

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
JUNE 15, 2010 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Legal Department and Liquor License Fee Updates	Resolution ✓ Ordinance Motion Discussion Only	Dave Fieldman Village Manager

SYNOPSIS

An ordinance been prepared to address the following:

- Create a fee for application to create a new liquor license classification.
- Remove liquor license fees from the Municipal Code and list these items in the Administrative Regulation entitled “User-Fee, License and Fine Schedule”

STRATEGIC PLAN ALIGNMENT

The FY10 Strategic Plan identifies *Fee Schedule and Related Code Revisions* as an action agenda item for 2010.

FISCAL IMPACT

Using FY09 as a baseline for fee collection activity, staff forecasts the proposed Legal Department fee updates would generate an additional \$2,500 in additional revenue on an annual basis for the Village.

UPDATE & RECOMMENDATION

This item was discussed at the June 8, 2010 meeting. Staff recommends approval on the June 15, 2010 active agenda.

BACKGROUND

The Village is proceeding with a generalized Fee Schedule and updates to fees charged for services. Recently, the Village Council approved changes to the fees for services administered by the Village Manager’s Office (VMO), Clerk’s Office, Finance and Community Development. The next step of this process involves a review and update of liquor license fees administered by the Village’s Legal Department.

The proposed Legal Department fee updates are related primarily to the issuance of liquor licenses. A comprehensive analysis of liquor license fees was last conducted by staff in 2009. The 2009 liquor license fee analysis was reviewed and staff determined the current fees are sufficient to recover the Village’s actual direct and indirect cost of reviewing, evaluating and issuing liquor licenses. The only exception is the fine entitled “Fine for Sale of Alcohol to a Minor or an Intoxicated Person.” This fine was evaluated with the goal of discouraging certain behaviors, as outlined in the Village’s User-Fee, License and Fine Umbrella Policy. Staff has compared the proposed fees to fees charged by neighboring municipalities and determined that the proposed fees are comparable.

In addition to the existing liquor fees, staff identified a new liquor license fee for Village Council consideration. Staff is recommending assessing an application fee in the amount of \$2,500 for requesting the creation of a new liquor license classification. About once per year, the Village receives an application from an individual or business seeking a liquor license for a use which does not fall within any of the existing liquor license classifications. This requires creating a new license classification which

involves additional public meetings and staff time. The proposed fee would assist the Village in recovering the costs associated with creating a new liquor license classification.

As part of the 2010 Strategic Plan, the Village Council directed staff to conduct a comprehensive review and update of all Village-charged user-fees, licenses and fines. On February 16, 2010 the Village Council approved the User-Fee, License and Fine Umbrella Policy. The User-Fee, License and Fine Umbrella Policy is intended to develop and implement a formalized method for comprehensively establishing, reviewing and regularly updating Village user-fees, licenses and fines. The policy also sets forth the parameters within which staff will be operating when conducting its user-fee, license and fine review process in 2010. This fee review process will be conducted on a department-by-department basis and staff will regularly submit departmental fee update recommendations to the Village Council for formal consideration throughout 2010.

ATTACHMENTS

Ordinance

Fee Schedule

Legal Department Fee Update Summary

User-Fee, License and Fine Umbrella Policy

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Village Manager **DATE:** June 15, 2010
(Name)

RECOMMENDATION FROM: _____ **FILE REF:** _____
(Board or Department)

NATURE OF ACTION:

- Ordinance
- Resolution
- Motion
- Other

STEPS NEEDED TO IMPLEMENT ACTION:

Motion to Adopt "AN ORDINANCE AMENDING CERTAIN FEES RELATED TO LIQUOR LICENSING", as presented.

SUMMARY OF ITEM:

Adoption of the attached ordinance shall amend the Liquor Code regarding Village user-fees, licenses and fines.

RECORD OF ACTION TAKEN:

ORDINANCE NO. _____

AN ORDINANCE AMENDING CERTAIN FEES RELATED TO LIQUOR LICENSING

BE IT ORDAINED by the Village Council of the Village of Downers Grove in DuPage County, Illinois, as follows: (Additions are indicated by **shading/underline**; deletions by ~~strikeout~~):

Section 1. That Section 3.9. is hereby amended to read as follows:

3.9. Application.

(a) *Letter of request.* Any person who wishes to apply for a license required by Section 3-8 shall submit to the Local Liquor Commissioner a letter of request containing information related to the identity, current and past business experience (including, but not limited to, handling of liquor) of the prospective applicant; the class of license desired; the location and nature of the business proposed; and any additional information relevant to his/her qualifications for a retail liquor dealer's license. Upon such written request, the prospective applicant shall be provided with information concerning the availability of licenses of the requested classification and the application procedure.

(b) *Availability of license.* If no license of the requested classification is available at the time a written request is received, the name of the person shall be placed on a list of persons interested in a license of such classification. Any person placed on such list shall be obligated to inform the Village Manager in writing on or before December 31 of each year of a desire to remain on such list for the next year. Failure to do so will result in removal of such person's name from the list. Persons whose names appear on such list at the time a license of the requested classification becomes available shall be so informed, and may then, at their option, proceed to apply for a liquor license.

(c) *Application for license.* Following the initial letter of request, and the Village's response to it, a person wishing to file an application for a license may obtain from the Village an application form as prescribed by the Village Manager for the purpose of providing reasonable information respecting the applicant. Such application shall be filed with the Local Liquor Commissioner and shall include:

(1) A manual outlining the applicant's program for training its employees to properly handle the sale of alcoholic liquor;

(2) A floor plan:

(a) for any premises to be licensed for sale of alcoholic liquor for off premise consumption drawn to scale, with sufficient detail to depict design features and depicting the total square footage of the establishment and the retail square footage area devoted to products sold from the premises.

(b) for any premises to be licensed for sale of alcoholic liquor for on-premise consumption, drawn to scale, with sufficient detail to depict the number and location of dining tables and booths, the location of any bar(s), if applicable, the establishment design features, including but not limited to, entrances/exits and hostess areas. This plan should also include the maximum occupancy of the establishment.

(3) A valid lease in the name of the licensee which authorizes the sale, service and/or delivery of alcoholic beverages in effect for the entire license period. Such lease shall include terms of the lease as well as a contact person as agent of the property.

(4) Menu depicting all types of food and beverage items available to its patrons. A full restaurant menu or a reduced restaurant menu shall also be required should licensees choose to remain open after 10:00 p.m. Sunday through Thursday or 11:00 p.m. on Friday or Saturday.

(5) Restaurant Operation Plan describing the planned operations for the restaurant which shall include, but is not limited to, a description of the customer facilities such as seating areas, displays,

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service areas, access and egress and similar facilities.

(6) Hours of operation. A list of the hours of operation for the establishment.

(7) Certificate of Occupancy verifying that the applicant has met all Building, Fire, Zoning and Health Department requirements of the Village.

(8) The expected date of occupancy, which shall not exceed nine months from the date such application is filed;

(9) Certification that dram shop insurance is or will be in force covering the applicant and the premises which are to be operated under the license in an amount sufficient to satisfy statutory limits. The applicant shall attach to the application a copy of the policy for dram shop insurance coverage, which policy shall contain at a minimum the following information: insurer's name, agent's name, date of expiration of policy, type and amount of coverage, and a provision that the insurance company shall give the Village at least thirty (30) days notice prior to any cancellation or termination of the policy; and

(10) The name, home address, driver's license number, and past employment experience for the person to be designated as the Liquor Manager of the establishment. Also, certification that the Liquor Manager is employed on the premises of the establishment at least thirty-five (35) hours per week.

(11) Declaration page including the corporate name, business name and address along with information concerning the type of business activity or retail sales primarily engaged in.

(d) *Application for classification change.* A licensee wishing to file an application for a change of liquor license classification shall submit an application to the Village on forms as prescribed by the Village Manager. Such application shall be filed with the Local Liquor Commissioner and shall include those items listed in Section 3-9(c).

(e) *Application fee.* Except as otherwise provided herein, a non-refundable application fee of ~~one thousand four hundred dollars (\$1,400.00)~~ as set forth in Administrative Regulation entitled "User-Fee, License and Fine Schedule" shall be required with the filing of any application. Where the Local Liquor Commissioner in his/her sole discretion determines, based upon the nature and complexity of the application, that the administrative functions were de minimis, a full refund may be granted. Where the Local Liquor Commissioner determines that the administrative functions were not de minimis, a partial refund of one-half of the application fee may be granted. The application fee may be reduced or waived if the Local Liquor Commissioner:

(1) grants a liquor license without referring the application to the Local Liquor Commission or the Plan Commission; (2) grants a liquor license without requiring a full investigation; or, (3) grants a liquor license while referring the application to the Local Liquor Commission for change of liquor license classification.

In the event that the applicant is seeking a license for outdoor liquor sales, a non-refundable application fee shall be required with the filing of any application. The fee for such application shall be ~~six hundred fifteen dollars (\$615.00)~~ as set forth in Administrative Regulation entitled "User-Fee, License and Fine Schedule". Provided, in the event the outdoor seating area application is filed and processed in conjunction with an application for issuance of a liquor license under this Section, the outdoor seating area application fee shall be ~~three hundred ten dollars (\$310.00)~~ as set forth in Administrative Regulation entitled "User-Fee, License and Fine Schedule".

(f) *One time license fee.* A request for the creation of a new liquor license classification shall be subject to a one time license fee as set forth in Administrative Regulation entitled "User-Fee, License and Fine Schedule" which shall be intended to cover staff time and administrative costs for processing such request. The license sought shall be in substantial conformance with the nature and intent and requirements of the Village's Liquor Code. Payment of such fee shall not guarantee the creation of such license classification.

A written request shall be made to the Liquor Commissioner specifying the nature and type of liquor license sought, along with a business plan and/or operation plan outlining the type(s) of activities to occur on such premises. If the Liquor Commissioner determines that the requested classification is warranted, he may forward such request to staff for processing. A public hearing shall be required before the Downers Grove Liquor Commission to consider the creation of all new license classifications.

Upon positive recommendation from the Liquor Commissioner following such public hearing, the Village Council shall consider an ordinance creating such license classification. (Ord. No. 244, § 3; Ord. No. 1741, § 10; Ord. No. 1749, § 2; Ord. No. 2388, § 5; Ord. No. 2450, § 3; Ord. No. 2541, § 4; Ord. No. 2735, § 1; Ord. No. 2847, § 2; Ord. No. 3064, § 1; Ord. No. 3182, § 2; Ord. No. 3343, § 1.)

Section 2. That Section 3.14 is hereby amended to read as follows:

3.14 Term - fees.

- (a) The term of each license issued hereunder shall be from July 1 to June 30.
- (b) Licenses shall be issued to new applicants and/or renewal applicants with satisfactory performance in the most recent year in which they held a license. The fee for the various classes of licenses shall be as follows set forth in Administrative Regulation entitled "User-Fee, License and Fine Schedule":

<u>License</u>	<u>Annual Fee</u>
"B 1" (Brew Pub)	\$3,240.00
"C 1" (Club, private)	\$ 770.00
"E 1" (Theater)	\$1,700.00
"E 2" (Comedy Club)	\$1,700.00
"E 3 A" (Golf Course)	\$1,860.00
"E 3 B" (Recreational Facility beer/wine)	\$2,300.00
"E 3 C" (Recreational Facility full)	\$3,670.00
"E 3 D" (Billiard Hall full)	\$3,670.00
"E 4" (Cultural/Performing Arts Facility beer/wine)	\$1,930.00
"E 5" (Entertainment full)	\$4,100.00
"H 1" (Hotel)	\$4,050.00
"K 1" (Catering full)	\$ 950.00
"K 2" (Catering Park District beer/wine)	\$1,090.00
"O 1" (Outdoor)	\$ 270.00
"P 1" (Packaged full)	\$2,070.00
"P 2" (Packaged beer/wine)	\$1,300.00
"P 3" (Packaged wine shop)	\$1,240.00
"P O 2" (Packaged full off premise and beer/wine on premise consumption)	\$1,840.00
"R 1" (Restaurant full)	\$3,100.00
"R 2" (Restaurant beer/wine)	\$1,750.00
"S 1" (Special Event)	\$ 420.00
"S 2" (Special Event)	\$ 95.00
"W 1" (Wine Boutique)	\$1,550.00

- (c) Except as provided herein, there shall be no refund or proration of the license fee for any portion of a year prior to issuance or during which licensee ceases to engage in the business of selling alcoholic liquor. For any license issued on or after the first day of January of any year, the license fee shall be prorated by dividing the fee set forth in subsection (b)(1) by twelve and multiplying the resulting sum by the number of months, or parts thereof, remaining in the license year.
- (d) For any change in classification issued on or before the first day of January of any year, the licensee shall be awarded a credit in the amount of the license fee previously paid by licensee in same license year for the same establishment.
- (e) The annual renewal fee shall be due and payable June 30 in each year. Provided, any licensee submitting a late renewal filing shall, in addition to the license fee, pay a late filing fee of ~~two hundred~~

~~fifty dollars (\$250.00) pursuant to Section 3-16 (e) of this Code~~ shall be set forth in Administrative Regulation entitled "User-Fee, License and Fine Schedule". No licensee shall continue to engage in the business of selling alcoholic liquor unless such fee has been paid.

(f) All required fees shall be paid at the time of issuance of the license after approval by the Local Liquor Commissioner pursuant to Section 3-12 of this Chapter. All such fees shall be forthwith deposited with the Village Treasurer.

(g) Application fees are provided for in Section 3-9(e) of this Code.

(h) It is the intention of the Village to review and, if justified, adjust license fees annually based upon the costs and expenses incurred by the Village to administer this section. Provided, however, nothing herein shall require such review nor impair or prohibit any adjustment in fees as may from time to time, be approved by the Council. (Ord. No. 244 §§ 5, 6; Ord. No. 279, § 1; Ord. No. 356, § 1; Ord. No. 634, § 1; Ord. No. 635, § 1; Ord. No. 1059, § 1; Ord. No. 1200, § 1; Ord. No. 1465, § 1; Ord. No. 1741, §§ 15 to 17; Ord. No. 2167, § 4; Ord. No. 2246, § 1; Ord. No. 2388, § 7; Ord. No. 2541, § 6; Ord. No. 2735, § 1; Ord. No. 3050, § 2; Ord. No. 3377, § 1.)

Section 3. That Section 3.16. is hereby amended to read as follows:

3.16. Renewal; effect of failure to renew.

(a) Subject to the restrictions established in Section 3-19 respecting nonconforming licenses, any licensee may make application to renew his/her license at the expiration thereof, provided he is then entitled to receive a license and the premises for which such renewal license is sought are suitable for such purpose.

(b) Licensees applying for renewal shall either certify to the continued compliance of the premises with the conditions pursuant to which the license was initially granted, including the approved floor plan and dram shop insurance coverage, or shall submit a request for approval of certain changes in the licensed business pursuant to Section 3-18.1 of this Chapter. The renewal application shall be on forms provided by the Village and shall include the same information as provided for an original application to determine whether the licensee is, and will continue to be, qualified for a license. Provided, in lieu of new submittals, the renewal applicant may certify, on forms provided for by the Village, that some or all of the information previously provided by the applicant with any original or renewal application has not changed.

(c) Application for renewal along with the required license fee shall be filed with the Village no later than the second Friday of June each year. Applications for renewal filed after this deadline shall be considered a late filing but shall be accepted by the Village until June 30th of each year. Provided, any licensee submitting a late filing shall, in addition to the license fee, pay a late filing fee of ~~two hundred fifty (\$250.00)~~ as set forth in Administrative Regulation entitled "User-Fee, License and Fine Schedule". No application for renewal shall be accepted after June 30th of each year. Rather, any application filed after June 30th shall be treated as an application for an original license and processed as provided in Section 3-12.

(d) Applications for renewal shall be considered by the Local Liquor Commissioner and either approved or denied based upon the standards and qualifications for issuance as set forth in this Chapter and state laws. Provided, before reaching a final decision, the Local Liquor Commissioner may refer any renewal application, and shall refer all renewal applications for which renewal may be denied, to the Local Liquor Commission for a hearing. In such case, notice shall be given to the licensee and the Liquor Commission shall conduct a hearing, making a recommendation to the Local Liquor Commissioner regarding the renewal status or non-renewal of the license.

(e) Except for Class "S" special events licenses, any license issued pursuant to this Chapter shall terminate by operation of law at 11:59:59 P.M. of the June 30th following issuance. Any licensee who has filed an application shall be permitted to continue operation under the authority of the existing license, even after June 30th, until a final decision is made by the Local Liquor Commissioner as provided herein. Any licensee who fails to file a renewal application shall cease liquor operation on or before June 30th. (Ord. No. 244, § 10; Ord. No. 1200, § 1; Ord. No. 1741, § 19; Ord. No. 2388, § 8; Ord. No. 2735, § 1; Ord. No. 3050, § 4; Ord. No. 3343, § 1.)

Section 4. That Section 3.25. is hereby amended to read as follows:

3.25. Sale to certain persons prohibited.

(a) No licensee or other person shall sell, give or deliver alcoholic liquor, including beer and wine, to any person under the age of twenty-one years, or to any intoxicated person. The fine for such a violation shall be a minimum of two hundred fifty dollars (\$250.00) per occurrence set forth in Section 1.16 (i)(1)(i).

(b) If a person under the age of twenty-one years is in possession of alcoholic liquor on premises licensed to sell alcoholic liquor for consumption on such premises, it shall be presumed that the licensee sold, gave or delivered such alcoholic liquor to the minor in possession thereof.

(c) For the purpose of preventing the violation of this section, any licensee, or its agent or employee, may refuse to sell or serve alcoholic beverages to any person who is unable to produce adequate written evidence of identity and of the fact that he or she is over the age of twenty-one years. (Ord. No. 244, § 15; Ord. No. 924, § 1; Ord. No. 1741, § 7; Ord. No. 2255, § 2; Ord. No. 2735, § 1.)

Section 5. That Section 3.31. is hereby amended to read as follows:

3.31. Hours of business.

(a) It shall be unlawful for any on-premise liquor license holder to deliver, sell or offer for sale, any alcoholic liquor in the Village between the hours of 1:00 A.M. and 8:00 A.M. or between the hours of 2:00 A.M. and 12:00 Noon on any Sunday.

(b) It shall be unlawful for any off-premise liquor license holder to sell or offer for sale, at retail, any alcoholic liquor in the Village between the hours of 1:00 A.M. and 8:00 A.M. or between the hours of 2:00 A.M. and 9:00 A.M. on any Sunday.

(c) Hours during which sale is lawful may be extended by written order of the Local Liquor Commissioner for periods not to exceed three hours upon written application by the licensee stating the reasons for the requested extension and the date or dates for which the extension is sought. The request shall be forwarded to the Village in writing no later than two (2) weeks prior to the date the extension is requested or the request shall automatically be denied. No licensee shall be granted such extension for more than eight dates in any one calendar year, provided a fee in the amount of fifty five dollars (\$55.00) as set forth in Administrative Regulation entitled "User-Fee, License and Fine Schedule" shall be submitted for each day of requested extension.

(d) It shall be unlawful to keep open for business or to admit prospective customers to any premises having a Class "P" packaged liquor license during the hours within which the sale of alcoholic liquor is prohibited; provided, that in the case of:

(1) A Class "P" packaged liquor license for premises from which less than half of the gross revenues are derived from the sale of alcoholic liquor not for consumption on the premises, such premises may be kept open during such hours, but no alcoholic liquor may be sold to any person in such premises during such hours.

(e) It shall be unlawful for any licensee to suffer or permit any person to consume alcoholic liquor on premises licensed under this Chapter later than one hour after the applicable closing time determined under paragraph (a) of this Section 3-31.

(f) It shall be unlawful for any licensee holding a license for on premise consumption, to sell or offer for sale any alcoholic liquor at any time when the regular food service in such licensed premises is not in actual operation, except that such sales may be made during a one-hour period immediately following the close of regular food service operations in such premises, subject to the provisions of paragraph (a) of this Section 3-31. (Ord. No. 2450, § 2; Ord. No. 2735, § 1; Ord. No. 3050, § 6; Ord. No. 3075, § 1.)

Section 6. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are

hereby repealed.

Section 7. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:

Published:

Attest: _____
Village Clerk



Village of Downers Grove

Administrative Regulation Issued by Village Manager

Description:	User-Fee, License and Fine Schedule		
Manager's Name:	David Fieldman, Village Manager	Effective Date:	06/15/10
Category:	Financial Services		
	<input type="checkbox"/> New Administrative Regulation <input checked="" type="checkbox"/> Amends Previous Regulation Dated: 05/18/10; 04/20/10 Description of Previous Regulation (if different from above): <hr/>		

USER-FEE, LICENSE AND FINE SCHEDULE

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[Chapter 1: General Provisions](#)

Copies of the following codes, regulations, plans, standards and ordinances may be obtained by payment to the Village of the following fees:

Fee Title	Amount of Fee	Code Section
Late Penalty; Administrative fees	\$25.00	1.15.2.
Damage to Village Property	\$75.00/plus actual costs	1.21
Standard Copies	No charge	1.27
Color Copies	\$0.10/page	1.27
Plats or Maps	Actual cost of reproduction	1.27
Photographs, video tapes, DVDs or CDs	Actual cost of reproduction	1.27

[Chapter 2: Administration](#)

Fee Title	Amount of Fee	Code Section
Insufficient Funds Received (NSF)	\$26.50	2.33.1

[Chapter 3: Alcoholic Liquor](#)

The fee for the various classes of liquor licenses shall be as follows:

Fee Title	Amount of Fee	Code Section
Application Fee	\$1,400.00	3.9
Outdoor Application Fee	\$615.00	3.9
Indoor & Outdoor Application Fee	\$1,710.00	3.9
Expedited Application Fee	\$700.00	3.9
One time license fee (classification creation)	\$2,500.00	3.9
License Fees:		
B-1 (Brew Pub)	\$3,240.00	3.14
C-1 (Club, private)	\$770.00	3.14
E-1 (Theater)	\$1,700.00	3.14
E-2 (Comedy Club)	\$1,700.00	3.14
E-3-A (Golf Course)	\$1,860.00	3.14
E-3-B (Recreational Facility (Beer/Wine))	\$2,300.00	3.14
E-3-C (Recreational Facility (Full Alcohol))	\$3,670.00	3.14
E-3-D (Billiard Hall)	\$3,670.00	3.14
E-4 (Cultural/Performing Arts Facility (Beer/Wine))	\$1,930.00	3.14
E-5 (Entertainment/Restaurant (Full Alcohol))	\$4,100.00	3.14
H-1 (Hotel)	\$4,050.00	3.14
K-1 (Catering (Full Alcohol))	\$950.00	3.14
K-2 (Catering Park District – Beer/Wine)	\$1,090.00	3.14
O-1 (Outdoor)	\$270.00	3.14
P-1 (Packaged (Full Alcohol))	\$2,070.00	3.14
P-2 (Packaged (Beer/Wine))	\$1,300.00	3.14
P-3 (Packaged (Wine Shop))	\$1,240.00	3.14
P-O-2 (Packaged (Full)) On site (Beer/Wine)	\$1,840.00	3.14
R-1 (Restaurant, Full Alcohol)	\$3,100.00	3.14
R-2 (Restaurant, Beer/Wine)	\$1,750.00	3.14
S-1 (Special Event –hearing required)	\$420.00	3.14
S-2 (Special Event – no hearing)	\$95.00	3.14
W-1 Wine Boutique	\$1,550.00	3.14
Late Fee	\$250.00	3.14; 3.16
Extension of Liquor Serving Hours	\$55.00/request (limit - 8 per year)	3.31

Chapter 4: Temporary Use and Public Gatherings

The fee for temporary uses shall be as follows:

<u>Fee Title</u>	<u>Amount of Fee</u>	<u>Code Section</u>
Application Fee	\$75.00	4.108
Block Party Security Deposit	\$25.00	4.108
Late Fee	\$75.00	4.108
Circus/Amusement/Live Entertainment	\$100.00/day	4.108
Temporary Signs	\$10.00/week	4.108
Tents	\$25.00	4.108
Fee for Use of Public Property	\$1/per sq. ft.	4.108
Additional Inspection	\$50.00	4.108
Fingerprinting Fee	\$40.00	4.108

Chapter 5: Animals and Fowl

The following fees shall apply to animals and fowl within the Village limits:

<u>Fee Title</u>	<u>Amount of Fee</u>	<u>Code Section</u>
Rabies Bond	\$30.00	5.8(b)
Impound Fee	\$20 1 st day + \$5/each day thereafter	5.9(1)
Feeding and Maintenance	\$10.00/day	5.9(2)
Impound w/in 6 months of prior Impoundment	\$100.00 + Feeding	5.9(3)
Animal Trap Loan	\$160.00/week	5.25

Chapter 6: Bicycles

The following fees shall apply to bicycles with the Village limits:

<u>Fee Title</u>	<u>Amount of Fee</u>	<u>Code Section</u>

Chapter 7: Buildings

The following fees shall apply to buildings within the Village limits:

<u>Fee Title</u>	<u>Amount of Fee</u>	<u>Code Section</u>
Demolition & Construction Signage	\$125.00	7.803 & 7.1801(k)
Demolition fee > 30,000 sq. ft.	\$500.00	7.803
Demolition fee < 30,000 sq. ft.	\$500.00 + \$33 each additional 100 sf. or fraction thereof	7.803
New Accessory Building < 200 sf	\$100.00	7.803
New Accessory Building 200 sf +	\$425.00	7.803
Residential, Non-Residential and Associated Buildings	\$1,350.00 (for first 1,000sf), plus \$675.00 per 1,000 sf thereafter	7.803
Residential Additions, Alterations & Repairs	\$350.00 basic fee, plus plumbing & electrical fees	7.803
Commercial Additions, Alterations & Repairs	\$725.00 (for the first 1,000 sf), plus \$675.00 per 1,000 sf thereafter	7.803
Heating, and Mechanical Ventilation Systems	\$100.00	7.803
Canopy, Fixed Awning or Alteration thereof	\$100.00	7.803
New Elevator, Escalator, Lifts, Hoists, Dumbwaiters, Conveyors Inspection Fee	\$125.00	7.803
Existing Elevator, Escalator, Lifts, Hoists, Dumbwaiters, Conveyors Inspection Fee	\$50.00	7.803
Swimming Pools & Hot Tubs	\$425.00	7.803
Deck Permits	\$100.00	7.803
Other work requiring permit (roof replacement, concrete work, commercial equipment,	\$75.00	7.803

structural repairs, etc. if value of work is >\$25,000.00		
Other work requiring permit (roof replacement, concrete work, commercial equipment, structural repairs, etc. if value of work is \$25,000.00+	\$300.00	7.803
Inspection fee	\$75.00	7.803
Re-Inspection fee	\$50.00	7.804
Certificate of Occupancy	\$75.00	7.805
Certificate of Compliance	\$75.00	7.805
Temporary Certificate of Occupancy	\$75.00	7.805
Demolition/Construction Site Management Bond	\$5,000.00	7.1801(t)
Demolition/Construction fee for late work	\$250.00/day	7.1801(u)(2)
Non-Compliance with Construction/Site Management Ordinance	\$250.00/day per violation	7.1801(v)
Failure to clean street in area of subject property	\$300/occurrence	7.1801(v)(i)

[Chapter 8: Business Activity Licenses / Regulations](#)

Fees for business activity licenses and regulations shall be as follows:

<u>Fee Title</u>	<u>Amount of Fee</u>	<u>Code Section</u>
Business & Activity License Denial	\$50.00	8.3
Reading in the Art of Divination License	\$500/year or \$50/day	8.12
Fingerprinting Fee	\$40.00	8.13; 8.31.04; 8.31.07; 8.2007
Entertainment License Denial	\$100.00	8.31.04
Pre-Adolescent Entertainment Facility	\$1,925.00	8.31.07
Adolescent Entertainment Facility	\$1,925.00	8.31.07
Adult Entertainment Facility	\$1,925.00	8.31.07
Mixed Entertainment Facility	\$1,925.00	8.31.07
Entertainment License Variance Request	\$100.00	8.31.07
Electrical Contractor License (per year)	\$100.00	8.38
Electrical Contractor License Late Fee	\$100.00	8.38
Electrical Contract Written Test	\$75.00	8.39
Amusement Device License (>20)	\$600.00	8.50
Amusement Device License (20-29)	\$800.00	8.50
Amusement Device License (30-39)	\$1,000.00	8.50
Amusement Device License (40+)	\$1,200.00	8.50
Movie Arcade License	\$50.00	8.54
Class A Scavenger License	\$3,000.00	8.58
Class B Scavenger License	\$500.00	8.58
Scavenger License Late Filing Fee	\$500.00	8.61
Scavenger License Late Renewal Filing Fee	\$150.00	8.61
Going Out of Business/Removal Sale	\$25.00	8.70
Tree Removal License (per year)	\$75.00	8.73
Adult Establishment License Processing Fee	\$250.00 & \$5,000 letter of credit	8.1904
Massage Establishment License Processing Fee	\$250.00	8.2007
License and Renewal Fee	\$100.00	8.2007

[Chapter 9: Office of Emergency Management](#)

Reserved.

[Chapter 10: Electricity](#)

Fees with regards to electricity shall be as follows:

<u>Fee Title</u>	<u>Amount of Fee</u>	<u>Code Section</u>
Electrical Installation Re-Inspection	\$50.00	10.701(a)
Electrical Repair/Remodeling Work	\$80.00	10.701(b)

[Chapter 11: Cable / Video Service](#)

Fees with regards to cable and video services shall be as follows:

<u>Fee Title</u>	<u>Amount of Fee</u>	<u>Code Section</u>

[Chapter 12: Historic Preservation](#)

Reserved.

[Chapter 13: Health and Sanitation](#)

<u>Fee Title</u>	<u>Amount of Fee</u>	<u>Code Section</u>
Nuisance Abatement Notification	\$40.00+ costs	13.8
Mosquito Abatement	\$35.00	13.9
Noxious Weed Removal	\$35.00 +actual cost of removal	13.18
Recycling Bin	\$10.00	13.49.4(e)

[Chapter 13A: Housing](#)

Reserved.

[Chapter 14: Motor Vehicles and Traffic](#)

Fees with regards to motor vehicles and traffic shall be as follows:

<u>Fee Title</u>	<u>Amount of Fee</u>	<u>Code Section</u>
Handicapped Placard	\$2.00	14.108(f)
Replacement Placard	\$2.00	14.108(f)
Debit Card	\$8.00	14.109(a)(v)
Cash Key Card	\$25.00	14.111.2

[Chapter 15: Offenses – Miscellaneous](#)

The following fees shall apply to miscellaneous violations of the Village's Municipal Code:

<u>Fee Title</u>	<u>Amount of Fee</u>	<u>Code Section</u>
Solicitation Permit	\$50.00	15.36

[Chapter 16: Plumbing](#)

Fees with regards to plumbing are as follows:

<u>Fee Title</u>	<u>Amount of Fee</u>	<u>Code Section</u>
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Residential Plumbing Permit	\$225.00	16.401(a)(1)
Commercial Plumbing Permit	\$375.00	16.401(a)(2)

[Chapter 17: Police and Fire](#)

The following fees shall apply to police and fire services:

<u>Fee Title</u>	<u>Amount of Fee</u>	<u>Code Section</u>
Towing of Certain Vehicles	\$85.00	17.2.1

[Chapter 18: Sewers and Sewage Disposal](#)

The following fees shall apply to sewers and sewage:

<u>Fee Title</u>	<u>Amount of Fee</u>	<u>Code Section</u>

[Chapter 19: Streets and Sidewalks](#)

The following fees shall apply to the construction of streets or sidewalks:

<u>Fee Title</u>	<u>Amount of Fee</u>	<u>Code Section</u>
Sidewalk Construction	\$55.00/lineal foot	19.14.1(c)
Encroachment License	\$75.00	19.17

[Chapter 20: Subdivisions](#)

The following fees shall apply to the construction of subdivisions:

<u>Fee Title</u>	<u>Amount of Fee</u>	<u>Code Section</u>

[Chapter 21: Taxation](#)

Reserved.

[Chapter 22: Taxis and Other Vehicles for Hire](#)

The following fees are related to Taxi's:

Fee Title	Amount of Fee	Code Section
Fingerprinting Fee	\$40.00	22.15; 22.19
Cab Company License Fee	\$200.00	22.15
Cab Company Late Filing Fee	\$50.00	22.15
Taxi Driver's License Fee	\$50.00	22.19

[Chapter 23: Repealed by Ord. No. 3257, § 1](#)

Reserved.

[Chapter 24: Trees and Shrubs](#)

Fee Title	Amount of Fee	Code Section
Tree Pruning	\$70.00/+ actual cost of pruning	24.4(f)(1)
Tree Pruning	\$70.00/+ actual cost of pruning	24.6(e)

[Chapter 25: Water](#)

The following fees are related to water:

Fee Title	Amount of Fee	Code Section

[Chapter 26: Stormwater and Floodplain](#)

The following fees shall apply to stormwater and floodplain management:

Fee Title	Amount of Fee	Code Section

[Chapter 27: Revenue Bonds](#)

Reserved.

[Chapter 28: Zoning](#)

The following fees shall apply to zoning:

Fee Title	Amount of Fee	Code Section
Signs >25 sf	\$70.00	28.305(a)(1)(a)
Signs 25+ sf	\$70.00, plus \$1/per sf over 25 sf	28.305(a)(1)(b)
Electrical Connection for Signs	\$50.00	28.301(a)(2)
Sign Plan Review	\$75.00	38.301(a)(3)
Fence Permit	\$50.00	28.301 (a)(4)
Zoning Applications:		
Residential Variations	\$350.00	28.301(b)(1)(a)

Commercial Variations	\$425.00	28.301(b)(1)(b)
Rezoning	\$425.00	28.301(b)(2)
Special Use		
Residential Special Use	\$425.00	28.301(b)(3)(a)
Commercial Special Use	\$850.00	28.301(b)(3)(b)
Planned Development and Amendments to Planned Developments	\$1,150.00	28.301(b)(4)
Text Amendments	\$425.00	28.301(b)(5)
Annexation Petitions	\$350.00	28.301(b)(6)
Appeals Fee	\$425.00	28.301(b)(7)
Zoning Verification Letter Fee	\$30.00	28.301(b)(8)

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2010 Liquor Fee Updates

Ch.No.	Sect.No.	Chapter	Classification	Current Fee	Proposed Fee
3	9	Alcoholic Liquor	Application for Liquor License	\$ 1,400.00	\$ 1,400.00
3	9	Alcoholic Liquor	License for outdoor liquor sales non-refundable application fee	\$ 615.00	\$ 615.00
3	9	Alcoholic Liquor	Outdoor Liquor Sales License application fee is processed in conjunction with issuance of liquor license	\$ 310.00	\$ 310.00
3	14	Alcoholic Liquor	B-1 (Brew Pub)	\$ 3,240.00	\$ 3,240.00
3	14	Alcoholic Liquor	C-1 (Club, Private)	\$ 770.00	\$ 770.00
3	14	Alcoholic Liquor	E-1 (Theater)	\$ 1,700.00	\$ 1,700.00
3	14	Alcoholic Liquor	E-2 (Comedy Club)	\$ 1,700.00	\$ 1,700.00
3	14	Alcoholic Liquor	E-3-A (Golf Course)	\$ 1,860.00	\$ 1,860.00
3	14	Alcoholic Liquor	E-3-B (Recreation Facility - Beer/Wine)	\$ 2,300.00	\$ 2,300.00
3	14	Alcoholic Liquor	E-3-C (Recreation Facility - Full)	\$ 3,670.00	\$ 3,670.00
3	14	Alcoholic Liquor	E-3-D (Billiard Hall - Full)	\$ 3,670.00	\$ 3,670.00
3	14	Alcoholic Liquor	E-4 (Cultural/Performing Arts - Beer/Wine)	\$ 1,930.00	\$ 1,930.00
3	14	Alcoholic Liquor	E-5 (Entertainment - Full)	\$ 4,100.00	\$ 4,100.00
3	14	Alcoholic Liquor	H-1 (Hotel)	\$ 4,050.00	\$ 4,050.00
3	14	Alcoholic Liquor	K-1 (Catering - Full)	\$ 950.00	\$ 950.00
3	14	Alcoholic Liquor	K-2 (Catering - Park District - Beer/Wine)	\$ 1,090.00	\$ 1,090.00
3	14	Alcoholic Liquor	O-1 (Outdoor)	\$ 270.00	\$ 270.00
3	14	Alcoholic Liquor	P-1 (Packaged Full)	\$ 2,070.00	\$ 2,070.00
3	14	Alcoholic Liquor	P-2 (Packaged Beer/Wine)	\$ 1,300.00	\$ 1,300.00
3	14	Alcoholic Liquor	P-3 (Packaged Wine Shop)	\$ 1,240.00	\$ 1,240.00
3	14	Alcoholic Liquor	P-O-2 (Packaged - Full Off Premise and Beer/Wine On Premise Consumption)	\$ 1,840.00	\$ 1,840.00
3	14	Alcoholic Liquor	R-1 (Restaurant Full)	\$ 3,100.00	\$ 3,100.00
3	14	Alcoholic Liquor	R-2 (Restaurant - Beer / Wine)	\$ 1,750.00	\$ 1,750.00
3	14	Alcoholic Liquor	S-1 (Special Event)	\$ 420.00	\$ 420.00
3	14	Alcoholic Liquor	S-2 (Special Event)	\$ 95.00	\$ 95.00
3	14	Alcoholic Liquor	W-1 (Wine Boutique)	\$ 1,550.00	\$ 1,550.00
3	16	Alcoholic Liquor	Renewal of Liquor License	Same price as original license	Same price as original license
3	16	Alcoholic Liquor	Late Renewal Fee of Liquor License	\$ 250.00	\$ 250.00
3	25	Alcoholic Liquor	Fine for Sale of Alcohol to a minor or an intoxicated person	Minimum Fine of \$250	Minimum Fine of \$250
3	31	Alcoholic Liquor	Extension of Business Hours with a Liquor License (per day)	\$ 55.00	\$ 55.00
New Fee			Creation of a new Liquor License Classification	\$ -	\$ 2,500



Village of Downers Grove

Official Village Policy Approved by Village Council

Description:	User-Fee, License and Fine Umbrella Policy	
Res. or Ord. #:	Ord. No. 5122	Effective Date: 02/16/2010
Category:	Legislative and General Management	
	<input checked="" type="checkbox"/> New Council Policy	
	Amends Previous Regulation Dated: _____	
	Description of Previous Regulation (if different from above): _____	

ORDINANCE 5122

AN ORDINANCE ESTABLISHING A VILLAGE COUNCIL POLICY REGARDING USER-FEES, LICENSES AND FINES

WHEREAS, the Village of Downers Grove provides services to the public and charges user-fees to recover the costs of providing these services; and,

WHEREAS, the Village of Downers Grove issues licenses to regulate certain activities within Village boundaries and charges fees upon issuance of these licenses; and,

WHEREAS, the Village charges monetary fines to individuals for acts in violation of the Municipal Code.

NOW, THEREFORE, BE IT ORDAINED by the Village Council of the Village of Downers Grove, DuPage County, Illinois, as follows:

SECTION 1: USER-FEES

1. User-fees are defined as monetary charges for services which benefit either a limited group or all members of the community and the individual benefit of each user can be measured or fairly approximated.
2. User-fees shall be implemented which are uncomplicated, easy to understand and easy to calculate. Additionally, fees shall be established which are easily administered by Village staff.
3. User-fees shall be established which recover the full costs of providing a particular service. "Full" costs are defined as the sum of all direct and indirect costs associated with providing a particular service. "Direct" costs shall include all costs associated with performing the service including staff time and employee benefits. "Indirect" costs shall include items which are administrative, supportive or attributable to municipal facilities or capital assets.

4. In cases where the full costs of providing a particular service to the community are disproportionately high or low, the Village shall consider the user-fees charged in comparable municipalities for similar services when establishing and updating specific user-fees.
5. In certain cases, user-fees shall be adjusted in an effort to encourage specific behaviors as determined by the Village.
6. Fee waivers shall be addressed separately in the official Village Council policy entitled "Council Policy with Regards to Fee Waivers."

SECTION 2: LICENSES

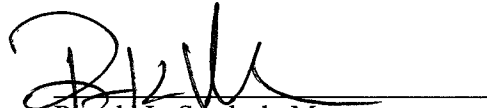
1. The Village shall issue a license in an effort to regulate a specific activity based on the following guidelines:
 - a. To protect the public from health or safety hazards
 - b. To comply with statutory mandates to govern certain activities
 - c. To maintain the aesthetic value of the community
 - d. To protect consumers from undue interference from solicitors
2. The Village shall consider the following items when establishing or updating license fees:
 - a. The full costs associated with issuing, administering and enforcing the license
 - b. The objective of the license
 - c. Market factors
 - d. Policy goals
 - e. Competitiveness with comparable communities

SECTION 3: FINES

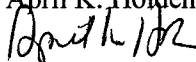
1. The Village may charge a fine for a Municipal Code violation in an effort to achieve the following:
 - a. To correct past behavior
 - b. To encourage compliance with Village rules and regulations
 - c. To discourage a particular behavior or practice
 - d. To ensure the timely payment of Village fees
 - e. To promote the public good
2. The Village shall establish fines which are proportional to the Municipal Code violation which they are trying to discourage (i.e. fines for more serious offenses shall be higher than fines for lesser offenses).

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. That this Ordinance shall be in full force and effect from and after its passage as provided by law.


Ronald L. Sandack, Mayor

Passed: February 16, 2010
Published: February 17, 2010
Attest: April K. Holden, Village Clerk



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