

AGENDA
COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE MEETING
203 W. DIGGINS ST.
JULY 16, 2024 – 6:30 pm

1. Roll Call
2. Public Comments
3. Impact Fees
4. Discussion Proposed South TIF District
5. Submit Petition to Planning & Zoning Commission for UDO Text Amendments
6. Adjudication Hearings
7. Strategic Vision
8. New Business
9. Adjourn



City of Harvard

Community Development Department
201 West Diggins Street - PO Box 310 – 60033 – 815-943-6468

To: Community Development Committee

From: Donovan Day, Community & Economic Development Director

CC: Lou Leone, City Administrator

Date: July 16, 2024

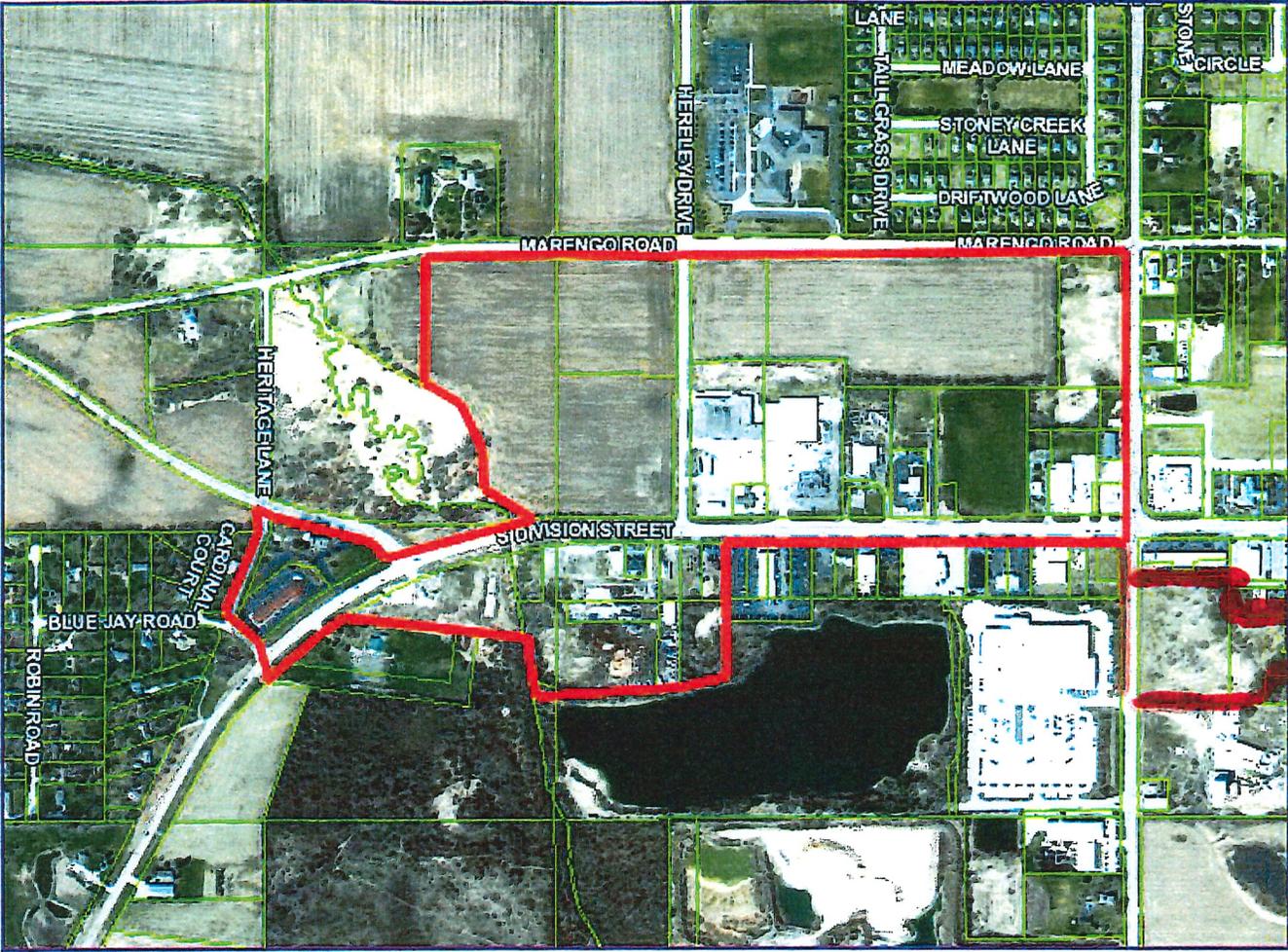
RE: Proposed South Tax Increment Finance District

Purpose and Action Requested

Staff is seeking Community Development Committee's consideration to create a Tax Increment Financing District (TIF) on the south side of town.

Background/Discussion

The gateway into Harvard on the south side of town along Route 14 is prime for redevelopment. During recent discussions with the new owners of the former Sullivans location/plaza, the owner inquired about the creation of a TIF to accommodate renovations they'd like to do, but would not be able to realize a return but for the assistance of a TIF. In looking at the area around the subject parcel, it makes sense to create a larger TIF to entice development and redevelopment. The attached map outlines the proposed TIF area. If the Community development Committee recommends approval to the City Council, staff will obtain an estimate from a consultant to assist the City in creating the new TIF.





City of Harvard

Community Development Department
201 West Diggins Street - PO Box 310 – 60033 – 815-943-6468

To: Community Development Committee

From: Donovan Day, Community & Economic Development Director

CC: Lou Leone, City Administrator

Date: July 16, 2024

RE: Discussion Regarding Amendments to the Unified Development Ordinance

Purpose and Action Requested

Staff is seeking Community Development Committee's consideration to file a petition and have a Public Hearing before the Planning & Zoning Commission to amend certain sections of the Unified Development Ordinance (UDO).

Background/Discussion

Harvard's Unified Development Ordinance was adopted on August 28, 2018 (Ordinance 2018-121). The intent of the UDO is to establish land use regulations to serve Harvard. Since its adoption, and up to 2023, there wasn't substantial growth with residential or commercial developments to put the UDO to practice. With residential development reignited in the Turtle Crossing, Oak Grove Crossing and Autumn Glen subdivisions, staff has found several sections of the UDO that are conflicting or need refinement.

- 1) There is conflict between the illustration depicted in Section 8.3.H and the text found in Sections 8.3.H 1-5 and A-D. There is a clarifying section in the UDO that specifies what to use when there is text and an accompanying illustration or graphic. Section 1.3.F states:

Any illustrations, graphics, and/or photos contained in this Ordinance are to assist the reader in understanding and applying the Ordinance. If there is any inconsistency between the text of the Ordinance and any such illustration, graphic, and/or photo, the text controls unless specifically stated otherwise.

Although 1.3.F states the text in the UDO is the guiding factor when reviewing plans, it makes sense to amend or remove the illustration to match or leave the text to avoid confusion.

- 2) Section 8.3.H.3 requires a 15% minimum transparency applied to an façade and is based on the entire area of the façade. Staff and builders have found this minimum requirement unnecessary and, in some cases, illogical because it would require windows to be installed primarily for aesthetics rather than functionality. In the majority of homes built since the adoption of the UDO this requirement hasn't been applied. Staff is recommending deleting this section entirely and keeping Section 8.3.H.2 which states: Windows, entrances, porches, or other architectural features are required on all street-facing facades to avoid the appearance of blank walls.

- 3) 5.1.E defines R-4 - Two-family Residential District as - The R-4 Two-Family Residential District would accommodate two-family dwellings on standard sized lots of 8,712 square feet.
Table 5-1 Residential Districts Dimensional Standards states the minimum lot area per dwelling is 6,000sqft. If the standard lot size for R-4 districts is 8,712 square feet then the minimum lot size per dwelling conflicts with the text. Staff recommends amending the Table to read the minimum lot size per dwelling is 4,356 square feet.

- 4) Section 11.5.E Decorative Metal Fencing requires that in any business district a four-foot-high decorative metal fence, painted black, shall be installed located one foot inside the parking lot. Under the accompanying illustration is further states: A decorative metal fence four feet high shall be installed within the landscape area one foot inside the parking lot. The requirement for the decorative metal fence applies only to parking lots in Business Districts. Staff is seeking direction on whether the Council would like to keep this requirement as it would create black metal fences around every new commercial business which may not look attractive over time. The UDO contains robust landscaping requirements that don't need additional features such as black metal fencing to make the parking lot visually appealing. If Council would like to keep the requirement, staff is recommending amending the section to allow for installation of fencing at a distance greater than one foot inside the parking lot to accommodate bumpers of vehicles extending beyond a curb and not hitting the fence.

- 5) Staff is recommending amending Section 9.6-Fences to add a requirement that the finished side of a fence must face out. Currently, residents are permitted to install a fence with the unfinished side of the fence faces in allowing for neighboring property owners to see the unfinished side of the fence.

ORDINANCE NO. 2024 -

AN ORDINANCE CREATING A CODE HEARING UNIT AND OTHER ACTIONS IN CONNECTION THEREWITH

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/1-2-1, provides that the corporate authorities of each municipality may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities, with such fines or penalties as may be deemed proper; and

WHEREAS, the City of Harvard (the “City”) is a municipal corporation and non-home rule unit of local government pursuant to the Constitution of the State of Illinois of 1970, as amended; and,

WHEREAS, pursuant to Division 2.1 of the Illinois Municipal Code, 65 ILCS 5/1-2.1-1 *et seq.*, the City is empowered to establish a Code Hearing Unit for the purposes outlined therein; and,

WHEREAS, the corporate authorities of the City believe that the creation of a Code Hearing Unit would provide the City with an efficient method for adjudicating alleged ordinance violations in a manner that is less costly to both the City and the accused, while providing the necessary due process protections for the accused, and doing so will allow the City to more efficiently protect the health, safety and general welfare of its residents; and,

WHEREAS, in furtherance of this belief, the corporate authorities have reviewed the proposed Chapter 28 of the City of Harvard Municipal Code (the “Harvard Municipal Code”), attached hereto and incorporated herein as *Exhibit A*; and,

WHEREAS, upon review of the same, the corporate authorities believe that this addition to the Harvard Municipal Code will accomplish the goals outlined herein; and,

WHEREAS, the corporate authorities of the City hereby state their belief that the amendment of the Harvard Municipal Code to add Chapter 28, as provided herein, is in the best interests of the City and its citizens; and,

WHEREAS, the corporate authorities of the City believe that an amendment to Chapter 1, Section 1.14, titled Settlement of Offenses, is in the best interests of the City and its citizens.

NOW, THEREFORE, be it ordained, by the Mayor and Aldermen of the City as follows:

Section 1. The foregoing recitals shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

Section 2. The corporate authorities wish to amend the Harvard Municipal Code and that same is hereby amended to include Chapter 28, as shown in the attached *Exhibit A*.

Section 3. The corporate authorities wish to amend the Harvard Municipal Code and that same, Chapter 1, Section 1.14(A), is hereby amended and replaced as shown in the attached *Exhibit B*.

Section 4. Repeal of Conflicting Provisions. All ordinances, resolutions, and policies or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of the conflict, expressly repealed on the effective date of this Ordinance.

Section 5. Severability. If any provision of this Ordinance or application thereof to any person or circumstances is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

Section 6. The clerk is directed by the corporate authorities to publish this Ordinance in pamphlet form. This Ordinance shall be in full force and effect after its passage and publication in accordance with 65 ILCS 5/1-2-4.

PASSED THIS _____ day of _____, 20_____.

AYES: _____
NAYS: _____
ABSTENTIONS: _____
ABSENT: _____

APPROVED THIS _____ day of _____, 20_____.

Mayor Michael P. Kelly

ATTEST:

City Clerk Lori Moller

Exhibit A

CHAPTER 28: CODE HEARING DEPARTMENT

§ 28.01. **Creation of a System of Administrative Adjudication**

The City of Harvard (the “City”) pursuant to Article I, Division 2.1 of the Illinois Municipal Code, 65 ILCS 5/1-2.1-1 *et seq.*, hereby establishes a system of administrative adjudication, subject to the limitations of this Chapter, that provides due process of law, including notice and an opportunity for a hearing for all affected persons. In the event a conflict between this Chapter and Article I, Division 2.1 of the Illinois Municipal Code exists, then the Illinois Municipal Code shall prevail.

§ 28.02. **Establishment of Code Hearing Unit.**

- (a) There is hereby established a Code Hearing Unit within the City that is responsible for conducting adjudicatory hearings, exercising the powers conferred in this Chapter and in the manner set out in this Chapter.
- (b) The Code Hearing Unit shall have jurisdiction to adjudicate all alleged violations of the Code, except for: (i) proceedings not within the statutory authority of the City; (ii) any offense under the Illinois Vehicle Code or a similar offense that is a traffic regulation governing the movement of vehicles; and, (iii) any reportable offense under Section 6-204 of the Illinois Vehicle Code.
- (c) The establishment of the Code Hearing Unit does not preclude the City from using other methods to enforce the provisions of its Code.
- (d) The Code Hearing Unit shall consist of one or more Hearing Officers, as that term is defined herein, and such other agents or employees assigned to assist the Hearing Officer by the City.

§ 28.03. **Definitions.**

For this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- (a) “Adjudicatory Hearings” means any hearing called by the Code Hearing Unit pursuant to this Chapter.
- (b) “Code” means the City of Harvard Municipal Code.
- (c) “Code Hearing Unit” is defined in Section 28.02, herein.
- (d) “Complaint” means a written pleading, filed with the Code Hearing Unit by an authorized official of the City, which alleges a violation of the Code.

- (e) “Final Administrative Order” is defined in Section 28.07, herein.
- (f) “Hearing Officer” means an agent of the City whose power and duty it is to:
 - (1) hear testimony and accept evidence that is relevant to the existence of an alleged violation of the Code;
 - (2) issue subpoenas directing witnesses to appear and give relevant testimony at the adjudicatory hearing, upon the request of the parties or their representatives;
 - (3) preserve and authenticate the record of the adjudicatory hearing and all exhibits and evidence introduced at the adjudicatory hearing;
 - (4) issue a determination, based on the evidence presented at the adjudicatory hearing, of whether or not a violation of the Code exists; and,
 - (5) impose penalties consistent with applicable provisions of the Code and assess costs upon finding a party liable for the charged violation, except, however, that in no event shall the Hearing Officer have authority to (i) impose a penalty of incarceration; or, (ii) impose a fine either in excess of \$50,000, or such other amount not to exceed the maximum amount established by the Mandatory Arbitration System as prescribed by the Rules of the Illinois Supreme Court from time to time for the judicial circuit in which the City is located. Any such fine imposed under this Chapter shall be exclusive of costs of enforcement or costs imposed to secure compliance with the Code and shall not be applicable to cases to enforce the collection of any tax imposed and collected by the City.
- (g) A “Non-Emergency Situation” means any situation that does not reasonably constitute a threat to the public interest, safety or welfare.

§ 28.04. Requirements of Hearing Officers.

- (a) Any attorney licensed to practice law in the State of Illinois for at least three years may be a Hearing Officer, provided that he or she complies with the provisions of this Section.
- (b) Prior to conducting adjudicatory hearings, Hearing Officers shall have successfully completed a formal training program which includes the following:
 - (1) instruction on the rules of procedure of the administrative hearings which they will conduct;
 - (2) Orientation to each subject area of the Code violations that they will adjudicate;
 - (3) Observation of administrative hearings; and,
 - (4) Participation in hypothetical cases, including ruling on evidence and issuing final orders.
- (c) A person who has served as a judge in Illinois is not required to fulfill the requirements of subsection (b), herein.

- (d) Any person seeking to be appointed as a Hearing Officer for the City must present evidence of his or her compliance with this Section to the corporate authorities, in such form as deemed appropriate by the corporate authorities.

§ 28.05. Proceedings for Adjudicatory Proceedings.

- (a) The filing of the Complaint shall serve to institute proceedings before the Code Hearing Unit. The Complaint may be signed by an attorney, peace officer, code enforcement officer, or personnel authorized by the Mayor or Community Development Director.
- (b) Parties shall be served with process in a manner reasonably calculated to give actual notice. For the purposes of this Chapter, “a manner reasonably calculated to give actual notice” shall mean, as appropriate, personal service of process upon a party, its employee or its agent; service by first-class mail at a party’s address; or notice that is posted upon the property where the alleged Code violation is found when the party is the owner or manager of the property. If the City requires the party to respond to the Complaint within a specified amount of time, the City shall file a reply with the Code Hearing Unit within the same amount of time afforded to the party responding to the Complaint.
- (c) Parties shall be given notice of any adjudicatory hearing. Said notice must, at a minimum, include: (i) the type and nature of the Code violation to be adjudicated; (ii) the date and location of the adjudicatory hearing; (iii) the legal authority and jurisdiction under which the adjudicatory hearing is to be held; and, (iv) the penalties for failure to appear at the adjudicatory hearing.
- (d) Parties shall be provided with an opportunity for an adjudicatory hearing during which they may be represented by counsel, present witnesses and cross-examine opposing witnesses. Parties may request the Hearing Officer to issue subpoenas to direct the attendance and testimony of relevant witnesses, as well as the production of relevant documents.
- (e) Adjudicatory hearings shall be scheduled with reasonable promptness, provided that for adjudicatory hearings scheduled in all non-emergency situations, if requested by the defendant, the defendant shall have at least 15 days after service of process to prepare for an adjudicatory hearing. If service is provided by mail, the 15-day period shall begin to run on the day that the notice is deposited in the mail.
- (f) No continuance shall be authorized by the Hearing Officer in proceedings under this Chapter except when necessary to protect the rights of the parties and for good cause shown. Lack of preparation shall not be grounds for a continuance.

§ 28.06. Hearing; Evidence.

The formal and technical rules of evidence shall not be applied in an adjudicatory hearing under this Chapter. The Hearing Officer may accept any evidence, including hearsay, if it is of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs.

§ 28.07. Findings, Decision and Order.

- (a) At the conclusion of the adjudicatory hearing, the Hearing Officer shall make a determination (the “Final Administrative Decision”), based on the evidence presented at the adjudicatory hearing, of whether or not a violation of the Code exists. The Final Administrative Decision shall be in writing and shall include a written finding of fact, decision and order including the fine, penalty or action with which the defendant must comply.
- (b) A copy of the Final Administrative Decision shall be served on the Parties within five days after issuance. The Final Administrative Decision shall be served in a manner allowed by Section 28.05(b), unless the parties agree to an alternative form of service.
- (c) Payment of any penalty or fine and the disposition of fine money shall be in the same manner as set forth in the Code.

§ 28.08. Review Under Administrative Review Law.

Any Final Administrative Decision by a Code Hearing Unit, that a Code violation does or does not exist, shall constitute a final determination for purposes of judicial review and shall be subject to review under the Illinois Administrative Review Law, 735 ILCS 5/3-101 *et seq.*

§ 28.09. Judgment on Findings, Decision and Order.

- (a) Any fine, other sanction or costs imposed, or part of any fine, other sanction or costs imposed, remaining unpaid after the exhaustion of or the failure to exhaust judicial review procedures under the Illinois Administrative Review Law are a debt due and owing the City and may be collected in accordance with applicable law.
- (b) After expiration of the period in which judicial review under the Illinois Administrative Review Law may be sought for a Final Administrative Decision of a Code violation, unless stayed by a court of competent jurisdiction, the findings, decision and order of the Hearing Officer may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.
- (c) In any case in which a defendant has failed to comply with a judgment ordering a defendant to correct a Code violation or imposing any fine or other sanction as a result of a Code violation, any expenses incurred by a City to enforce the judgment, including, but not limited to, attorney's fees, court costs and costs related to property demolition or foreclosure, after they are fixed by a court of competent jurisdiction or a Hearing Officer, shall be a debt due and owing the City and may be collected in accordance

with applicable law. Prior to any expenses being fixed by a Hearing Officer pursuant to this subsection, the City shall provide notice to the defendant that states that the defendant shall appear at a hearing before the Hearing Officer to determine whether the defendant has failed to comply with the judgment. The notice shall set the date for such a hearing, which shall not be less than seven days from the date that notice is served. If notice is served by mail, the seven-day period shall begin to run on the date that the notice was deposited in the mail.

- (d) Upon being recorded in the manner required by Article XII of the Code of Civil Procedure, 735 ILCS 5/12-101 *et seq.*, or by the Uniform Commercial Code, 810 ILCS 5/1-101 *et seq.*, a lien shall be imposed on the real estate or personal estate, or both, of the defendant in the amount of any debt due and owing the City under this Chapter. The lien may be enforced in the same manner as a judgment lien pursuant to a judgment of a court of competent jurisdiction.
- (e) A Hearing Officer may set aside any judgment entered by default and set a new hearing date, upon a petition filed within 21 days after the issuance of the order of default, if the Hearing Officer determines that the defendant's failure to appear at the adjudicatory hearing was for good cause or at any time if the defendant establishes that the City did not provide proper service of process. If any judgment is set aside pursuant to this subsection, the Hearing Officer shall have the authority to enter an order extinguishing any lien which has been recorded for any debt due and owing the City as a result of the vacated default judgment.

Exhibit B

A. Payments: Unless the Complaint, Notice, or similar document concerning matters in the Code Hearing Unit specifies that a court appearance is required, any of the following described offenses arising under the ordinances of the City of Harvard may be settled and compromised by the offender in the following manner: when settlement payment is made within seven days of the time a notice is delivered to the offender, settlement payment shall be those figures listed in Column A; when settlement payment is made within the eighth and 14th day of the time a notice is delivered to the offender, settlement payment shall be those figures listed in Column B. Nothing in this Section shall preclude the Hearing Officer from imposing a penalty between the minimum and maximum allowed by this Code.

| SECTION | OFFENSE | COLUMN A | COLUMN B |
|-----------|--|----------|----------|
| 21.15 A | Alcohol, allowing public consumption without a City license | 1,000.00 | 2,000.00 |
| 27.17 | Alcoholic liquor, transportation | 250.00 | 500.00 |
| 25.08 | Alcohol, closing hours | 250.00 | 500.00 |
| 25.18 | Alcohol, purchase, acceptance, etc. | 500.00 | 1,000.00 |
| 25.16 | Alcohol, public consumption | 100.00 | 200.00 |
| 15.04 | All Day Parking Permits | 25.00 | 50.00 |
| 12.01 | Animals at large | 100.00 | 200.00 |
| 12.02 | Animals, cruelty | 500.00 | 1,000.00 |
| 12.03 | Animal, dangerous/vicious, at large | 500.00 | 1,000.00 |
| 12.05 | Animals, housing | 100.00 | 200.00 |
| 5.01 | Architectural Review Commission, violation of | 250.00 | 500.00 |
| 6.01 | Barricades | 100.00 | 200.00 |
| 15.01 | Bicycles | 20.00 | 40.00 |
| 19.04 | Building permit schedule | 250.00 | 500.00 |
| 19.04 (G) | | Doubled | Tripled |
| 27.02 | Burning | 250.00 | 500.00 |

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|---------|---|---------|----------|
| 27.03 | Combustible refuse | 100.00 | 200.00 |
| 6.02 | Damage to Public Property | 250.00 | 500.00 |
| 27.20 | Defecation or urination in public | 100.00 | 200.00 |
| 11.13-C | Depositing Garbage | 25.00 | 50.00 |
| 2.05-E | Disturbing meetings | 500.00 | 1,000.00 |
| 12.04 | Dogs and cats (except 12.04-E) | 50.00 | 100.00 |
| 12.04 E | Dogs and cats, vicious dogs | 750.00 | 1,500.00 |
| 12.07 | Dogs, licensing, when no license the fee is | Doubled | Tripled |
| 19.15 | Driveway, Private Parking Lot | 100.00 | 200.00 |
| 19.15 | A Driveway, Private Parking Lot, no permit, permit fee is: | Doubled | Tripled |
| 6.03 | Encroachments | 50.00 | 100.00 |
| 19.03-9 | Exterior Maintenance | 100.00 | 200.00 |
| 27.05 | False alarm | 100.00 | 200.00 |
| 26.09 C | Fighting | 100.00 | 200.00 |
| 15.01 | Firefighting equipment, obstructing | 150.00 | 300.00 |
| 27.06 | Fireworks | 250.00 | 500.00 |
| 6.13-I | Fishing, no license | 75.00 | 150.00 |
| 27.07 | Gambling | 250.00 | 500.00 |
| 21.11 | Garage Sale | 50.00 | 100.00 |
| 11.13F | Storage of Garbage Receptacles | 25.00 | 50.00 |
| 11.13 | Garbage and Refuse | 100.00 | 200.00 |
| 5.01 | Harvard Historic Preservation, violation of | 250.00 | 500.00 |
| 15.01 | Horn, (motor vehicle, unlawful use) | 25.00 | 50.00 |
| 19.03-9 | House numbering (Exterior Structures, c) | 50.00 | 100.00 |
| 27.25 | Improper Consumption of Cannabis (410 ILCS 705/10-35-a-3) | 100.00 | 200.00 |
| 27.25 | Improper Possession of Cannabis (410 ILCS 705/10-35-a-2) | 250.00 | 500.00 |

| | | | |
|-----------|---|----------|----------|
| 27.09 | Indecent conduct | 250.00 | 500.00 |
| 11.09 | Inoperable vehicles | 100.00 | 200.00 |
| 11.13 H | Landscape Waste | 250.00 | 500.00 |
| 21.03 | License, amusement devices, the fee is | Doubled | Tripled |
| 19.05 | License, building | 50.00 | 100.00 |
| 22.03 | License, peddler/solicitor, the fee is | Doubled | Tripled |
| 21.07 | License, raffle, the fee is | Doubled | Tripled |
| 21.08 | License, outdoor markets, the fee is | Doubled | Tripled |
| 21.03 | License, vending, the fee is | Doubled | Tripled |
| 21.18 | Licensing second-hand articles drop-off containers | 250.00 | 500.00 |
| 11.03-K | Littering | 25.00 | 50.00 |
| 6.17 | Maintenance of ROW and Parkway | 50.00 | 100.00 |
| 15.14 | Metra Parking Lots | 25.00 | 50.00 |
| 11.08 | Motor vehicle, abandoned | 100.00 | 200.00 |
| 15.01 | Muffler required (15.01 12-602) | 75.00 | 150.00 |
| 27.04 | Noise (Except 27.04-D2g) | 100.00 | 200.00 |
| 27.04 D2g | Noise, Construction Traffic | 200.00 | 400.00 |
| 27.15-G1 | No smoking, person, corporation, etc. | 100.00 | 200.00 |
| 27.15-G1 | No smoking, individual | 100.00 | 200.00 |
| 27.15-G2 | No smoking, owner, operator, etc. first offense | 250.00 | 500.00 |
| 27.15-G2 | No smoking, owner, operator, etc. second offense within one calendar year of first violation | 500.00 | 1,000.00 |
| 27.15-G2 | No smoking, owner, operator, etc. third offense within one calendar year of first violation | 2,500.00 | 2,500.00 |
| 11.03 | Nuisance affecting health | 100.00 | 200.00 |
| 11.05 | Nuisance/peace, safety | 100.00 | 200.00 |
| 11.04 | Nuisance/plant, lawn, weed control | 50.00 | 100.00 |
| 6.04 | Obstructions, first offense | 50.00 | 100.00 |
| 6.04 | Obstructions, first and subsequent offense | 100.00 | 200.00 |

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|----------|---|---------|----------|
| 11.06 | Outdoor Lighting | 50.00 | 100.00 |
| 15.03 | Parking, 48 Hour Limit | 25.00 | 50.00 |
| 15.02 | Parking, General Provisions | 25.00 | 50.00 |
| 15.07 | Parking, Prohibitions | 25.00 | 50.00 |
| 15.06 | Parking, Resident | 25.00 | 50.00 |
| 15.09 | Parking, Snow Removal | 25.00 | 50.00 |
| 15.10 | Parking, Street Cleaning | 25.00 | 50.00 |
| 15.02 B | Parking, tree banks, front lawns | 25.00 | 50.00 |
| 15.05 | Parking, Two Hour Limit | 25.00 | 50.00 |
| 15.01 | Parking, unauthorized use of parking places reserved for persons with disabilities (15.01 11-1301.2) | 350.00 | 350.00 |
| 6.13 | Parks (except 6.13-F,G,I and J) | 50.00 | 100.00 |
| 6.13 F,G | Parks, Dogs | 100.00 | 200.00 |
| 15.01 | Pedestrians | 10.00 | 20.00 |
| 6.07 | Private use of public property | 50.00 | 100.00 |
| 19.01 D | Property Maintenance | 100.00 | 200.00 |
| 6.05 | Posting bills, utility poles | 15.00 | 30.00 |
| 27.14 | Posting bills | 50.00 | 100.00 |
| 19.03-8 | Required Outdoor Lighting | 100.00 | 200.00 |
| 19.10 | Residential Occupancy | 500.00 | 1,000.00 |
| 14.02 | Sign, Residential | 50.00 | 100.00 |
| 14.04 | Sign, B-1 | 50.00 | 100.00 |
| 14.05 | Sign, B-2 | 50.00 | 100.00 |
| 14.07 | Sign, M-1, B-P | 50.00 | 100.00 |
| 14.08 | Sign, non-conforming | 50.00 | 100.00 |
| 14.09 | Sign, off premises | 50.00 | 100.00 |
| 14.10 | Sign, temporary, portable | 50.00 | 100.00 |
| 14.11 | Signs permit | Doubled | Tripled |
| 14.12 | Signs, maintenance | 50.00 | 100.00 |

| | | | |
|---------|--|---------|----------|
| 15.15 | Skateboards | 20.00 | 40.00 |
| 6.08 | Snow | 50.00 | 100.00 |
| 15.19 | Snowmobiles | 75.00 | 150.00 |
| 27.16 | Tobacco Regulations | 50.00 | 100.00 |
| 6.09 | A Sump Pump Discharge, sanitary | 250.00 | 500.00 |
| 6.09 B | Sump Pump Discharge, other | 100.00 | 200.00 |
| 21.13 | Tobacco Sales License, the fee is | Doubled | Tripled |
| 27.16 D | Tobacco, selling to minors | 100.00 | 200.00 |
| 15.16 | Toy vehicles | 20.00 | 40.00 |
| 27.18 | Trespass | 100.00 | 200.00 |
| | UDO | 500.00 | 1,000.00 |
| 27.25 | Underage Possession of Cannabis (410 ILCS 705/10-15-b) | 100.00 | 200.00 |
| 15.01 | Vehicle Code violations other than those referenced in this Section | 25.00 | 50.00 |
| 15.17 | Vehicle Registration | 200.00 | 400.00 |
| 13B.02 | Water, emergency | 100.00 | 200.00 |
| 27.13 | Weapons (Offenses Against Public Peace, Safety and Morals) | 100.00 | 200.00 |
| 15.13 | Weights on Streets | 300.00 | 600.00 |



City of Harvard

Community Development Department
201 West Diggins Street - PO Box 310 – 60033 – 815-943-6468

To: Community Development Committee

From: Donovan Day, Community & Economic Development Director

CC: Lou Leone, City Administrator

Date: July 16, 2024

RE: Discussion Regarding the Creation of a Code Hearing Unit

Purpose and Action Requested

Staff is seeking Community Development Committee's consideration for the proposed Ordinance (attached) creating a Code Hearing Unit for the purposes of adjudicating various types of code and nuisance violations.

Background/Discussion

The proposed Ordinance is based on Article I, Division 2.1 of the Illinois Municipal Code and aims to streamline the enforcement and adjudication of local code violations while ensuring due process for all affected parties.

This system will be overseen by a newly created Code Hearing Unit, which will conduct hearings at City Hall and handle all code violations, except certain traffic offenses and specific reportable offenses. The ordinance defines critical terms and outlines the qualifications and training requirements for Hearing Officers, who must be licensed attorneys with at least three years of experience or former judges. The procedure for filing complaints, serving process, and notifying parties of hearings is detailed to guarantee that all parties receive fair notice and an opportunity to be heard. The ordinance also specifies that evidence accepted in hearings can be more flexible than formal court proceedings, allowing for practical and relevant information to be considered. At the conclusion of each hearing, a written Final Administrative Decision will be issued, outlining findings and any penalties. These decisions are subject to judicial review under the Illinois Administrative Review Law. Additionally, the ordinance provides mechanisms for enforcing unpaid fines and judgments, including the imposition of liens and the ability to set aside default judgments under certain conditions. This ordinance aims to streamline code enforcement while protecting the rights of individuals and maintaining legal integrity.

Strategic Vision topics relegated to the Committee and Selected Staff.

Administration:

- Invest in technology & website to improve data and access to inline services. (EEG)
- Launch a resident survey to inform the City's work & decision *making*. (EEG)
- Increase information available in Spanish along with translation supports (EEG)
- Review staffing matrix by department & succession planning model (EEG)
- Increase engagement with McHenry County Council of Government (EEG)
- Explore partnerships with neighboring communities to share resources (EEG)
- Improve communication with residents – explore PT communication person. (EEG)

Infrastructure: (See “Strong, Reliable Infrastructure”)

- Begin Street Improvements with new funding supported by taxpayers. (SRI)

Parks and Recreation:

- Review parks master plan and revise, replace as necessary. (P/R)
- Explore development of indoor space for recreation activities. (P/R)
- Explore development of self-sustaining facilities, e.g., soccer field/facility. (P/R)
- Complete existing park improvement with recently redirected funding support from taxpayers. (P/R).
- Create spaces for performance art or art displays, murals, sculptures. (AC)

Community Development:

- Review, revise, and adopt economic development plan (TE)
- Establish a best-practice business retention and development plan (TE)
- Improve policy to encourage development of existing subdivisions for middle income housing (HN)
- Develop a downtown master plan (VD)
- Improve incentives for downtown building improvements to encourage development of quality upper-story apartments, e.g. micro-TIFs (VD)
- Develop clear policies & practices for supporting cultural events (AC)

Mayor/City Administration:

- Safe Community
- Create regular programming & communication to support awareness and registration (P/R)
- Build partnerships with library, schools, and other program providers to coordinate programming and space use (P/R)

- Explore targeted business development (e.g. aviation, industrial park projects) (TE)
- Partner to build a business incubation program/space (TE)
- Explore incentives to encourage improvements to historical homes & neighborhoods (HN)
- Improve code enforcement to address properties in poor conditions and abandoned properties (HN)
- Complete a housing stock and residential land inventory to inform a residential development & housing plan (HN)
- Use data to inform small business recruitment/retention to downtown spaces (VD)

Council:

- Increase engagement with McHenry County Council of Government (EEG)
- Track progress milestones & share in communications to residents (EEG)
- Engage in County and regional planning and partnerships (TE)
- Establish a business & economic development advisory board to inform decisions and engage partners (TE)
- Establish an Arts & Culture commission or board to develop a plan. (AC)