

**ORDINANCE ADOPTING A VILLAGE FEE AND PENALTY SCHEDULE AND  
ELIMINATING INCONSISTENT OR DUPLICATIVE FEES AND PENALTIES RELATED  
TO ZONING MATTERS AND VEHICLE OVERWEIGHT REGULATIONS**

**WHEREAS**, the Village of Barrington Hills (hereinafter the "Village") is an Illinois home rule municipality pursuant to Article VII, Section 6, of the Illinois Constitution and is empowered by the Illinois Constitution to enact all constitutional ordinances, resolutions and motions and to exercise any power and perform any function pertaining to the Village's local government and affairs, subject to any express limitation provided by the Illinois General Assembly in the manner provided in Article VII, Section 6 of the Illinois Constitution; and

**WHEREAS**, accordingly, the Village is authorized and empowered to establish fees related to the cost and expense of services rendered by the Village and its consultants, including but not limited to review, evaluation, and resolution of applications for permits and zoning relief; and

**WHEREAS**, the Village has previously determined that it is in the best interests of the Village and its residents that the burden of such costs and expenses should be borne by the applicant seeking such permits and zoning relief and not by the Village or the general public and the Village has provided for such fees in various provisions of the Village Code and by resolution; and

**WHEREAS**, the Village is additionally authorized to provide for penalties for violations of the Village regulations and the Village has established and provided for such penalties in various provisions of the Village Code; and

**WHEREAS**, consistent with the recent practice of other Illinois municipalities, the Village has determined that it is in the best interest to begin the process of implementing a comprehensive Village fee and penalty schedule that will provide for a comprehensive listing of all Village fees and penalties, including but not limited to fees for review, evaluation, and resolution of applications for permits and zoning relief and penalties for violations of various provisions of the Village Code; and

**WHEREAS**, such practice provides a quick and accessible manner of obtaining information on applicable fees and penalties, without having to perform an exhaustive Village Code review; and

**WHEREAS**, the President and Village Board of Trustees have determined that approval of the Village fee and penalty schedule providing for fees related to zoning relief matters and penalties for the violation of vehicle overweight regulations attached hereto as Exhibit A is in the best interests of the Village and its residents so as to begin the process of implementing a comprehensive listing of all Village fees and associated with services rendered by the Village and its consultants and penalties associated with violations of Village regulations.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Barrington Hills, a home rule community located in Cook, Kane, Lake, and McHenry Counties, Illinois, duly assembled at a regular meeting, as follows:

**SECTION ONE:** The forgoing recitals are hereby incorporated by reference as if fully set forth herein.

**SECTION TWO:** Section 1-1-6 of Title 1, Chapter 1 is hereby established and shall provide:

**Section 1-1-6: FEE AND PENALTY SCHEDULE:**

The Village Clerk for the Village shall maintain a Village Fee and Penalty Schedule, as amended from time to time by Ordinance, which schedule shall be made available for public inspection and shall be published on the Village website. In the event there exists an express conflict between the Village Fee and Penalty Schedule and any provision of this Code, the Village Fee and Penalty Schedule shall take precedence and control.



**SECTION THREE:** The Village Fee and Penalty Schedule providing for certain Village fees and penalties attached hereto and incorporated herein as Exhibit A is hereby established and approved.

**SECTION FOUR:** Village Resolution 20-09 providing for fees related to zoning matters is hereby repealed and replaced by the fees provided in the Village Fee and Penalty Schedule.

**SECTION FIVE:** Section 9-9-4 shall be amended by deleting in its entirety and replacing with:

**Section 9-9-4: PENALTY FOR VIOLATION OF WEIGHT REGULATIONS:**

(A) Any person, firm or corporation convicted of any violation of sections 9-2-6-2, "Axle Loads And Maximum Weights", and 9-2-6-3, "Temporary Prohibition Of Certain Classes Of Vehicles", of this title, including, but not limited to, a maximum axle or gross limit specified on a regulatory sign posted in accordance with section 9-2-6-3 of this title, shall be fined according to the Village Fee and Penalty Schedule on file with the Village Clerk.

(B) In addition any person, firm or corporation convicted of four (4) or more violations of section 9-2-6-2 or 9-2-6-3 of this title within any twelve (12) month period shall be fined an additional amount set forth in the Village Fee and Penalty Schedule, on file with the Village Clerk, for the fourth and each subsequent conviction within the twelve (12) month period. Provided, however, that with regard to a firm or corporation, a fourth or subsequent conviction shall mean a fourth or subsequent conviction attributable to any one employee-driver.

**SECTION SIX:** Section 9-9-5 shall be amended by deleting in its entirety and replacing with:

**Section 9-9-5: PENALTY FOR VIOLATION OF PROHIBITION OF THROUGH TRAFFIC:**

(A) Any person, firm or corporation convicted of any violation of section 9-2-7, "Prohibition Of Through Traffic On Village Highways", of this title, including, but not limited to, a maximum axle or gross limit specified on the regulatory sign posted in accordance with section 9-2-7 of this title, shall be fined according to the Village Fee and Penalty Schedule on file with the Village Clerk.

(B) In addition, any person, firm or corporation convicted of four (4) or more violations of section 9-2-7 of this title within any twelve (12) month period shall be fined an additional amount set forth in the Village Fee and Penalty Schedule, on file with the Village Clerk, for the fourth and each subsequent conviction within the twelve (12) month period. Provided, however, that with regard to a firm or corporation, a fourth or subsequent conviction shall mean a fourth or subsequent conviction attributable to any one employee-driver.

**SECTION SEVEN:** That all other ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are, to the extent of such conflict, expressly repealed.

**SECTION EIGHT:** That this Ordinance shall be in full force and effect from and after its passage, approval, and publication, as provided herein.

**SECTION NINE:** If any portion of this Ordinance is ruled or held to be unenforceable or invalid for any reason, the enforceability thereof shall not affect the remainder of the Ordinance, and the remainder of the Ordinance shall be construed as if not containing the particular provision and shall continue in full force, effect, and enforceability.



**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Barrington Hills, Illinois, this 24th day of February, 2025.

Ayes: 4 (Hoffmann, Hills, Strauss, Riff)  
Nays: 2 (Clarke, Ekstrom)  
Absent: 0

APPROVED:



Village President

ATTEST:



Village Clerk



**EXHIBIT A****FEE AND PENALTIES SCHEDULE**

Please be advised that in the event there exists an express conflict between this Village Fee and Penalty Schedule and any provision of Village Code, the Village Fee and Penalty Schedule shall take precedence and control. Please be further advised that in the event the Village Code provides for a fee or penalty for a subject matter not addressed in this Village Fee and Penalty Schedule, the Village Code shall take precedence and control.

**Enforcement and Penalties****Penalty for Violation of Weight Regulations**

<b>Pounds Overweight</b>	<b>Fine</b>
Up to and including 2,000	\$100.00 unless the overweight can be shifted or removed to conform to all legal weights
2,001 through 2,500	\$270.00
2,501 through 3,000	\$330.00
3,001 through 3,500	\$520.00
3,501 through 4,000	\$600.00
4,001 through 4,500	\$850.00
4,501 through 5,000	\$950.00
5,001 or more	The fine shall be computed by assessing \$1,500.00 for the first 5,000 pounds overweight and \$150.00 for each additional increment of 500 pounds overweight or fraction thereof

In addition any person, firm or corporation convicted of four (4) or more violations of section 9-2-6-2 or 9-2-6-3 of this title within any twelve (12) month period shall be fined an additional amount of two thousand five hundred dollars (\$2,500.00) for the fourth and each subsequent conviction within the twelve (12) month period. Provided, however, that with regard to a firm or corporation, a fourth or subsequent conviction shall mean a fourth or subsequent conviction attributable to any one employee-driver.



**Penalty for Violation of Prohibition of Through Traffic**

<b>Pounds Overweight</b>	<b>Fine</b>
Up to and including 2,000	\$50.00 unless the overweight can be shifted or removed to conform to all legal weights
2,001 through 2,500	\$100.00
2,501 through 3,000	\$150.00
3,001 through 3,500	\$200.00
3,501 through 4,000	\$250.00
4,001 through 4,500	\$300.00
4,501 through 5,000	\$350.00
5,001 through 5,500	\$400.00
5,501 through 6,000	\$450.00
6,001 through 6,500	\$500.00
6,501 or more	The fine shall be computed by assessing \$1,500.00 for the first 5,000 pounds overweight and \$150.00 for each additional increment of 500 pounds overweight or fraction thereof

In addition, any person, firm or corporation convicted of four (4) or more violations of section 9-2-7 of this title within any twelve (12) month period shall be fined an additional amount of two thousand five hundred dollars (\$2,500.00) for the fourth and each subsequent conviction within the twelve (12) month period. Provided, however, that with regard to a firm or corporation, a fourth or subsequent conviction shall mean a fourth or subsequent conviction attributable to any one employee-driver.



### **Zoning Fee Schedule**

Appeal*	\$1,000
Text Amendment*	\$1,500
Variation*	\$1,000
Map Amendment-Any District-Permitted Uses Only*	\$1,500
Special Uses*	\$1,500

**\*Additional Expense:**

The fee includes the initial review by staff and the village attorney, public notice (if applicable, 1 time), and Zoning Board Meeting (1 meeting); additional fees may be charged at the discretion of staff in the event an application is extensive, requires additional reviews beyond those stated or the application submitted is incomplete and requires multiple reviews. Additionally, the Zoning Board of Appeals and/or the Village Board may utilize the services of professional consultants for research, investigation, and professional opinion, for assistance in arriving at recommendations or decisions. The applicant whose request to the Zoning Board of Appeals or Village Board requires the use of such professional services shall reimburse the Village the reasonable cost it incurred for the services rendered by its consultants, within fourteen (14) days of transmission of the invoice by the Village or prior to the next meeting, whichever is sooner. The consultants shall bill for their services at the same hourly rate that they normally charge municipal clients. The Village consultants shall include but not be limited to the persons who provide the Village with advice in the fields of engineering, law, planning, traffic, design, and finance.