

ORDINANCE NO. O-14-003

**AN ORDINANCE AMENDING SECTION 17.702 OF ARTICLE VI, CHAPTER 17
OF THE CITY OF WOOD DALE MUNICIPAL CODE REGARDING THE
IMPROVEMENT OF CERTAIN THOROUGHFARES, UTILITIES AND
APPURTENANCES**

WHEREAS, the City of Wood Dale is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the City of Wood Dale is authorized and empowered, under the Municipal Code and the Code of Ordinances of the City of Wood Dale, to regulate properties located within the municipal boundaries of the City; and

WHEREAS, in furtherance of this authorization, the City of Wood Dale has adopted the Unified Development Ordinance, which sets forth provisions regarding zoning and zoning standards for uses within the City; and

WHEREAS, in order to provide a coordinated well planned thoroughfare network and utility system in the city, it may be necessary for certain subdividers/developers to provide certain public improvements along one or more frontages of their property; and

WHEREAS, the Unified Development Ordinance provides a methodology for determining the manner in which subdividers/developers and the city may be reimbursed for certain expenses in connection with such improvements; and

WHEREAS, concerns associated with the amounts and time periods associated with said reimbursements have caused the City to reexamine the methodology for such reimbursements; and

WHEREAS, notice of the requested Text Amendment to the Unified Development Ordinance was published in the Daily Herald, a newspaper of general circulation in the City of Wood Dale in accordance with the requirements set forth in the Unified Development Ordinance; and

WHEREAS, on January 20, 2014, the Community Development Commission held a public hearing on the proposed Text Amendment, and based on the facts set forth at hearing, voted to recommend the adoption of the proposed Text Amendment to the Unified Development Ordinance, as applied for; and

WHEREAS, the proposed Text Amendment, as recommended for approval by the Community Development Commission has been considered by the Planning, Zoning and Building Committee of the City Council of the City of Wood Dale, which has also recommended approval of the Text Amendment; and

WHEREAS, the City Council of the City of Wood Dale has reviewed the matter herein

and has determined that the same is in the best interests of the City of Wood Dale.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOOD DALE, DUPAGE COUNTY, ILLINOIS, as follows:

SECTION ONE: The recitals set forth above are incorporated herein and made a part hereof.

SECTION TWO: That Article VI, Chapter 17, Section 17.702.D.1. be and is hereby amended as follows:

1. Amount Of Reimbursement: Any reimbursement due pursuant to this subsection D shall be computed on the basis of the following formula together with interest on such amount at the rate of two percent (2%) per annum, simple interest, from the date of the completion of the improvement by the prior subdivider/developer or his payment to the city pursuant to subsection C of this section to the date of payment hereunder by the subsequent subdivider/developer:

Total cost of improvement to first subdivider/developer	x	Number of feet of roadway/utility improved by first subdivider/developer which are adjacent to parcel of subsequent subdivider/developer
Number of feet of roadway/utility improved by first subdivider/developer		

SECTION THREE: That Article VI, Chapter 17, Section 17.702.D.4. be and is hereby amended as follows:

4. Duty To Reimburse The City: When any subdivider/developer would be required to improve any thoroughfare and/or utility pursuant to subsection B of this section except for the fact that such thoroughfare and/or utility has previously been improved by the city, solely as reimbursement for such improvement, said subdivider/developer shall be required to pay an amount as determined by the following formula together with interest on such amount at the rate of two percent (2%) per annum, simple interest, from the date of the completion of the improvement by the prior subdivider/developer or his payment to the city pursuant to subsection C of this section to the date of payment hereunder by the subsequent subdivider/developer:

Total cost to city of improving thoroughfare/utility for length of subdivider/developer's parcel fronting on and abutting said thoroughfare	x	1/2
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SECTION FOUR: That Article VI, Chapter 17, Section 17.702.D.6. be and is hereby added as follows:

6. Time Limitation on Reimbursement: No subdivider or developer required to improve a thoroughfare or utility pursuant to subsection B of this section shall be entitled to any reimbursement for expenses for such improvement, or payments pursuant to subsection C of this section attributable thereto, from any subsequent subdivider or developer after a period of ten (10) years have passed since the date of the completion of the improvement or his payment to the city pursuant to subsection C of this section.

SECTION FIVE: That the City Clerk of the City of Wood Dale be and is directed hereby to publish this Ordinance in pamphlet form, pursuant to the statutes of the State of Illinois.

SECTION SIX: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

PASSED this 20 day of February, 2014

AYES: Aldermen Jakab, Lazzara, Susmarski, E. Wesley, and Woods

NAYS: None

ABSENT: Aldermen Catalano, R. Wesley, and Winger

APPROVED this 20 day of February, 2014

SIGNED: Annunziato Pulice
Annunziato Pulice, Mayor

ATTEST: Shirley J. Siebert
Shirley J. Siebert, City Clerk

Published in pamphlet form February 20, 2014.