

VILLAGE OF BRADLEY

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ORDINANCE NO. 0-09-23-04

AN ORDINANCE REPEALING ORDINANCE NO. O-3-05-1 OF THE VILLAGE OF  
BRADLEY, KANKAKEE COUNTY, ILLINOIS

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ADOPTED BY THE  
BOARD OF TRUSTEES OF THE  
VILLAGE OF BRADLEY

THIS 25 DAY OF September, 2023

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Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley,  
Kankakee County, Illinois this 25 day of Sept, 2023

ORDINANCE NO. 0-09-2304

**AN ORDINANCE REPEALING ORDINANCE NO. O-3-05-1 OF THE VILLAGE OF  
BRADLEY, KANKAKEE COUNTY, ILLINOIS**

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**WHEREAS**, the Corporate Authorities of the Village of Bradley, Kankakee County, Illinois, have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

**WHEREAS**, on March 14, 2005, the Corporate Authorities of the Village of Bradley adopted Ordinance No. O-3-05-1, entitled “An Ordinance Establishing Impact Fees for the Provision of Land and School Buildings” (the “Impact Fee Ordinance) (a copy of the Impact Fee Ordinance is attached hereto as Exhibit A and fully incorporated herein); and

**WHEREAS**, the Corporate Authorities of the Village have reviewed said Impact Fee Ordinance and have determined that at the present time the impact fees imposed thereby are not necessary and appropriate for the orderly development of the Village; however, the Corporate Authorities reserve the right to re-enact such an ordinance as determined to be necessary in the future; and

**WHEREAS**, the Corporate Authorities have determined that it is necessary, expedient, and in the best interests of the Village and its citizens to repeal the Impact Fee Ordinance as of the effective date of this Ordinance.

**NOW THEREFORE, BE IT ORDAINED BY THE CORPORATE AUTHORITIES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:**

**SECTION 1.** The Corporate Authorities hereby find that all of the recitals contained in the preamble to this Ordinance are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

**SECTION 2.** Village of Bradley Ordinance No. O-3-05-1 (Exhibit A) is hereby repealed and rescinded and shall be of no further force and effect in the Village of Bradley, as of the effective date of this Ordinance.

**SECTION 3.** In the event that any provision or provisions, portion or portions, or clause or clauses of this Ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

**SECTION 4.** That all ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Ordinance, are hereby repealed to the extent of the conflict.

**SECTION 5.** That the Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

**SECTION 6.** That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

**PASSED** by the Board of Trustees on a roll call vote on the 25 day of Sept, 2023.

**TRUSTEES:**

RYAN LEBRAN	Aye - <u>X</u>	Nay - <u>    </u>	Absent - <u>    </u>
BRIAN BILLINGSLEY	Aye - <u>X</u>	Nay - <u>    </u>	Absent - <u>    </u>
DARREN WESTPHAL	Aye - <u>X</u>	Nay - <u>    </u>	Absent - <u>    </u>
BRIAN TIERI	Aye - <u>X</u>	Nay - <u>    </u>	Absent - <u>    </u>
GRANT D. VANDENHOUT	Aye - <u>X</u>	Nay - <u>    </u>	Absent - <u>    </u>
GENE JORDAN	Aye - <u>X</u>	Nay - <u>    </u>	Absent - <u>    </u>

**VILLAGE PRESIDENT:**

MICHAEL WATSON      Aye -           Nay -           Absent -     

**TOTALS:**              Aye - 6      Nay - 0      Absent - 0

**ATTEST:**

  
\_\_\_\_\_  
JULIE TAMBLING, VILLAGE CLERK

**APPROVED** this 25 day of Sept., 2023.

  
\_\_\_\_\_  
MICHAEL WATSON, VILLAGE PRESIDENT

**ATTEST:**

  
\_\_\_\_\_  
JULIE TAMBLING, VILLAGE CLERK

STATE OF ILLINOIS            )  
  )       §§  
COUNTY OF KANKAKEE    )

I, Julie Tambling, Village Clerk of the Village of Bradley, County of Kankakee and State of Illinois, DO HEREBY CERTIFY that the attached is a true, perfect, and complete copy of Ordinance number 009-23-04 "AN ORDINANCE REPEALING ORDINANCE NO. O-3-05-1 OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS," which was adopted by the Village Corporate Authorities at a meeting held on the 25 day of Sept, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 25 day of Sept, 2023.

Julie Tambling  
\_\_\_\_\_  
JULIE TAMBLING, VILLAGE CLERK

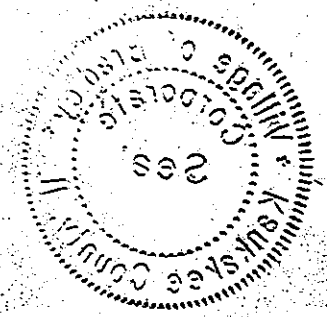


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**Exhibit A**  
**(Ordinance No. O-3-05-1)**

VILLAGE OF BRADLEY

ORDINANCE NO. O-3-05-1


**AN ORDINANCE ESTABLISHING IMPACT FEES FOR THE  
PROVISION OF LAND AND SCHOOL BUILDINGS**

ADOPTED BY THE  
BOARD OF TRUSTEES  
VILLAGE OF BRADLEY

This 14 day of MARCH, 2005

Published in pamphlet form by authority of the Board of Trustees of the Village of  
Bradley, Kankakee County, Illinois, this 14 day of  
MARCH, 2005.

CERTIFICATE:



Michael J. LaGessee, Village Clerk

**ORDINANCE NO. O-3-05-1**

**AN ORDINANCE ESTABLISHING IMPACT FEES FOR THE  
PROVISION OF LAND AND SCHOOL BUILDINGS**

WHEREAS, 65 ILCS 5/11-12-5 authorizes the Village of Bradley to implement its comprehensive plan through ordinance providing for impact fees, specifically and uniquely attributed to development, for the provision of school grounds, including land and buildings and other infrastructure; and

WHEREAS, Bradley-Bourbonnais Community High School District No. 307, St. George Elementary School District No. 258, Bradley Elementary School District No. 61 and Bourbonnais School District No. 53 have provided the Village with studies by Ehlers and Associates, Inc. setting forth the cost of land, buildings and other infrastructure necessitated and specifically and uniquely attributed to the development of subdivisions.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BRADLEY, as follows:

SECTION 1: That the Village of Bradley does hereby find that the impact fees set out hereinafter are supported by the data of studies provided by the impacted school districts within the Village of Bradley, Kankakee County, Illinois.

SECTION 2: That as a condition of the issuance of an occupancy permit for residential housing in the Village of Bradley, the applicant shall pay an impact fee as authorized by 65 ILCS 11/12-5 at the office of Bradley-Bourbonnais Community High School District No. 307 which District



shall act as the collecting agent for impact fees imposed hereby for itself and the impacted grade school district and supply proof of said payment to the Building Standards Department as a condition of the issuance of an occupancy permit. The impact fees shall consist of land acquisition fees as shown on schedule A attached hereto and capital cost fees as shown on schedule B attached hereto for a combined cost as shown on schedule C attached hereto.

**SECTION 3: Annual Adjustments.**

Beginning in 2009 the impact fees as set out above shall be annually increased at the rate of 4% per year.

**SECTION 4: School districts to provide indemnification/inter-governmental agreement.**

It shall be a condition of the receipt of impact fees paid directly to the impacted school district pursuant to the terms of this ordinance and accepted by the school district, that the benefited school district shall enter an inter-governmental agreement with the Village of Bradley upon terms and conditions acceptable to the Village of Bradley. The inter-governmental agreement shall include the total and unconditional waiver of any claim or cause of action by legal proceeding or otherwise, against the Village of Bradley for any claim arising out of this ordinance including but not limited to claims that proper fees were not collected, the fee amount was insufficient or that the Village of Bradley is in some way responsible for damages to the impacted school district including but not limited to claims that occupancy permits were granted without the proper fee being paid to the school district. Liability for any cause of action for impact fees due to the impacted school district shall be solely the responsibility of the applicant for the occupancy permit.

Furthermore the inter-governmental agreement between the Village of Bradley and the impacted school district shall include an indemnification agreement with the school district indemnifying the Village of Bradley from any damages to any third parties claimed by such third parties and the school district shall hold harmless and defend the Village of Bradley from any and all such claims of liability arising out of this impact fee ordinance, including but not limited to causes of action questioning the legality or illegality of this impact fee ordinance.

**SECTION 5: Applicability.**

The impact fees imposed by this ordinance shall be applicable to all lots in subdivisions the final plats for which are approved after the effective date of this Ordinance.

**SECTION 6: Annexation Agreement.**

Every annexation agreement entered into by the Village of Bradley hereafter shall contain a provision that the petitioner agree to the validity of the provisions of this Ordinance and the impact fees imposed by it, including but not limited to the fact that they are proper and lawful. No land shall be annexed to the Village of Bradley without this provision.

All existing Ordinances of the Village of Bradley are hereby repealed insofar as they may be inconsistent with the provisions of this Ordinance. In addition this Ordinance specifically repeals *ORDINANCE NO. 0-1-05-2* entitled *AN ORDINANCE ESTABLISHING IMPACT FEES FOR THE PROVISION OF LAND AND SCHOOL BUILDINGS.*

The Clerk of the Village of Bradley shall certify to the adoption of this Ordinance and shall cause it to be published in pamphlet form and this Ordinance shall take effect upon its approval and publication in pamphlet form as so certified.

PASSED this 14 day of MARCH, 2005.

TRUSTEES:

Robert O. Martin:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Robert Redmond:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Bruce Adams:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Dennis Coy:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Caryl Wadley-Foy:	Aye - <input type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input checked="" type="checkbox"/>
Lori Gadbois:	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
Jerry Balthazor:	Aye - <input type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
TOTALS:	AYE - <u>5</u>	NAY - <u>0</u>	ABSENT - <u>1</u>

APPROVED this 14 day of MARCH, 2005.



Bruce Adams, President Pro-Tem of the Board of Trustees of the Village of Bradley

ATTEST:

  
Michael J. LaGesse, Village Clerk

## SCHOOL IMPACT FEES

### A. Land Acquisition (based on land value of \$25,000/acre)

Type of Unit	Elementary Grades K-5		Elementary Grades 6-8		Elem/Jr. High Grades K-8		High School Grades 9-12		Unified District Grades K-12	
	Students	Fee	Students	Fee	Students	Fee	Students	Fee	Students	Fee
<b>Detached Single Family</b>										
2 Bedrooms or Less	0.136	\$85	0.048	\$45	.184	\$130	0.020	\$20	.204	\$150
3 Bedrooms	0.369	\$231	0.173	\$162	.542	\$393	0.184	\$184	.726	\$577
4 or More Bedrooms	0.530	\$331	0.298	\$279	.828	\$610	0.360	\$360	1.188	\$970
<b>Attached Single Family</b>										
2 Bedrooms or Less	0.088	\$55	0.048	\$45	.136	\$100	0.038	\$38	.174	\$138
3 Bedrooms	0.234	\$146	0.058	\$53	.292	\$199	0.059	\$59	.351	\$396
4 or More Bedrooms	0.322	\$201	0.154	\$144	.476	\$345	0.173	\$173	.644	\$518
<b>Apartments/Condos</b>										
2 or Less Bedrooms	0.086	\$54	0.042	\$39	.128	\$93	0.046	\$46	.174	\$139
3 or More Bedrooms	0.234	\$146	0.123	\$115	.357	\$261	0.118	\$118	.475	\$379

*Source: Illinois School Consulting Service © 1996*

## SCHOOL IMPACT FEES

### B. CAPITAL COST FEE

	Elementary Grades K-8				High School Grades 9-12				Unit District Grades K-12			
	2005	2006	2007	2008	2005	2006	2007	2008	2005	2006	2007	2008
<b>Detached Single Family</b>												
<b>2 Bedrooms or Less</b>	\$604	\$628	\$653	\$679	\$104	\$108	\$113	\$117	\$708	\$736	\$766	\$796
<b>3 Bedrooms</b>	\$2,593	\$2,697	\$2,805	\$2,917	\$1,170	\$1,217	\$1,265	\$1,316	\$3,763	\$3,914	\$4,070	\$4,233
<b>4 or More Bedrooms</b>	\$3,476	\$3,615	\$3,760	\$3,910	\$1,164	\$1,211	\$1,259	\$1,310	\$4,640	\$4,826	\$5,019	\$5,220
<b>Attached Single Family</b>												
<b>2 Bedrooms or Less</b>	\$646	\$672	\$699	\$727	\$192	\$200	\$208	\$216	\$838	\$872	\$907	\$943
<b>3 Bedrooms</b>	\$1,070	\$1,113	\$1,158	\$1,204	\$330	\$342	\$356	\$371	\$1,400	\$1,455	\$1,514	\$1,575
<b>4 or More Bedrooms</b>	\$1,705	\$1,773	\$1,844	\$1,918	\$864	\$899	\$935	\$972	\$2,569	\$2,672	\$2,779	\$2,890
<b>Apartments/Condos</b>												
<b>2 Bedrooms or Less</b>	\$458	\$477	\$496	\$515	\$218	\$227	\$236	\$246	\$677	\$704	\$732	\$761
<b>3 or More Bedrooms</b>	\$1,317	\$1,370	\$1,425	\$1,481	\$603	\$627	\$652	\$679	\$1,920	\$1,997	\$2,077	\$2,160

## SCHOOL IMPACT FEES

### C. TOTAL COMBINED FEE

Total Fee to be paid is the Land Acquisition fee Plus Capital Cost Fee

	Elementary Grades K-8				High School Grades 9-12				Unit District Grades K-12			
	2005	2006	2007	2008	2005	2006	2007	2008	2005	2006	2007	2008
<b>Detached Single Family</b>												
	\$ 604	\$ 628	\$ 653	\$ 679	\$ 104	\$ 108	\$ 113	\$ 117	\$ 708	\$ 736	\$ 766	\$ 796
	\$ 130	\$ 130	\$ 130	\$ 130	\$ 20	\$ 20	\$ 20	\$ 20	\$ 150	\$ 150	\$ 150	\$ 150
<b>2 Bedrooms or Less</b>	\$ 734	\$ 758	\$ 783	\$ 809	\$ 124	\$ 128	\$ 133	\$ 137	\$ 858	\$ 886	\$ 916	\$ 946
	\$2,593	\$2,697	\$2,805	\$2,917	\$1,170	\$1,217	\$1,265	\$1,316	\$3,763	\$3,914	\$4,070	\$4,233
	\$ 393	\$ 393	\$ 393	\$ 393	\$ 184	\$ 184	\$ 184	\$ 184	\$ 577	\$ 577	\$ 577	\$ 577
<b>3 Bedrooms</b>	\$2,986	\$3,090	\$3,198	\$3,310	\$1,354	\$1,401	\$1,449	\$ 150	\$4,370	\$4,491	\$4,647	\$4,810
	\$3,476	\$3,815	\$3,760	\$3,910	\$1,164	\$1,211	\$1,259	\$1,310	\$4,640	\$4,826	\$5,019	\$5,220
	\$ 610	\$ 610	\$ 610	\$ 610	\$ 360	\$ 360	\$ 360	\$ 360	\$ 970	\$ 970	\$ 970	\$ 970
<b>4 or More Bedrooms</b>	\$4,086	\$4,225	\$4,370	\$4,520	\$1,524	\$1,571	\$1,619	\$1,670	\$5,610	\$5,796	\$5,989	\$6,190
<b>Attached Single Family</b>												
	\$ 646	\$ 672	\$ 699	\$ 727	\$ 192	\$ 200	\$ 208	\$ 216	\$ 838	\$ 872	\$4,907	\$ 943
	\$ 100	\$ 100	\$ 100	\$ 100	\$ 38	\$ 38	\$ 38	\$ 38	\$ 138	\$ 138	\$ 138	\$ 138
<b>2 Bedrooms or Less</b>	\$ 746	\$ 772	\$ 799	\$ 827	\$ 230	\$ 238	\$ 246	\$ 254	\$ 976	\$1,010	\$1,045	\$1,081
	\$1,070	\$1,113	\$1,158	\$1,204	\$ 330	\$ 342	\$ 356	\$ 371	\$1,400	\$1,455	\$1,514	\$1,575
	\$ 199	\$ 199	\$ 199	\$ 199	\$ 59	\$ 59	\$ 59	\$ 59	\$ 396	\$ 396	\$ 396	\$ 396
<b>3 Bedrooms</b>	\$1,269	\$1,312	\$1,357	\$1,403	\$ 389	\$ 401	\$ 415	\$ 430	\$1,796	\$1,851	\$1,910	\$1,971
	\$1,705	\$1,773	\$1,844	\$1,918	\$ 864	\$ 899	\$ 935	\$ 972	\$2,569	\$2,672	\$2,779	\$2,890
	\$ 345	\$ 345	\$ 345	\$ 345	\$ 173	\$ 173	\$ 173	\$ 173	\$ 518	\$ 518	\$ 518	\$ 518
<b>4 or More Bedrooms</b>	\$2,050	\$2,118	\$2,189	\$2,263	\$1,037	\$1,072	\$1,108	\$1,145	\$3,087	\$3,190	\$3,297	\$3,408
<b>Apartments/Condos</b>												
	\$ 458	\$ 477	\$ 496	\$ 515	\$ 218	\$ 227	\$ 236	\$ 246	\$ 677	\$ 704	\$ 732	\$ 761
	\$ 93	\$ 93	\$ 93	\$ 93	\$ 46	\$ 46	\$ 46	\$ 46	\$ 139	\$ 139	\$ 139	\$ 139
<b>2 Bedrooms or Less</b>	\$ 551	\$ 568	\$ 589	\$ 608	\$ 264	\$ 273	\$ 282	\$ 292	\$ 816	\$ 843	\$ 871	\$ 900
	\$1,317	\$1,370	\$1,425	\$1,481	\$ 603	\$ 627	\$ 652	\$ 679	\$1920	\$1997	\$2077	\$2160
	\$ 261	\$ 261	\$ 261	\$ 261	\$ 118	\$ 118	\$ 118	\$ 118	\$ 379	\$ 379	\$379	\$379
<b>3 or More Bedrooms</b>	\$1,578	\$1,631	\$1,686	\$1,742	\$ 721	\$ 745	\$ 770	\$ 797	\$2299	\$2376	\$2456	\$2539