RESOLUTION GRANT WAIVER OF THE PENALTY FEES FOR SELF-REPORTED AFTER-THE-FACT BUILDING PERMITS APPLIED FOR BETWEEN MAY 1, 2020 AND MAY 31, 2020

WHEREAS, the 40th annual Building Safety Month will take place in May 2020 and will focus on “Safer Buildings, Safer Communities, Safer World.”; and

WHEREAS, property owners in unincorporated McHenry County must obtain building permits through the McHenry County Department of Planning and Development which provides mechanisms to ensure the safe design and construction of structures; and

WHEREAS, property owners who are required to obtain after-the-fact building permits for construction projects that commenced without the necessary permits are subject to a 100% penalty fee, based on the Department of Planning and Development fee schedule as adopted by County Board Ordinance (O-201507-10-027); and

WHEREAS, Ordinance O-201507-10-027 requires County Board approval for all fee waivers and refunds; and

WHEREAS, waiving penalty fees during National Building Safety Month may encourage property owners to voluntarily obtain building permits for previous construction projects allowing review and inspection of the construction to ensure building safety for the current and future occupants, neighbors, and first responders; and

WHEREAS, the penalty fee waiver only applies to self-reported construction projects and does not apply to construction projects that are identified through the Planning and Development Department's standard compliance enforcement procedures;

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois hereby authorizes a waiver of the 100% of the penalty fee for all self reported after-the-fact building permits applied for between May 1, 2020 and May 31, 2020; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to distribute a certified copy of this resolution to the County Administrator, the Director of Finance, the Director of Planning and Development, and the County Clerk.

DATED at Woodstock, Illinois, this 16th day of March, A.D., 2020.

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Jack D. Franks, Chairman
McHenry County Board
ATTEST:

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Joseph J. Tirio, County Clerk
TO: McHenry County Board  
FROM: Dennis Sandquist  
DATE: March 16, 2020  
SUBJECT: Resolution Grant Waiver of the Penalty Fees for Self-Reported After-the-Fact Building Permits applied for between May 1, 2020 and May 31, 2020

**Board / Committee Action Requested:** Adopt the attached resolution authorizing the waiver of penalty fees for self reported after-the-fact building permits applied for between May 1, 2020 - May 31, 2020 in recognition of Building Safety Month.

**Background and Discussion:** On December 11, 2019 the International Code Council (ICC) announced that the 40th annual Building Safety Month will take place in May 2020 and will focus on "Safer Buildings, Safer Communities, Safer World." Building codes are essential for providing a strong and resilient built environment for the current and future occupants, neighbors, and first responders.

Prior to performing regulated construction in unincorporated McHenry County, property owners must apply for a building permit. The type and magnitude of work determines the applicable permit fee as listed in the Planning and Development Fee Schedule O-201507-10-027. Based on the adopted Fee Schedule, when work is conducted prior to obtaining a permit, a penalty fee is assigned, which doubles the base permit fee.

In order to encourage property owners to voluntarily obtain building permits for previous construction that commenced without a permit, Planning and Development staff propose waiving after the fact penalty fees during National Building Safety Month. The penalty fee waiver would alleviate some financial burden for the property owner, rectify issues that have life safety implications, and bring the property into compliance. The penalty fee waiver would only apply to self reported construction projects. Projects that are identified through the Department's standard compliance enforcement procedures would not be eligible for the fee waiver.

If the fee waiver resolution is approved, staff will highlight the penalty waiver in a County Board proclamation declaring May as McHenry County Building Safety Month and promote it through County press releases and social media.

**Impact on Human Resources:** None.

**Impact on Budget (Revenue; Expenses, Fringe Benefits):** This resolution will reduce penalty fee (fines) revenues. It will have no impact on expenses.

**Impact on Capital Expenditures:** None.

**Impact on Physical Space:** None.
Impact on Other County Departments or Outside Agencies: None.

Conformity to Board Ordinances, Policies and Strategic Plan: Approval of the fee waiver will conform with Board Ordinances and Policies. The Department of Planning and Development Fee Ordinance (O-2015-07-10-027) requires that County Board approval is required for all fee refunds and fee waivers.

HISTORY:
03/03/20 Planning, Environment & Development RECOMMENDED