

CHAPTER 14
FEES AND DEPOSITS

1-14-1: Reimbursement to the Village; Fees and Deposits:

- A. The Village President, or his or her designate, may, at their discretion, retain such professionals, experts, and/or consultants as either of them may deem necessary for a full and complete review and consideration of an application for any permit or approval required by this Code. Such professionals, experts and/or consultants may include but shall not be limited to: arborists, architects, attorneys, engineers, environmentalists, land planners, landscape architects, soil scientists, structural engineers, surveyors, wetland experts and such other professionals, experts or consultants as the Enforcement Officer deems necessary and the cost of such services shall be borne by the applicant as hereinafter provided.
- B. The applicant for any such permit or approval shall be obligated to reimburse the Village for all expenses incurred by the Village relative to his or her respective application for the services of any and all of the above-described professionals, experts and consultants.
- C. All such reimbursement shall be made to the Village prior to the issuance of the permit or approval in question or in the event such expenses cannot be finally ascertained, the applicant shall be required to deposit with the Village Treasurer such amounts reasonably necessary to pay the estimated amount of such expenses as determined by the Enforcement Officer. Any portion of such deposit not expended by the Village shall be refunded to the applicant or petitioner at such time as no further expenditures or charges by the Village are reasonably anticipated.
- D. If any applicant fails to comply with any of the foregoing provisions, the Village, in addition to such other remedies as provided by law or the provisions of this Code and the other applicable ordinances of this Village and/or any officer, employee, board, committee or commission thereof:
 - (i) Refuse to process any application for any permit or approval.
 - (ii) Refuse to make inspections as otherwise required; and/or
 - (iii) Refuse to issue any applicable permits.

In addition to the foregoing remedies, and not by way of limitation, the Village may bring any action at law to collect any amounts due under any of the foregoing provisions.

1-14-2: Fees, Deposits for Annexation, Plat Approval, and Zoning Relief:

- A. Fees for Appeals and Variations. Petitions to appeal from a decision of the Building Officer and petitions for a zoning variation must be accompanied by a fee of One Hundred Fifty Dollars (\$150.00), plus Twenty-Five Dollars (\$25.00) for each acre or portion thereof over five (5) acres within the subject property, but in no case greater than Three Hundred Dollars (\$300.00).
- B. Deposits for Other Petitions.
1. Any application for subdivision plat approval, whether preliminary or final approval is sought, any petition for annexation, any petition for a special use, any petition for an amendment to the text of the Village Zoning Ordinance or to the Village Zoning Map, or any combination of any of the foregoing, when filed, must be accompanied by a deposit into a non-interest bearing, non-segregated account held by the Village Treasurer, the minimum initial deposit of which shall be determined by the following formula: One Thousand Five Hundred Dollars (\$1,500.00) plus One Hundred Dollars (\$100.00) per acre or fraction thereof within the subject property, unless such deposit is reduced by action of the Board of Trustees.
 2. The Village may, at its discretion, retain such professionals, experts, and/or consultants as it deems necessary for a full and complete review and consideration of any application or petition. Such professionals, experts and/or consultants may include but shall not be limited to attorneys, engineers, land planners, environmentalists, conservationists, arborists, architects, landscape architects, surveyors, soil experts, court reporters, and such other professionals, experts or consultants as the Village deems necessary and the cost of such services shall be borne by the petitioner or application as hereinafter provided.
 3. The applicant or petitioner, as the case may be, shall be obligated to reimburse the Village for all expenses incurred by the Village relative to the respective application or petition, including but not limited to fees for the services of any and all of foregoing professionals, experts and consultants relative to the respective petition and/or application as well as charges for the publication of legal notices, recording secretaries and/or court reporters.
 4. The funds deposited in such account shall be used by the Village for the payment of such expenses in the event that the applicant or petitioner fails to make payment to the Village for such reimbursement at least twenty-four (24)

hours before the commencement of the next scheduled hearing or meeting of the Village on the matter or thirty (30) days from the date on which billing is mailed to the applicant or petitioner, whichever is sooner. The obligation of the applicant or petitioner to reimburse the Village shall not be limited by the amount on deposit from time to time. Any portion of such deposit not expended by the Village shall be refunded to the applicant or petitioner at such time as no further expenditures or charges by the Village are reasonably anticipated.

C. Additional Deposits May Be Required. Where it appears from the initial public hearing that the proposed project will involve additional expenditures by the Village, the applicant or petitioner shall be required to deposit with the Village Treasurer such additional amounts reasonably necessary to pay the estimated amount of such expenses and charges. Such deposits shall be made or increased from time to time as reasonably required by the Village but any such additional deposit shall be made not less than twenty-four (24) hours before the commencement of the next hearing or meeting by the Village on the matter or thirty (30) days from the date on which any written request by the Village for such additional deposit is mailed to the petitioner or applicant, whichever is sooner. Any portion of such deposit not expended by the Village shall be refunded to the applicant or petitioner at such time as no further expenditures or charges by the Village of Holiday Hills are reasonably anticipated.

D. Remedies Upon Non-Compliance. If any applicant or petitioner fails to comply with any of the foregoing provisions, the Village, in addition to such other remedies as provided by law or the provisions of this Code and the other applicable ordinances of this Village and/or any officer, employee, board, committee or commission thereof may refuse:

1. To process applications for permits;
2. To make inspections as otherwise required;
3. To issue any applicable permits; and/or
4. To commence or further conduct hearings or meetings on the matter or matters proposed by the applicant or petitioner if the applicant or petitioner has failed to comply with this Code at least twenty-four (24) hours prior to the scheduled hearing or meeting.

In addition to the foregoing remedies, and not by way of limitation, the Village may bring any action at law to collect any amounts due under any of the foregoing provisions.