disposal, transfer or incineration of Hazardous Waste. The applicable fee is intended to defray the reasonable and necessary costs of processing the application, including, but not limited to: space rental, hearing officer(s), court reporter, transcription and reproduction costs, public notice, staff review time, committee per diem, legal counsel and technical staff or consultants retained by the village (including tests, exhibits and testimony, if any, provided by said staff or consultants), any other relevant costs incident to the consideration of an application, and the costs of preparing the record for appeal if any appeal of a

decision of the Board of Trustees is made to the Illinois Pollution Control Board. Should there be any additional costs incurred by the village over the fees paid, the Applicant shall bear any and all additional costs.

Ord 1991-15, 7/5/1991; Ord 2003-05, 6/16/2003; Ord 2009-19, 10/19/2009)

Subchapter 5—Telecommunications

§ 504. Rate change

The rate of the simplified municipal telecommunications tax imposed under the provisions of §§ 5-25 and 5-30 of the Simplified Municipal Telecommunications Tax Act, P.A. 92-0526 is hereby changed to 6%.

Ord 1997-10, 11/17/1997; Ord 2005-04, 3/21/2005; Ord 2009-19, 10/19/2009.)

Subchapter 6—Zoning

§ 505. Schedule of fees – zoning matters

(a) Rezoning or special use. For applications for rezoning or a special use, the applicant shall pay the following nonrefundable fees with the filing of the application. For applications which encompass more than one request, the applicant shall pay the highest applicable fee.

(1) For an application that relates to a tract of land that is less than two acres in size, the fee is \$700.

(2) For an application that relates to a tract of land that is two acres or more but less than five acres in size, the fee is \$800.

(3) For an application that relates to a tract of land that is five acres or more but less than 10 acres in size, the fee is \$900.

(4) For an application that relates to a tract of land that is 10 acres or more in size, the fee is \$1000 plus \$30 per acre, or portion thereof, in excess of 10 acres.

(b) Variation. For applications for a variation, the applicant shall pay the following nonrefundable fees with the filing of the application.

(1) For an application that requests a variation of 10% or less from the standard otherwise applicable under Chapter 20, the fee is \$300.

(2) For an application that requests of variation of more than 10% from the standard otherwise applicable under Chapter 20, or that requests more than one but less than five variations, the fee is \$500.

(3) For an application that requests five or more variations, the fee is \$1000.

(c) Special use PUD. For applications for a special use PUD, the applicant shall pay the following nonrefundable fees with the filing of the application.

(1) For an application that relates to a tract of land that is less than five acres in size, the fee is \$750.

(2) For an application that relates to a tract of land that is five acres or more but less than 10 acres in size, the fee is \$1200.

(3) For an application that relates to a tract of land that is 10 acres or more but less than 20 acres in size, the fee is \$2000.

(4) For an application that relates to a tract of land that is 20 acres or more but less than 50 acres in size, the fee is \$2500.

(5) For an application that relates to a tract of land that more than 50 acres in size, the fee is \$3000.

(d) If the use for which the rezoning, special use or variation is sought has begun prior to approval by the village, the applicable fee will be doubled.

(e) In addition to the applicable fee (except in the case of a special use PUD), the applicant shall deposit \$250 to be used by the village to pay the cost of publication and other expenses incurred in connection with the application, the excess, if any, to be refunded. For the deposit required in connection with an application for a special us PUD, see § 461.

Ord 1999-01, 2/15/99; Ord 2003-05, 6/16/03; Ord 2009-19, 10/19/2009, Ord 2022-08, 8/22/2022.

Subchapter 7 — Cable/Video Service Providers

§ 506. Definitions

As used in this subchapter, the following terms shall have the following meanings:

- (a) *Cable service* means that term as defined in 47 U.S.C. § 522(6).
- (b) *Commission* means the Illinois Commerce Commission.

(c) *Gross revenues* means all consideration of any kind or nature, including, without limitation, cash, credits, property, and in-kind contributions received by the holder for the operation of a cable or video system to provide cable service or video service within the holder's cable service or video service area within the village.

(d) Gross revenues shall include the following:

(1) Recurring charges for cable or video service.

(2) Event-based charges for cable service or video service, including, but not limited to, pay-per-view and video-on-demand charges.

(3) Rental of set top boxes and other cable service or video service equipment.

(4) Service charges related to the provision of cable service or video service, including but not limited to activation, installation, and repair charges.

(5) Administrative charges related to the provision of cable service or video service, including but not limited to service order and service termination charges.

(6) Late payment fees or charges, insufficient funds check charges, and other charges assessed to recover the costs of collecting delinquent payments.

(7) A pro rata portion of all revenue derived by the holder or its affiliates pursuant to compensation arrangements for advertising or for promotion or exhibition of any products or services derived from the operation of the holder's network to provide cable service or video service within the village. The allocation shall be based on the number of subscribers in the village divided by the total number of subscribers in relation to the relevant regional or national compensation arrangement.

(8) Compensation received by the holder that is derived from the operation of the holder's network to provide cable service or video service with respect to commissions that are received by the holder as compensation for promotion or exhibition of any products or services on the holder's network, such as a "home shopping" or similar channel, subject to paragraph 506(d)(9).

(9) In the case of a cable service or video service that is bundled or integrated functionally with other services, capabilities, or applications, the portion of the holder's revenue attributable to the other services, capabilities,

or applications shall be included in the gross revenue unless the holder can reasonably identify the division or exclusion of the revenue from its books and records that are kept in the regular course of business.

(10) The service provider fee permitted by 220 ILCS 5/21-801(b).

(e) Gross revenues do not include any of the following:

(1) Revenues not actually received, even if billed, such as bad debt, subject to 220 ILCS 5/21-801(c)(1)(vi).

(2) Refunds, discounts, or other price adjustments that reduce the amount of gross revenues received by the holder of the State-issued authorization to the extent the refund, rebate, credit, or discount is attributable to cable service or video service.

(3) Regardless of whether the services are bundled, packaged, or functionally integrated with cable service or video service, any revenues received from services not classified as cable service or video service, including, without limitation, revenue received from telecommunication services, information services, or the provision of directory or Internet advertising, including yellow pages, white pages, banner advertisement, and electronic publishing or any other revenues attributed by the holder to non-cable service or non-video service in accordance with the holder's books and records and records kept in the regular course of business and any applicable laws, rules, regulations, standards, or orders.

(4) The sale of cable services or video services for resale in which the purchaser is required to collect the service provider fee from the purchaser's subscribers to the extent the purchaser certifies in writing that it will resell the service within the village and pay the fee permitted by 220 ILCS 5/21-801(b) with respect to the service.

(5) Any tax or fee of general applicability imposed upon the subscribers or the transaction by a city, State, federal, or any other governmental entity and collected by the holder of the State-issued authorization and required to be remitted to the taxing entity, including sales and use taxes.

(6) Security deposits collected from subscribers.

(7) Amounts paid by subscribers to "home shopping" or similar vendors for merchandise sold through any home shopping channel offered as part of the cable service or video service.

(8) Revenue of an affiliate of a holder shall be included in the calculation of gross revenues to the extent the treatment of the revenue as revenue of the affiliate rather than the holder has the effect of evading the payment of the fee permitted by 220 ILCS 5/21-801(b) which would otherwise be paid by the cable service or video service.

(f) *Holder* means a person or entity that has received authorization to offer or provide cable or video service from the Commission pursuant to 220 ILCS 5/21-401.

(g) *Service* means the provision of “cable service” or “video service” to subscribers and the interaction of subscribers with the person or entity that has received authorization to offer or provide cable or video service from the Commission pursuant to 220 ILCS 5/21-401.

(h) *Service provider fee* means the amount paid under this ordinance and 220 ILCS 5/21-801 by the holder to a village for the service areas within its territorial jurisdiction.

(i) *Video service* means video programming and subscriber interaction, if any, that is required for the selection or use of such video programming services, and which is provided through wireline facilities located at least in part in the public right-of-way without regard to delivery technology, including Internet protocol technology. This definition does not include any video programming provided by a commercial mobile service provider defined in 47 U.S.C. § 332(d) or any video programming provided solely as part of, and via, service that enables users to access content, information, electronic mail, or other services offered over the public Internet.

Ord 2007-13, 11/19/2007; Ord 2009-19, 10/19/2009.

§ 507. Cable/Video Service Provider Fee Imposed

(a) A fee is hereby imposed on any holder providing cable service or video service in the village.

(b) The amount of the fee imposed hereby shall be 5% of the holder's gross revenues.

(c) The holder shall notify the village at least 10 days prior to the date on which the holder begins to offer cable service or video service in the village.

(d) The holder shall be liable for and pay the service provider fee to the village. The holder's liability for the fee shall commence on the first day of the calendar month following 30 days after receipt of the ordinance adopting this ordinance by the holder. This ordinance shall be sent by mail, postage

prepaid, to the address listed on the holder's application notice sent pursuant to 220 ILCS 5/21-401(b)(6) to the village

(e) The payment of the service provider fee shall be due on a quarterly basis, 45 days after the close of the calendar quarter. If mailed, the fee is considered paid on the date it is postmarked. Each payment shall include a statement explaining the basis for the calculation of the fee.

(f) The fee hereby imposed does not apply to existing cable service or video service providers that have an existing franchise agreement with the village in which a fee is paid.

(g) An incumbent cable operator that elects to terminate an existing agreement pursuant to 220 ILCS 5/21-301(c) with credit for prepaid franchise fees under that agreement may deduct the amount of such credit from the fees that operator owes under paragraph 507(b).

Ord 2007-13, 11/19/2007; Ord 2009-19, 10/19/2009.

§ 508. Applicable principles

All determinations and calculations under this ordinance must be made pursuant to generally accepted accounting principles.

Ord 2007-13, 11/19/2007; Ord 2009-19, 10/19/2009.

§ 509. No impact on other taxes due from holder

Nothing contained in this ordinance shall be construed to exempt a holder from any tax that is or may later be imposed by the village, including any tax that is or may later be required to be paid by or through the holder with respect to cable service or video service. A State-issued authorization shall not affect any requirement of the holder with respect to payment of the village's simplified municipal telecommunications tax or any other tax as it applies to any telephone service provided by the holder. A State-issued authorization shall not affect any requirement of the holder with respect to payment of the local unit of government's 911 or E911 fees, taxes or charges.

Ord 2007-13, 11/19/2007; Ord 2009-19, 10/19/2009.

§ 510. Audits of cable/video service provider

(a) The village will notify the holder of the requirements it imposes on other cable service or video service providers to submit to an audit of its books and records. The holder shall comply with the same requirements the village imposes on other cable service or video service providers in its jurisdiction to audit the holder's books and records and to recompute any

amounts determined to be payable under the requirements of the village. If all local franchises between the village and cable operator terminate, the audit requirements will be those adopted by the village pursuant to the Local Government Taxpayers' Bill of Rights Act (50 ILCS 45/1, *et seq.*). No acceptance of amounts remitted should be construed as an accord that the amounts are correct.

(b) Any additional amount due after an audit shall be paid within 30 days after the municipality's submission of an invoice for the sum.

Ord 2007-13, 11/19/2007; Ord 2009-19, 10/19/2009.

§ 511. Late fees and payments

Past due fees and payments are governed by ordinances adopted by the village pursuant to the Local Government Taxpayers' Bill of Rights Act (50 ILCS 45/1, *et seq.*). (2011village Code.)

Ord 2007-13, 11/19/2007; Ord 2009-19, 10/19/2009.

Subchapter 8—Impact Fees

§ 512. Imposition of fee

The corporate authorities of the village shall not approve or execute any annexation agreement unless it contains provisions imposing, at a minimum, the fees set forth in this subchapter for the benefit of the fire protection district within which the land proposed to be annexed is located.

(a) For a development proposed to be served by central sewer and water service, a fee of \$310 times the maximum number of dwellings permitted by the annexation agreement in any residential district; or, if proposed to be served by well and septic, a fee of \$750 times the maximum number of dwellings permitted by the annexation agreement in any residential district.

(b) For a proposed development that includes any other district, a fee of \$1240 per acre, or portion thereof, in any other district.

§ 513. Time for payment

The fees imposed under this subchapter shall be paid according to the terms of the annexation agreement, provided, however, that no building permit authorizing the construction of a building or authorizing an addition to an existing building will be issued unless the applicant has paid the fees imposed in § 512.

§ 514. Administration

(a) Fees collected under this subchapter will be deposited into one or more interest-bearing accounts to be held for the use and benefit of the governmental entities for which they were collected in accordance with the provisions of this subchapter.

(b) The village will maintain adequate records of all fees collected pursuant to the annexation agreement and this subchapter, showing the source and amount of all receipts and the payee and amount of all disbursements.

(c) Not less than annually the village will disburse all funds then on deposit representing fees collected under the annexation agreement and this subchapter to the respective governmental entities for whose benefit they were collected, less an administrative fee of \$25 for each individual fee collected. As a condition precedent to the disbursement of any such funds, the governmental entity must execute and deliver to the village an agreement, in a form acceptable to the village, under which the governmental entity agrees to indemnify the village and hold it harmless from any loss, cost, or expense (including attorneys fees), that the village may suffer or incur as a result of the passage of this subchapter, the approval or execution of the annexation agreement, or the collection or disbursement of any funds collected thereunder.

Ord 2012-06, 6/25/2012.

Subchapter 9—Miscellaneous

§ 515. Schedule of fees – miscellaneous

The following fees are imposed for the services described:

(a) for the inspection of the repair or replacement of a culvert—\$100;

(Ord 2011-01, 4/18/2011.)

(b) for the issuance of a permit for the operation of an overweight or over-dimension vehicle upon the streets of the village—\$25.

(Ord 2014-09, 11/17/2014.)

(c) for the vacation of a street or alley, to be paid prior to adoption of an ordinance of vacation by the village board – \$300;

(d) for the filing of a petition for annexation to the village, to be paid at the time of the filing of a petition – \$300;

(e) for the review of any other plan by the village engineer, planner or other consultant retained by the village – actual cost invoiced to the village plus \$35;

(f) for the work performed by the village that is made necessary by improper or incomplete performance on the part of any resident, contractor, or builder, in any instance where, in the sole judgment of the village, safe, normal use of, or access to, village property is affected; or when said resident, contractor, or builder leaves an unsafe or incompletely restored condition on any village property or right of way – 110% of the actual cost to the village;

(g) for copies of documents or records – \$.25 per page;

(h) for the establishment of a non-ad valorem special service area—\$400.

(i) for the issuance of a license as a mobile food vendor—\$50 per year or any portion thereof, nonrefundable.

(Ord 1995-08, 9/18/1995; Ord 2003-05, 6/16/2003 ; Ord 2009-03, 4/20/2009; Ord 2009-19, 10/19/2009; Ord 2010-08, 5/17/2010; Ord 2023-01, 1/23/2023.)

Subchapter 10—Municipal Electric Utility Tax

§ 520. Definitions

Capitalized terms in this subchapter have the meanings ascribed to them in § 8-11-2 of the Illinois Municipal Code (65 ILCS 5/8-11-2).

(Ord 2013-01, 4/15/2013; Ord 2013-05, 8/26/2013.)

§ 521. Reserved

(Ord 2013-01, 4/15/2013; Ord 2013-05, 8/26/2013.)

§ 522. Tax imposed — electricity

(a) A tax is imposed upon the privilege of using or consuming electricity acquired in a purchase at retail and used or consumed within the corporate limits of the village at the following rates, calculated on a monthly basis for each Purchaser:

(1) For the first 2000 kWh used or consumed in a month, 0.61 cents per kilowatt hour;

(2) For the next 48,000 kWh used or consumed in a month, 0.40 cents per kilowatt hour;

(3) For the next 50,000 kWh used or consumed in a month, 0.36 cents per kilowatt hour;

(4) For the next 400,000 kWh used or consumed in a month, 0.35 cents per kilowatt hour;

(5) For the next 500,000 kWh used or consumed in a month, 0.34 cents per kilowatt hour;

(6) For the next 2,000,000 kWh used or consumed in a month, 0.32 cents per kilowatt hour;

(7) For the next 2,000,000 kWh used or consumed in a month, 0.315 cents per kilowatt hour;

(8) For the next 5,000,000 kWh used or consumed in a month, 0.31 cents per kilowatt hour;

(9) For the next 10,000,000 kWh used or consumed in a month, 0.305 cents per kilowatt hour; and

(10) For all electricity used or consumed in excess of 20,000,000 kWh in a month, 0.30 cents per kilowatt hour.

(b) This tax is in addition to all taxes, fees, and other revenue measures imposed by the village, the State of Illinois, or any other political subdivision of the State.

(c) The rates set forth in subsection (a) are effective on June 1, 2013 for residential customers, and on the earlier of (i) the first bill issued on or after June 1, 2013, or (ii) the date of the first bill issued under 220 ILCS 5/16-104, for nonresidential customers.

(d) The use or consumption of electricity within the village by units of local government or school districts is exempt from the tax imposed under this section.

(e) If the imposition or collection of the taxes imposed in this section would violate the Constitution or statutes of the United States or the Constitution of the State of Illinois, the taxes will not be imposed, any other provision of this section notwithstanding.

(Ord 2013-01, 4/15/2013.)

§ 523. Collection of tax

(a) Subject to the provisions of § 525 of this subchapter, the tax imposed under § 522 shall be collected from Purchasers by the Person Maintaining a Place of Business in this State who delivers electricity to such Purchasers. The tax constitutes a debt of the Purchaser to the Person that delivers electricity to the Purchaser and is recoverable at the same time and in the same manner as the original charge for delivering the electricity.

(b) Any tax required to be collected under this section, and any tax in fact collected, constitutes a debt owed to the village by the Person delivering the electricity, provided, however, that the Person delivering electricity will be allowed credit for such tax related to deliveries of electricity, the charges for which are written off as uncollectible, and provided further that if such charges are thereafter collected, the delivering supplier is obligated to remit such tax.

(c) Persons delivering electricity shall collect the tax from the Purchaser by adding such tax to the gross charge for delivering the electricity. Persons delivering electricity are authorized to add to such gross charge an amount equal to 3% of the tax they collect to reimburse them for their expenses incurred in keeping records, billing customers, preparing and filing returns, remitting the tax, and supplying data to the village upon request. For purposes of this subchapter, any partial payment of a billed amount not specifically identified by the Purchaser is deemed to be for the delivery of utilities supplied.

(Ord 2013-01, 4/15/2013; Ord 2013-05, 8/26/2013.)

§ 524. Tax remittance and return

(a) Every person maintaining a place of business in this State who delivers electricity to a purchaser shall, on a monthly basis, file a return in a form prescribed by the village treasurer. The return and accompanying remittance is due on or before the last day of the month following the month during which the tax is collected or is required to be collected under § 522 and § 523, 532.

(b) If the Person delivering electricity fails to collect the tax from the Purchaser or is excused from collecting the tax under § 525, then the Purchaser shall file a return in a form prescribed by the village treasurer and pay the tax directly to the village treasurer on or before the last day of the month following the month during which the electricity is used or consumed.

(Ord 2013-01, 4/15/2013.)

§ 525. Resales

(a) Electricity that is delivered to a Person in the village will be considered to be for use and consumption by that Person unless the Person receiving the electricity has an active resale number issued by the village treasurer and furnishes that number to the Person who delivers the electricity, and certifies to that Person that the sale is either entirely or partially nontaxable as a sale for resale.

(b) If a Person who receives electricity in the village claims to be an authorized reseller of electricity, that Person must apply to the village treasurer for a resale number. The applicant shall state facts showing why it is not liable for the tax imposed by this subchapter on any purchases of electricity and shall furnish such additional information as the village treasurer may reasonably require.

(c) Upon approval of the application, the village treasurer shall assign a resale number to the applicant.

(d) The village treasurer may cancel the resale number of any Person if the Person fails to pay any tax payable under this subchapter for electricity used or consumed by the Person, or if the number was either (1) obtained through misrepresentation, or (2) no longer necessary because the Person has discontinued making resales.

(e) If a reseller has acquired electricity partly for use or consumption and partly for resale, the reseller shall pay the tax imposed by this subchapter directly to the village treasurer in accordance with § 524, 533 on the amount of electricity that the reseller uses or consumes, and shall collect and remit the tax in accordance with § 524, 533 to the village treasurer on the amount of electricity delivered by the reseller to a Purchaser.

(f) Any Person who delivers electricity to a reseller having an active resale number and complying with all other conditions of this section is excused from collecting and remitting the tax on any portion of the electricity delivered to the reseller, provided that the Person reports the total amount of electricity delivered to the reseller, and such other information as the village treasurer may reasonably require.

(Ord 2013-01, 4/15/2013.)

§ 526. Books and records

Every Person Maintaining a Place of Business in this State who delivers electricity to a Purchaser and every taxpayer required to pay the tax imposed by this subchapter, shall keep accurate books and records of its business or activity, including contemporaneous books and records denoting the transactions that gave rise, or may have given rise, to any tax liability under this subchapter. Those books and records are subject to and must be kept available for inspection at all times during business hours.

(Ord 2013-01, 4/15/2013.)

§ 527. Credits and refunds

Anything in this subchapter to the contrary notwithstanding, in order to permit sound fiscal planning and budgeting by the village, no Person is entitled to a refund of, or a credit for, a tax imposed under this subchapter unless the Person files a claim for refund or credit within one year after the date on which the tax was paid or remitted.

(Ord 2013-01, 4/15/2013.)

§ 528. Penalty

Any Person who fails to make a return, or who makes a fraudulent return, or who willfully violates any other provision of this subchapter, will be fined not less than \$100 nor more than \$1000 and, in addition, will be ordered to file a correct return and pay the tax due.

(Ord 2013-01, 4/15/2013.)

§ 529. Further remedies

In addition to the remedies set forth in this subchapter, the village may pursue any other remedy it may have for the enforcement of this subchapter or the collection of the tax.

(Ord 2013-01, 4/15/2013.)

Subchapter 11—Municipal Gas Utility Tax

§ 530. Tax imposed — natural gas

A tax is imposed on all Persons engaged in the business of distributing, supplying, furnishing, or selling gas for use or consumption within the corporate limits of the village, and not for resale, at the rate of 5% of the Gross Receipts therefrom.

(Ord 2013-05, 8/23/2013.)

§ 531. Exemptions

No tax is imposed by this subchapter with respect to any transaction in interstate commerce or otherwise to the extent to which such business may not, under the constitution and statutes of the United States, be made subject to taxation by this State or any political subdivision thereof; nor shall any persons engaged in the business of distributing, supplying, furnishing or selling gas be subject to taxation under the provisions of this subchapter for such transactions as are or may become subject to taxation under the provisions of the "Municipal Retailers' Occupation Tax Act" authorized by Section 8-11-1 of the Illinois Municipal Code. If the imposition or collection of the taxes imposed in this section would violate the Constitution or statutes of the United States or the Constitution of the State of Illinois, the taxes will not be imposed, any other provision of this section notwithstanding.

(Ord 2013-05, 8/23/2013.)

§ 532. Tax in addition

Such tax shall be in addition to the payment of money, or value of products or services furnished to this municipality by the taxpayer as compensation for the use of its streets, alleys, or other public places, or installation and maintenance therein, thereon or thereunder of poles, wires, pipes or other equipment used in the operation of the taxpayer's business.

(Ord 2013-05, 8/23/2013.)

§ 533. Tax remittance and return

For the purposes of this subchapter the following definitions shall apply:

(a) "Gross receipts" means the consideration received for distributing, supplying, furnishing or selling gas for use or consumption and not for resale, as the case may be; and for all services rendered in connection therewith valued in money, whether received in money or otherwise, including cash, credit, services and property of every kind and material and for all services

rendered therewith; and shall be determined without any deduction on account of the cost of the service, product or commodity supplied, the cost of materials used, labor or service cost, or any other expenses whatsoever; provided, however that "gross receipts" shall not include any amounts specifically excluded from the definition of gross receipts in Section 8-11-2(d) of the Illinois Municipal Code.

(b) "Persons" means any natural individual, firm, trust, estate, partnership, association, joint stock company, joint adventure, corporation, limited liability company, municipal corporation, the State or any of its political subdivisions, any State university created by statute, or a receiver, trustee, guardian or other representative appointed by order of any court.

(Ord 2013-05, 8/23/2013.)

§ 534. Effective Date of Tax

The tax provided for in this subchapter shall be based on the gross receipts, as herein defined, actually paid to the taxpayer for services billed on or after September 1, 2013.

(Ord 2013-05, 8/23/2013.)

§ 535. Returns

On or before the last day of September, 2013 each taxpayer shall make a return to the village treasurer for the month of June, stating:

- (1) His name;
- (2) His principal place of business;
- (3) His gross receipts during those months upon the basis of which the tax is imposed;
- (4) Amount of tax;
- (5) Such other reasonable and related information as the corporate authorities may require.

(b) On or before the last day of every month thereafter, each taxpayer shall make a like return to the village treasurer for a corresponding one month period.

(c) The taxpayer making the return herein provided for shall, at the time of making such return, pay to the village treasurer, the amount of tax herein imposed; provided that in connection with any return the taxpayer may, if he so elects, report and pay an amount based upon his total billings of business

subject to the tax during the period for which the return is made (exclusive of any amounts previously billed) with prompt adjustments of later payments based upon any differences between such billings and the taxable gross receipts.

(Ord 2013-05, 8/23/2013.)

§ 536. Credits

If it shall appear that an amount of tax has been paid which was not due under the provisions of this subchapter, whether as the result of a mistake of fact or an error of law, then such amount shall be credited against any tax due, or to become due, under this subchapter from the taxpayer who made the erroneous payment; provided that no amounts erroneously paid more than three (3) years prior to the filing of a claim therefore shall be so credited.

(Ord 2013-05, 8/23/2013.)

§ 537. Actions to Recover

No action to recover any amount of tax due under the provisions of this subchapter shall be commenced more than three years after the due date of such amount.

(Ord 2013-05, 8/23/2013.)

§ 538. Penalty

Any taxpayer who fails to make a return, or who makes a fraudulent return, or who willfully violates any other provision of this subchapter is guilty of an offense under this ordinance and shall pay a civil fine not less than \$100 nor more than \$750 and, in addition, shall be liable in a civil action for the amount of tax due. In any such civil action, the taxpayer shall, in addition to the amount of tax due, pay all costs and expenses, including reasonable attorney's fees, incurred by the village.

(Ord 2013-05, 8/23/2013.)

Subchapter 12—Stormwater Management Fees

§ 539. Schedule of fees—Stormwater Management

(a) The informational handout and schedule of fees set forth in Table 12-1 at the end of this Subchapter are adopted in connection with the review, issuance, and administration of stormwater permits.

(b) If any work or development requiring a stormwater management permit is commenced before the permit is issued the person responsible for the work and the owner of the property will be required to apply for a permit after the fact and pay 200% of the fees otherwise due. The fee imposed under the paragraph is in addition to any other fines or penalties that may otherwise be imposed.

Ord 2022-01, 2/28/2022.

VILLAGE OF LILY LAKE STORMWATER MANAGEMENT PERMIT FEES

When a Stormwater Management Permit (Permit) is required, a non-refundable review fee is to be paid to the village. The review fee is calculated to cover the costs and expenses incurred by the village in performing the following work: review of the Stormwater Management Permit application and supporting documents; preparing correspondence and reports; meeting with the Applicant and its representatives; communicating and coordinating with other governmental and private entities in matters related to the project; conducting site visits and construction observations and reports; recommending and approving performance guarantee reductions; recommending and approving partial or final acceptance of the Stormwater Management Permit and supporting documents; and recommending and approving partial or final acceptance of the constructed improvements associated with the Permit, all in accordance with the requirements of the Kane County Stormwater Management Ordinance. Such expenses may include but are not limited to the following:

I. Outside Consultants:

(A) During the permit review process, the Administrator may engage professional assistance other than the staff in order to review and observe the improvements proposed by the Applicant, which may include Certified Review Specialists or legal counsel.

(B) The Applicant will be notified in writing that such professional assistance will be engaged.

(C) The Applicant and the village shall enter into an agreement whereby the Applicant agrees to pay for costs associated with such professional review assistance.

(D) The Applicant shall make a cash deposit, before the review is initiated, based on a fixed rate of 2% multiplied by the engineer's estimate provided in the Security Submittal of the Permit application. The village shall draw from the Applicant's deposit as costs are incurred. The initial deposit must be renewed when half of the total deposit has been invoiced.

(E) Review comments and Letter of Credit reduction requests will not be processed if the deposited fund balance does not meet the requirements in (d) above.

(F) The Outside Consultant fee will be in addition to the Application and other fee categories on the attached Schedule A.

II. Public Recording Fees and Legal Fees

III. Fee Schedule:

The Fees Schedule amounts listed on Schedule A must be paid when a Stormwater Management Permit Application is filed. Fee Schedule values are in addition to fees listed in I and II above.

If you have questions regarding the specific requirements for a Stormwater Management Permit or associated fees as they pertain to your project, please contact the village Clerk at 630-365-9677 or the village engineers, engineering Enterprises, Inc., 52 Wheeler Rd., Sugar Grove, IL 60554 (630-466-6700). The village Hall is located at 43W870 Empire Road, Lily Lake, IL 60175 (Mailing address: 43W955 Twilight Lane, Suite A, St. Charles, IL 60175.)

SCHEDULE A

Permit Review Category*

Fee-

Application Fee	\$75.00
STORMWATER SUBMITTALS (outside Special Management Areas)	
> 5000 sq. ft. disturbed, no Detention or BMP required	\$150.00
Small site - Category I BMP required	\$250.00
Small site - Detention & BMP required (< 5 acre non-residential or minor subdivision)	\$1,000.00
Large site - Detention & BMP required (>5 acre non-residential or major subdivision >5 lots)	\$3,000.00
Large site - Detention required PER ACRE OR LOT over threshold	\$50.00
Linear Utility or Trail, 1st mile	\$600.00
Linear Utility or Trail, each additional mile	\$250.00
FLOODPLAIN/DEPRESSIONAL STORAGE SUBMITTALS (Special Management Area)	
Accessory Structure > or= 200 sq. ft.	\$500.00
New Single Family Home /Addition	\$2,500.00
Existing Single Family Home Elevation	\$500.00
Small Site, no compensatory storage	\$200.00
Small Site, compensatory storage required	\$1,000.00
Development in the Regulatory Floodway: Channel modifications, bridges, dams, online detention, filling, and any development which affects flood elevations or floodway limits or requires modeling	\$7,000.00
Utility crossing at existing grade (sediment & erosion plan only) and other minor developments which do not require modeling	\$300.00
Streambank stabilization	\$150.00
WETLAND SUBMITTAL (Special management area)	
Wetland review - delineation report	\$75.00
Wetland review - buffer establishment (per wetland/linear water course)	\$150.00
Wetland review 80-150 rule (per wetland/linear water course)	\$750.00
Wetland mitigation plans WR admin only	\$75.00
Wetland bank or fee in lieu	\$75.00
OTHER ADMINISTRATIVE FEES	
Preapplication meeting, initial	\$0.00
Preapplication meeting, per additional meeting	\$200.00
Permit review submittals, 1st rejection (10% of original fee)	10%
Permit review submittals, 2nd rejection (20% of original fee)	20%
Permit review submittals, 3rd or more rejections (60% of original fee)	60%
Variance	\$700.00
Misc. staff time per hour	\$75.00
Appeals	\$350.00
Permit Renewal (25% of original fee)	25%
SSA Establishment	\$1,400.00
Recording Fee & Map Plotting	\$65.00
BUILDING PERMIT FEES - (FOR STORMWATER PERMITS ISSUED THROUGH BUILDING PERMIT -APPLICATION FEE DOES	
Single Family Home	\$300.00
Floodplain.. *	\$200.00
Site Visit	\$150.00
Hourly Rate	\$75.00

* Site refers to the area of development as defined in the Stormwater Management Ordinance

Permit fees are non-refundable once review has begun

Floodplain will apply to fences, sheds <200 sq. ft. and pools not requiring compensatory storage. For other floodplain projects refer to Floodplain/Depressional Storage Submittal fee schedule above

Subchapter 13—Reimbursement of Costs

§ 540. All costs, expenses and fees to be reimbursed

(a) Filing an application for any permit, approval, or relief under any provision of this code constitutes the applicant's agreement to pay all fees, costs and expenses incurred by the village in connection with the application. This includes, but is not limited to, all fees, costs and expenses—

(1) for publication,

(2) related to the approval or disapproval, supervision, or amendment of any application, permit or request for relief,

(3) for the construction or the inspection of the construction of any building, project, subdivision, or development,

(4) for the operation or enforcement of any permit, approval, relief, plan, sketch plan, concept plan, preliminary plan, or final plan, or plat of subdivision, or any rule, regulation, ordinance or statute of the village or any other governmental entity or agency having or claiming jurisdiction, and

(5) of any attorney, planner, engineer, or other professional or consultant retained by the village in connection with any of the foregoing.

(b) To secure the payment of such fees, costs, and expenses the village will require a deposit from the applicant in the amount of \$250 per acre of land under consideration, with a minimum deposit of \$500. The village shall account for the deposit separately from its other funds but no interest will be payable on the amount on deposit unless, upon the written request of the applicant for a deposit of \$5000 or more, it is held in a separate interest-bearing bank account.

(c) The village shall periodically send invoices for the payment of such fees, costs, and expenses by first-class mail, postage prepaid, to the applicant at the address set forth in the application. If the applicant does not object to any invoiced item within 20 days of the date of the invoice, it will be conclusively presumed for all purposes, including any litigation brought by or against the village, that (1) the fees, costs and expenses included in the invoice are properly chargeable to the applicant, (2) they are reasonable, (3) the applicant has no objection to their being charged to the applicant, or to their amount, and (4) the applicant is liable, without any defense, setoff, or counterclaim of any kind, to pay them. If the applicant does not object to any invoiced item within 20 days of the date of the invoice, the village will apply the amount of applicant's credit balance to pay the invoice. If the applicant

does object to an invoiced item, the village will remove the item from the invoice pending a resolution, and apply the amount of the applicant's credit balance to pay the balance of the invoice.

(d) When the amount on deposit falls below 30% of the original amount, the applicant shall make an additional deposit sufficient to bring the deposit up to the original amount. If the applicant fails to make any such deposit as required, the village may refuse to issue any building, occupancy, or other permit or approval, or take any further action, or perform any further review, inspection or service in connection with the application, and may issue a stop order prohibiting all development activity until the deposit has been made. All amounts due to village that remain unpaid after 30 days will bear interest at the rate of 18% per annum until paid.

(e) In any action brought by the village to collect any fee or fine imposed under any provision of this chapter, or enforce the provisions of any permit, or any stop-work order issued by the village, or the termination or revocation of any permit, the defendant shall pay the reasonable costs, expenses, and attorneys fees of the village.

Ord 2022-01, 2/28/2022.

(f) The fees set forth in this subsection are in addition to any other fee or fine set forth in this chapter or other section of this Code.

Ord 2003-05, 6/16/2003; Ord 2009-19, 10/19/2009; Ord 2010-08, 5/17/2010.

§ 541. Dishonored checks or drafts

(a) For the purposes of this section the term Dishonored Check means any check or other negotiable instrument that is received by the village, deposited by the village into one of its accounts, or is otherwise endorsed and negotiated by the village and is returned unpaid to the village for any reason including the fact that the account of the drawer or maker has been closed, there are insufficient funds in the account of the maker or drawer or a stop payment order has been requested by the drawer or maker.

(b) The drawer or maker of any Dishonored Check tendered to the village shall pay to the village a fee of \$25 plus any bank service charge incurred by the village, in addition to any other rights or remedies the village may have with respect to the instrument. (2011 village Code.)

Ord 2003-05, 6/16/2003; Ord 2009-19, 10/19/2009; Ord 2010-08, 5/17/2010; Ord 2022-04, 6/27/2022.

§ 542. Acceptance of credit cards

The fees imposed under subchapters 1, 2, 3, 6, and 9 of this chapter may be paid with a major credit card. In that event the respective fee will be increased by 3% to cover the cost incurred by the village in accepting the credit card payment.

Ord 2015-11, 12/30/2015.

§ 543. Action by village suspended while any amount remains unpaid

(a) While any amount owed to the village by any person is due and unpaid, the village may decline to accept for filing any other application, petition, or request for approval from that person and may suspend its review or decision on any application, petition, or request for approval then pending on file by that person until all amounts owed to the village are paid in full.

(b) For the purposes of this section—

(1) “person” means any natural person, sole proprietorship, or legal entity, including, without limitation, any corporation, limited liability company or partnership, general or limited partnership, or trust;

(2) “amount” means any tax, application fee, license fee, fine, payment, or other debt of whatever kind or description, and any cash deposit, bond, or letter of credit required to be made in connection with any application, petition, or request for approval or relief under any chapter of this Code including, without limitation, Chapters 4 and 20.

(3) “owed” means any amount required to be paid to the village under any provision of this Code, or under any order entered by a hearing officer in any administrative enforcement proceeding, or by any court of competent jurisdiction, or for which the village has made a demand upon such person, regardless of whether such person acknowledges his or her liability to the village to pay such amount.

(c) For the purposes of this section, related persons or entities (as defined below), will be deemed to be the same. A person is related to another person if he or she is the grandparent, parent, aunt or uncle, spouse, brother or sister, child, niece or nephew, or grandchild of such person or his or her immediate family (spouse and children). There is no distinction between relationships of the full blood and the half blood or relationships created by birth or adoption. An entity is related to a person if any person to whom that person is related (as defined above), directly or indirectly, has an interest as a shareholder, officer or director of any corporation, member or manager of

any LLC or partnership, general or limited partner of any general or limited partnership, or trustee or beneficiary of any trust.

Ord 2022-04, 6/27/2002.