

ORDINANCE NO. 357

An Ordinance Repealing Ordinance Numbers. 210, 219, 265, 266, 296, 301 and 303 and Establishing the Village of Prairie Grove Municipal Impact Fee

WHEREAS, the Village of Prairie Grove, McHenry County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, the Village of Prairie Grove President and Board of Trustees have determined that the increased residential development in the Village of Prairie Grove creates the need for additional municipal services; and

WHEREAS, said additional municipal services include, but are not limited to, additional public works, police protection, public improvements, and municipal administrative facilities and staff.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Prairie Grove, McHenry County, Illinois, as follows:

SECTION 1: That ordinances numbers. 210, 219, 265, 266, 296, 301 and 303 are hereby repealed in their entirety

SECTION 2: A municipal impact fee for the additional municipal services created as a result of new residential development is hereby established.

SECTION 3: The municipal impact fee shall be as follows:

Residential:

\$3,000.00 per each proposed residential dwelling unit, payable at the time of final subdivision plat or planned unit development approval; and

\$150.00 per bedroom, payable at the time of issuance of a building permit.

Commercial and Industrial:

\$1.00 per square foot of building space, payable at the time of final subdivision plat or planned unit development approval.

SECTION 2: 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SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

ADOPTED this 7th day of October, 2004, pursuant to a roll call vote as follows:

	Ayes	Nays	Absent	Abstain
Trustee W. Randal Baudin II	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Trustee Bill Behm	<u> </u>	<u> </u>	<u> X </u>	<u> </u>
Trustee Terrance Hyten	<u> </u>	<u> </u>	<u> X </u>	<u> </u>
Trustee Dennis Kostrzewski	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Trustee Barrington Lawrence	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Trustee David Miloch	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

APPROVED this 7th day of October, 2004.

By: _____
 Village President Susan M. Friedman

(SEAL)
 ATTEST: _____
 Village Clerk Linda Davies

pjh:PrairieGrove\MunicipalFee.357

VILLAGE OF PRAIRIE GROVE
McHENRY COUNTY, ILLINOIS

CERTIFICATION

I, Linda Davies, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Prairie Grove, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Prairie Grove.

I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Prairie Grove, held on the 7th day of October, 2004, the foregoing Ordinance entitled *An Ordinance Repealing Ordinance Numbers. 210, 219, 265, 266, 296, 301 and 303 and Establishing the Village of Prairie Grove Municipal Impact Fee* was duly passed by the President and Board of Trustees of the Village of Prairie Grove.

The pamphlet form of Ordinance No. 357, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was available in the Village Hall, commencing on the 7th day of October, 2004, and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

I further certify that I recorded the attached Ordinance in a book used exclusively for such purposes in accordance with the Illinois Municipal Code, 65 ILCS 5/1-2-5, on October 7th, 2004.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and seal of the Village of Prairie Grove this 7th day of October, 2004.

Linda Davies, Village Clerk
Village of Prairie Grove,
McHenry County, Illinois

(SEAL)