

**A RESOLUTION AUTHORIZING EXECUTION OF A PETITION  
FOR COMMUNITY RECERTIFICATION BY THE  
LAKE COUNTY STORMWATER MANAGEMENT COMMISSION**

**WHEREAS**, the Village of Barrington Hills (the “Village”) is a home-rule municipality pursuant to Article VII, Section 6, of the Constitution of the State of Illinois, and as such is authorized to take all reasonable actions pertaining to its affairs in accordance therewith; and

**WHEREAS**, the Village has adopted the Lake County Watershed Development Ordinance (“Ordinance”) as a part of its Building Code; and

**WHEREAS**, as part of the adoption of the Ordinance, the Village has previously been certified by the Lake County Stormwater Management Commission (“SMC”) to enforce the provisions of the Ordinance; and

**WHEREAS**, the Ordinance requires community recertification every five years, a process undertaken through the submittal of a Petition for Certification, in the form attached hereto and incorporated herein by reference as Exhibit A; and

**WHEREAS**, as a certified community, the Village agrees that it will:

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 Ordinance; and

**WHEREAS**, it is deemed in the best interests of the Village and its residents to seek recertification to allow the Village to continue in its role as a certified community empowered to enforce the Ordinance in the Village, and for such purpose to authorize the President to execute the Petition for Certification and the Village Clerk to attest thereto.

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

**SECTION ONE:** The recitals set forth above are incorporated herein and made a part hereof.

**SECTION TWO:** The Village President is authorized to execute the Petition for Certification in a form as attached hereto as Exhibit A, and the Village Clerk to attest thereto, and by Petitioning for Certification, acknowledging the Village's agreement to the obligations set forth in the Lake County Watershed Development Ordinance.

**SECTION THREE:** The Village Staff and/or Engineer is authorized to submit to the SMC all documents required in conjunction with the Petition for Certification, and upon recertification to fully enforce the Ordinance in the Village as a certified community.

**SECTION FOUR:** This Resolution shall take effect immediately upon its passage and approval as provided by law.

Ayes:      Nays:      Absent:

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Barrington Hills, Illinois, this 26<sup>th</sup> day of February, 2018.

APPROVED:

ATTEST:

\_\_\_\_\_  
Village President

\_\_\_\_\_  
Village Clerk

PETITION FOR SMC CERTIFICATION

On this 25th day of January, 2016 the Village  
(Year) (City, Village, County)

of Barrington 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, 2015 ("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.

\_\_\_\_\_  
Village President

\_\_\_\_\_  
Village Clerk

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date