

**VILLAGE OF VERNON HILLS
RESOLUTION 2023-029**

**A RESOLUTION REQUESTING STORMWATER MANAGEMENT COMMISSION
RECERTIFICATION OF THE VILLAGE OF VERNON HILLS**

WHEREAS, the County of Lake, pursuant to the powers granted to it by 55 ILCS 5/5-1062, adopted amendments to the Lake County Watershed Development Ordinance on July 11, 2023, establishing rules and regulations for floodplain and stormwater management throughout the County of Lake and superseding any less restrictive municipal rules and regulations therein; and

WHEREAS, the President and Board of Trustees of the Village of Vernon Hills have previously adopted Ordinances No. 2023-075, 2016-012, 2012-049, 2006-028, and 2000-083, which adopted by reference the Lake County Watershed Development Ordinances; and

WHEREAS, the President and Board of Trustees of the Village of Vernon Hills find it to be in the best interests of the Village of Vernon Hills to require all development to meet, at least, the minimum standards prescribed by the WDO to the fullest extent practicable; and

WHEREAS, the President and Board of Trustees desire to continue to retain the status of a Certified Stormwater Community; and

WHEREAS, the Village of Vernon Hills is required to be recertified every five years and hereby petitions for SMC Certification consistent with the attached PETITION FOR SMC CERTIFICATION.

NOW THEREFORE BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS, as follows:

SECTION 1: EXECUTION OF AGREEMENT. The Village President is hereby authorized to execute the Petition for SMC Certification as attached to this Resolution.

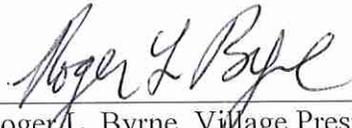
SECTION 2: EFFECTIVE DATE. This Resolution shall be in full force and effect upon its passage and approval by a majority of the members of the Village Board.

SECTION 3: RESOLUTION NUMBER: This Resolution shall be known as Resolution Number 2023-029.

Dated the 15th of August, 2023

Adopted by roll call votes as follows:

AYES: 6 – Oppenheim, Forster, Marquardt, Schenk, Koch, Byrne
NAYS: 0 - None
ABSENT AND NOT VOTING: 1 - Takaoka



Roger L. Byrne, Village President

PASSED: 08/15/2023
APPROVED: 08/15/2023
ATTEST: 08/15/2023



Kevin Timony, Village Clerk



**LAKE COUNTY STORMWATER MANAGEMENT COMMISSION
RE-CERTIFICATION CHECKLIST
ADOPTED January 6, 2023**

RE-CERTIFICATION CHECKLIST FOR THE COMMUNITY OF _____

PLEASE CHECK ALL BOXES THAT APPLY ON THE FOLLOWING ITEMS

A. COMMUNITY IS REQUESTING:

- Standard Certification
- Isolated Wetland Certification
- Fee-in-lieu of On-site Stormwater Storage (FIL50) Certification

B. COPIES OF THE FOLLOWING ARE INCLUDED FOR RE-CERTIFICATION:

- Fully executed copy of the Petition for Standard Certification
- Fully executed copy of the Petition for Isolated Wetland Certification
- Fully executed copy of the Petition for FIL50 Certification
- Contract document for outside EO services or appropriate community authorization
- Contract document for outside CWS services or appropriate community authorization

C. ENFORCEMENT OFFICER (EO) (if using a consultant, please attach a copy of the contract)

Name _____

- Passed EO examination
- Attended EO training
- Completed continuing education requirements

D. CO-ENFORCEMENT OFFICER (if applicable)

Name _____

- Passed EO examination
- Attended 2020 EO/CWS training
- Completed continuing education requirements

E. COMMUNITY CONTACT (if other than EO)

Name _____

Email address _____

F. CERTIFIED WETLAND SPECIALIST (CWS) (if using a consultant, please attach a copy of the contract)

Name _____

- LC CWS number _____ Attended 2020 EO/CWS training
- Completed continuing education requirements

G. PROFESSIONAL ENGINEER (PE) (if using a consultant, please attach a copy of the contract)

Name _____

PE license number _____ Expires _____

H. MUNICIPAL ATTORNEY

Name _____

Email address _____

I. NUMBER OF ADDITIONAL STAFF REVIEWING/INSPECTING PERMITS

Standard reviewers _____

Isolated wetland reviewers _____

Field inspectors / DECIs _____ / _____

Certified Floodplain Managers _____

**LAKE COUNTY STORMWATER MANAGEMENT COMMISSION
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**PERMITTED DEVELOPMENT COMPLIANCE BETWEEN THE DATES OF OCTOBER 1, 2017,
AND March 18, 2023**

FOR ALL ANSWERS MARKED "NO", PLEASE ATTACH A SEPARATE SHEET TO CLARIFY FURTHER

1. **Is your community NFIP compliant?**
 Yes No N/A
2. **Is your community MS4 NPDES compliant?**
 Yes No
3. **Has your community adopted the latest amended WDO (October 13, 2020)?**
 Yes No
4. **Have copies of all applicable plans, reports, engineering calculations, cost estimates, maintenance plans, deed/plat restrictions, etc. been kept for each development permitted?**
 Yes No

Number of Watershed Development Permits (WDPs) issued _____

5. **Have records been kept for all field inspections performed (before, during, and at final walk-through)? Please briefly describe on an additional sheet of paper each site that violations have not been resolved.**
 Yes No
Number of development sites placed in violation _____
Number of sites where violations have been resolved _____
Number of sites that have received a stop work order _____
6. **Do all appropriate sites have a Designated Erosion Control Inspector assigned, and do you have records of such?**
 Yes No
7. **Have all major developments receiving variances followed the requirements as stated in the WDO? Please describe on an additional sheet of paper all permits receiving variances for WDO provisions. Please include verification that the 30-day review process was followed for major developments.**
 Yes No No variances issued from major development provisions of the WDO

Number of sites issued variances _____

8. **Has an IDNR Community Assessment Visit (CAV) been performed in the community? Please provide a copy of the community's response letter addressed to the IDNR regarding the CAV. Please enclose documentation of all follow-up action taken to resolve CAV issues.**
 Yes No Unknown
Date of last CAV _____
Number of potential violations cited in the CAV _____
Number of potential violations resolved as noted in the CAV _____

**LAKE COUNTY STORMWATER MANAGEMENT COMMISSION
RE-CERTIFICATION CHECKLIST
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9. **Has the community administered all CLOMRs and LOMRs appropriately?**
 Yes No

Have the revisions been submitted to SMC, IDNR/OWR, and FEMA for acceptance, as appropriate?

Number of sites with submitted CLOMRs _____
 Number of sites with submitted LOMRs _____

10. **Has the community followed the WDO provisions when issuing permits for Regulatory Floodplain?**
 Yes No

Number of permits issued with Regulatory Floodplain _____
 Number of elevation certificates obtained as part of a permitting process _____
 Number of flood-proofing certificates obtained _____
 Number of sites permitted with Regulatory Floodway appropriate uses _____

11. **Has the community required all applicable local, state and federal permits and approvals?**
 Yes
 No

Number of sites with USACE permits: **required** _____ **permitted/approved** _____
 Number of sites with IEPA NOI requirements: **required** _____ **permitted/approved** _____

12. **Have all applicable stormwater components (wetlands, buffers, mitigation areas, detention basins, overland flow paths, emergency spillways, etc.) been placed in deed/plat restricted areas and recorded?**

Yes
 No
 Number of sites with deed/plat-restricted wetlands, buffers, and mitigation areas that have been inspected for encroachments and development-related violations _____
 Number of developments with recorded maintenance plans that have been assessed for Compliance _____

13. **Have as-built plans and calculations been approved as applicable for all completed permitted projects?**

Yes
 No

14. **FOR IWLC COMMUNITIES ONLY: Have copies of all applicable wetland reports, maintenance plans, deed/plat restrictions, etc. been kept for each development approved for wetland provisions?**

Yes No N/A
 Number of Isolated Wetland Provisions applications approved _____
 Acreage of wetlands impacted (isolated) _____
 Acreage of wetland mitigation (isolated) _____
 Acreage of wetlands mitigated on-site _____
 Acreage of wetland credits purchased in banks _____
 Acreage of wetland credits purchased through the SMC WRF _____

15. **Please provide on an additional sheet of paper an overall assessment of the community's performance over the past re-certification period including any recommendations for future improvement in the permitting process and WDO improvements/recommendations (optional).**

**LAKE COUNTY STORMWATER MANAGEMENT COMMISSION
RE-CERTIFICATION CHECKLIST
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I have completed the Community Recertification Procedure to the best of my knowledge.

Signature _____ Date _____

Printed name _____

Company/Agency _____

REGULATORY ADMINISTRATIVE PERFORMANCE - SECTION TO BE FILLED OUT BY SMC

FOR ALL ANSWERS MARKED "NO", COMMUNITY SHOULD ATTACH A SEPARATE SHEET TO CLARIFY FURTHER

16. **Have all development-related SMC Citizen Inquiry Responses (CIRS) been documented and responded to?**

Please provide each CIRS form received by community throughout re-certification period.

- Yes
 No
 None Received

Number of CIRS received by community _____
Number of CIRS responded to _____

17. **Have all SMC Community Notification Procedure (CNP) issues been documented and resolved?**
Please provide each CNP form received by community throughout re-certification period.

- Yes
 No
 N/A

Number of CNPs received by community _____
Number of CNPs resolved _____

EXHIBIT B

PETITION FOR SMC CERTIFICATION

PETITION FOR SMC CERTIFICATION

On this 15th day of August, 2023 the Village
(Year) (City, Village, County)

of Vernon Hills, a community participating in the regular phase of the National Flood Insurance Program, adopted an amended ordinance ("ORDINANCE") which includes the provisions of the Lake County Watershed Development Ordinance amended October 13, 2020 ("WDO") and is on file with the Lake County Stormwater Management Commission ("SMC"). According to the provisions of the ORDINANCE and WDO we agree to:

1. Forward appropriate portions of the Regulatory Floodway Development applications to SMC for transmittal to the Illinois Department of Natural Resources/Office of Water Resources ("IDNR/OWR") or its designee for concurrent review and approval.
2. Maintain records and provide SMC with certain portions of these records as described below:
 - a. Maintain records of every Watershed Development Permit application, permit variance, hydrologic and hydraulic data, and enforcement action, and shall allow periodic inspections of the records by SMC, FEMA, or IDNR/OWR personnel.
 - b. Maintain an Elevation Certificate and flood-proofing certificate file to certify the elevation of the lowest floor (including basement) of a residential or non-residential building or the elevation to which a non-residential building has been flood-proofed, for all buildings constructed in the Regulatory Floodplain.
 - c. Maintain for public inspection and provide copies upon request of; base flood data and maps, variance documentation, Conditional Letters of Map Revision, Letters of Map Revision, Letters of Map Amendment, elevation and floodproofing certificates, other watershed development permit related materials, available "as-built" elevation and floodproofing records for all buildings constructed subject to the provisions of this ordinance.
3. Require all engineering information and plans prepared by a registered professional engineer, to be reviewed under the supervision of a registered professional engineer under the employ or contract of the community for conformance with the ORDINANCE prior to permit issuance.
4. Provide SMC with the names, addresses and telephone numbers of the Community Official designated as the Enforcement Officer, the registered professional engineer performing permit reviews, and community legal counsel. Notify SMC should any changes in these positions occur. The Enforcement Officer shall be responsible for the administration and enforcement of the ORDINANCE and duties as specified in Appendix E of the WDO.

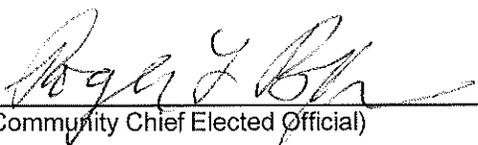
5. Community Recertification

- a. Certified Communities shall petition for recertification every five (5) years.
- b. Within the five (5) year certification period, the SMC Director shall periodically review the community's ordinance enforcement records and performance and make remedial recommendations to the community, if necessary. Review findings will be used in the assessment of petitions for recertification from Certified Communities.

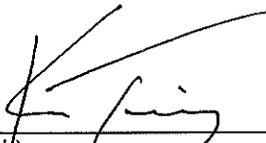
6. Community Decertification

- a. The SMC shall after following the community notification procedure and holding a public hearing presided by SMC, have the authority to rescind the community's certification.
- b. The SMC shall rescind a community's certification for the following reasons:
 - i. The community is no longer a participant in the National Flood Insurance Program.
 - ii. The community amends the ORDINANCE so that it is less restrictive than the WDO.
- c. The SMC may rescind or place conditions on a community's certification if the certified community recurrently issues permits not in accordance with, or fails to adequately enforce, the ORDINANCE.
- d. If the community issues a regulatory floodway development permit not in accordance with §703 of the WDO, SMC shall rescind the community's authority to administer the IDNR/OWR regulatory floodway permit program for appropriate uses.

We agree to the provisions and responsibilities herein and therefore respectively petition SMC for Certification and the resulting authority to issue all permits and variances required by the ORDINANCE.



(Community Chief Elected Official)



(Clerk)

8/31/23

Date

8/31/23

Date