

CHAPTER 34

SUBDIVISION CODE

ARTICLE I – GENERAL PROVISIONS

34-1-1 **TITLE.** This Code shall be known, referred to, and cited as "**The Subdivision Code.**" (Ord. 716, passed 3-16-87) (Sec. 154.01)

34-1-2 **SCOPE.**

(A) For the purpose of present and future development of the village and for the promotion of the public health, safety, comfort, morals and welfare of persons living within the territory governed, the provisions and regulations hereinafter contained shall govern the subdividing and platting of lands lying within the corporate limits of the municipality and within all unincorporated territory located within one and one-half miles of the municipality, as now or hereafter existing, except as otherwise provided in this Code. Within the area of jurisdiction of the village, the provisions of the state statutes are hereby adopted as part of the Official Plan of the village.

(B) This Code prescribes procedures for the subdivision or resubdivision of land within the area of jurisdiction of the village and comprises the procedures, requirements, standards, and specifications with respect thereto. (Ord. 716, passed 3-16-87) (Sec. 154.02)

Statutory references:

Jurisdictional boundary lines, see ILCS Ch. 65, Act 5, § 11-12-9

34-1-3 **PURPOSE.** In accordance with state law, this chapter regulates the subdivision and development of land in order to assist in achieving the following specific objectives:

- (A) To preserve, protect, and promote the public health, safety, and welfare;
- (B) To implement the Village Comprehensive Plan and the Official Map;
- (C) To provide a pleasant living environment by furthering the orderly layout and development of land.
- (D) To avoid legal and other problems by requiring that subdivided land be properly monumented and recorded;
- (E) To conserve and increase the value of land, improvements, and buildings throughout the village;
- (F) To preserve the village's natural beauty and topography to the maximum feasible extent;
- (G) To protect against injury or damage caused by pollution, storm water runoff, or erosion and sedimentation;
- (H) To provide safe and convenient access to new developments, and to avoid traffic congestion and unnecessary public expenditures by requiring the proper location, design, and construction of streets and sidewalks;
- (I) To insure the proper installation and maintenance of adequate water mains, sanitary sewers, storm water sewers, and other utilities and services; and

(J) To insure that in conservation areas, adequate parks and similar facilities can be made available to serve the residents of new developments.

(Ord. 716, passed 3-16-87) (Sec. 154.03)

Statutory reference:

Plan Commission regulations, see ILCS Ch. 65, Act 5, §§ 11-12-8 through 11-12-12

34-1-4 INTERPRETATION. This Code is intended as minimum requirements to provide for coordinated, efficient, and economic development of the village, to insure the adequacy of street and utility facilities, and to promote the public health, safety and welfare. Whenever the requirements of this chapter differ from those of any statute, lawfully adopted ordinance or regulation, easement, covenant, or deed restriction, the more stringent requirements shall prevail. Thus in accordance with state law (**ILCS Ch. 65**), whenever this chapter imposes higher standards than the county subdivision code, said higher standard shall supersede the county regulations in the unincorporated territory located within the village's subdivision jurisdiction. **(Ord. 716, passed 3-16-87) (Sec. 154.04)**

34-1-5 APPLICATION OF CHAPTER. No lot, tract or parcel of land in a subdivision as defined herein, may be conveyed unless a final plat of the property has been approved according to the requirements and provisions of this Code and recorded in the office of the County Recorder of Deeds, except in those instances listed in **Section 34-1-8** when subdivision plats will not be required. **(Ord. 716, passed 3-16-87) (Sec. 154.05)**

34-1-6 SUITABILITY OF LAND FOR SUBDIVISION DEVELOPMENT. Land unsuitable for subdivision development due to drainage, flood hazard area, hillside area, rock formation or any other condition(s) constituting a danger to health, life or property shall not be approved for subdivision development unless the subdivider presents evidence or data satisfactory to the Plan Commission, establishing that the methods proposed to meet any such condition(s) are adequate to avoid any danger to health, life, or property. **(Ord. 716, passed 3-16-87) (Sec. 154.06)**

34-1-7 RULES AND DEFINITIONS. The language set forth in the text of this Chapter shall be interpreted in accordance with the following rules of construction:

(A) **Words.** Whenever a word or term defined hereinafter appears in the text of this Chapter, its meaning shall be construed as set forth in the definition thereof; and any word appearing in parentheses directly after a word herein defined shall be construed in the same sense as that word.

AREA, GROSS. The entire area within the boundary lines of the territory proposed for subdivision, including the area to be dedicated for street and alley rights-of-way and public use.

BARRIER (NATURAL OR ARTIFICIAL). Any street, highway, river, pond, canal, railroad, levee, embankment or screening by a fence or hedge.

COMMISSION. The Plan Commission of the Village.

COMPREHENSIVE PLAN. The Plan or any portion thereof adopted by the Village for the coordinated physical development, including, among other things, plans and programs regarding the location, character and extent of highways, transportation routes, bridges, public buildings or uses, utilities, schools, residential, commercial or industrial land uses, parks,

forests, dams, drainage facilities and projects affecting the conservation of natural resources of the Village.

CUL-DE-SAC. A short, minor local street, having only one end open for vehicular traffic, and the other end permanently terminated by a turn-around for vehicles.

DESIGN. The arrangement of uses on the land and use of land for easements, lots and rights-of-way, including material, alignment, grade, and width of these elements.

FILING DATE. The date that the applicant has filed the last item of required data or information with the office of the Village Clerk and has paid the necessary fees for review by the Planning Commission.

FLOOD HAZARD AREA. All land subject to periodic inundation from overflow or natural waterways when subjected to the maximum possible runoff from three inches of rain per hour as calculated by approved engineering methods subject to periodic ponding.

HILLSIDE AREA. An area with an average slope of **twenty percent (20%)** or more.

IMPROVEMENT. Refers to site grading, street work and utilities (including water, sewer, electric, gas and storm water), to be installed or agreed to be installed by the subdivider on land to be used for public or private streets, and easements or other purposes as are necessary for the general use of lot owners in the subdivision.

IMPROVEMENT PLAN. The engineering plans showing types of materials and construction details for the physical structures and facilities to be installed both in or in conjunction with the subdivision.

LAND USE PLAN. The long-range plan for the desirable use of land in the Village as officially adopted and as amended from time to time by the Village Board or appropriate corporate authority.

LOADING SPACE. An off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials and which abuts upon a street, alley or other appropriate means of access.

PARKING LANE. An auxiliary lane of a street used primarily for vehicular parking.

PLANS. All of the drawings, including plats, cross-sections, profiles, working details and specifications, which the subdivider prepares or has prepared to show the character, extent and details of improvements required in **Section 34-3-1 et seq.**, prepares or has prepared to show the character, extent, and details of improvements required in **Section 34-3-1 et seq.**, and which plans shall conform to any requirements of the Plan Commission as to scale and details for submittal to the appropriate officials of the Village for consideration, approval or disapproval.

PLAT. The maps, drawings, charts, and other documents complying with all applicable provisions of this Code which constitute the plan for subdivision and which the subdivider submits to the Village for consideration of approval.

PLAT, FINAL. A plat prepared to the requirements of **Section 34-4-1 et seq.** and if approved, will be submitted to the County Recorder of Deeds for recordation.

PLAT, PRELIMINARY. A plat drawn upon tracing paper or other material from which reproduction can be made and conforming to the requirements of **Section 34-2-1 et seq.**

PREMISES. A lot together with all the buildings and uses thereon.

PUBLIC SEWER AND WATER FACILITIES. Those water and/or sewer facilities of the village, county, the state, the federal and/or of a sanitary sewer district and/or privately owned public facilities which comply with applicable public health standards.

RE-SUBDIVISION. See **SUBDIVISION.**

ROAD, COUNTY. A term denoting a tract of land which is used primarily for the purpose of vehicular movement and includes all of the facilities and improvements within the rights-of-way. This tract of land must have been presented to and accepted by the County Superintendent of Highways.

ROAD BED. The graded portion of a street upon which the base course, surface course, shoulders and median are constructed.

ROADWAY. The entire improved portion of the street, including shoulders, parking lanes, travel way, curbs and gutter which lies between the right-of-way lines.

SETBACK LINE. The line parallel to the front, side, or rear lot line establishing the minimum space to be provided as the front, side, or rear yard.

SLOPE. The degree of natural inclination of the existing ground.

STREET. A general term denoting a public or private way for the purpose of vehicular travel. The term includes all facilities which normally occur within the right-of-way; it shall also include such other designation for a street as: a highway, thoroughfare, parkway, throughway, road, pike, avenue, boulevard, lane, place, drive, court, or as otherwise designated, but excluding an alley or a way for pedestrian use only.

STREET, ARTERIAL. A street designed or utilized primarily for high vehicular speeds and heavy volumes of traffic on a continuous route, with intersections at grade, and which may have direct access to abutting properties, and on which geometric design and traffic control measures are used to expedite the safe movement of through traffic.

STREET, COLLECTOR. A street which carries or is proposed to carry intermediate volumes of traffic from local streets to arterial streets and which may or may not be continuous.

STREET, LOCAL. A street used primarily for access to abutting properties, providing for minimum speeds and traffic volumes.

STREET, MARGINAL ACCESS OR SERVICE ROAD. A local street parallel and adjacent to arterial streets providing access to abutting properties.

STRUCTURE. Anything constructed which requires permanent or temporary location on the ground or is attached to something having a permanent or temporary location on the ground.

STUB. A street that is temporarily terminated, but that is planned for future continuation.

SUBDIVIDE. See **SUBDIVISION.**

SUBDIVIDER. Any person, firm, partnership, association, corporation, estate, or other group or combination acting as a unit, dividing or proposing to divide land in a manner that constitutes a subdivision as herein defined.

SUBDIVISION. The division of land into two or more lots or parcels for the purpose of either immediate or future sale, rental, or building development, or any other uses, or the establishment or dedication of a public street or alley through a tract of land regardless of size. The term **SUBDIVISION** shall also include all re-subdivisions of land or lots.

SUBDIVISION, MINOR. A division of land into two, but not more than four lots, all of which front upon an existing street, not involving any new streets or other rights-of-way, easements, improvements, or other provisions for public areas and facilities.

TOPOGRAPHY. The relief features or surface configuration of an area of land.

TRAVEL WAY. That portion of a street used for the movement of vehicles, exclusive of shoulders and auxiliary lanes.

VACATE. To terminate the legal existence of a right-of-way or subdivision, and to so note on the final plat recorded with the County Recorder of Deeds.

VARIANCE, SUBDIVISION. A relaxation in the strict application of the design and improvement standards set forth in this chapter.

ZONING ADMINISTRATOR. The Zoning Administrator or the person designated by the Village Board to enforce and administer the provisions of this Code or his duly appointed representative(s).

(B) **Adoption by Reference.** All definitions, not otherwise noted, contained in the Zoning Code and the Revised Code of Ordinances are hereby adopted by reference.

(Ord. 716, passed 3-16-87) (Sec. 154.07)

34-1-8 SUBDIVISION PLATS NOT REQUIRED.

(A) The provisions of these regulations do not apply and no subdivision plat is required in any of the following instances, provided, however, all of the resulting divisions shall conform to the Zoning Code:

- (1) The division or subdivision of land into parcels or tracts of **five (5) acres** or more in size which does not involve any new streets or easements of access;
- (2) The division of lots or blocks of less than **one (1) acre** in any recorded subdivision which does not involve any new streets or easements of access;
- (3) The sale or exchange of parcels of land between owners of adjoining and contiguous land;
- (4) The conveyance of parcels of land or interests therein for use as a right-of-way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
- (5) The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
- (6) Conveyances made to correct descriptions in prior conveyances;
- (7) The sale or exchange of parcels or tracts of land following the division into no more than two parts of a particular parcel or tract of land existing on **July 17, 1959**, and not involving any new streets or easements of access, provided, however, a plat of survey shall be prepared by a registered surveyor and submitted to the Plan Commission;
- (8) The sale of a single lot of less than **five (5) acres** from a larger tract when a plat of a survey is made by a registered surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on **October 1, 1973**, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
- (9) The division of land for cemetery usage.

(B) Under the circumstances when subdivision plats are not required as described above, the Plan Commission reserves the right to request a plat of survey or other documentation if there is a need for said survey or documentation in order to verify conformance to the Zoning Code and/or to insure that the division of property is in accordance with the purpose and objectives of the Code as listed in **Section 34-1-3.**

(Ord. 716, passed 3-16-87) (Sec. 154.08)

34-1-9 DISCLAIMER OF LIABILITY.

(A) Except as may be provided otherwise by statute or ordinance, no official, board member, agent, or employee of the village shall render himself personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this Chapter.

(B) Any suit brought against any official, board member, agent, or employee of this Village as a result of any act required or permitted in the discharge of his duties under this Chapter, shall be defended by the Village Attorney until the final determination of the legal proceedings.

(Ord. 716, passed 3-16-87) (Sec. 154.09)

Statutory reference:

Local Governmental and Governmental Employees Tort Immunity Act, see ILCS Ch. 745, Act 10, §§ 1-101 et seq.

34-1-10 ENFORCEMENT. This Chapter shall be enforced by the Zoning Administrator with the assistance and cooperation of other officials of the Village. If the Zoning Administrator finds that any of the provisions of this Chapter are being violated, he shall notify, in writing, the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. The Zoning Administrator shall take any other action authorized by law to ensure compliance with or to prevent violation of the provisions of this Chapter. No building permit shall be issued for any building, structure or improvement located on any lot that was created by subdivision after the effective date of, and not in conformity with the provisions of this Chapter. **(Ord. 716, passed 3-16-87)**

ARTICLE II – PRELIMINARY PLAT

34-2-1 PROCEDURE.

(A) **General Statement.** The subdivider shall conform to the following principals and standards of land subdivision in the design of each subdivision or portion thereof. No preliminary plat shall be approved unless it conforms to the following minimum standards of design.

(B) **Pre-Application Conference.** Before submitting a preliminary plan and plat, the applicant is encouraged to confer with the Zoning Administrator and the Plan Commission and other official units of government affected thereby as well as those providing services to the area in question to initiate pre-planning activities and obtain information and guidance before entering into binding commitments or incurring substantial expense in the preparation of detailed plans, surveys and other data.

(C) **Applicability of Subchapter.** No land within the subdivision jurisdiction of the Village, other than land that is specifically exempted from the requirements of this Code as provided in **Section 34-1-8**, shall be subdivided or developed except in compliance with the regulations of this Code and the applicable provisions of state law. No lot in any subdivision shall be conveyed until:

- (1) The portion of the subdivision in which the lot is located has been improved in accordance with the requirements of this subchapter or until a performance bond or other security has been posted to assure the completion of such improvements; and
- (2) The final plat of the subdivision has been approved by the Village Board of Trustees and recorded in the office of the County Recorder of Deeds. No building permit shall be issued to allow construction on any lot conveyed in violation of this section.

(D) **Minor Subdivisions.** Minor subdivisions, as defined in **Section 34-1-7**, may be exempted from the procedures and requirements for preliminary plats and the subdivider may proceed to filing of the final plat for review. Final plat procedures and requirements shall be as specified in **Section 34-4-1** and **34-4-2**.

(E) **Preliminary Plan and Plat.** The subdivider shall file with the Village at the office of the Zoning Administrator ten copies of the preliminary plan and plat at least **ten (10) days** prior to the regularly scheduled Plan Commission meeting. Such application shall include the following:

- (1) **Requested Information.** A written request to the Plan Commission for preliminary review of such subdivision and a general description of the location and size of the tract to be platted; the intent as to character type and use of the property and structures to be developed; the deed restrictions proposed, if any; a statement of mineral rights; the extent and character of the improvements to be made by the subdivider, the zone district classification(s) of the territory and compliance of the proposed subdivision thereto. If appropriate, a description of any unique hardship or difficulty limiting the physical development of the property under consideration and a description of any past history of the property under consideration which is pertinent thereto.
- (2) **Documentation.** The necessary documentation in accordance with the requirements of paragraph (G) of this Section.

- (3) **Filing Fee.** A filing fee sufficient to cover the engineering inspection fees to be incurred by the Village.
- (F) **Village Procedure.**
- (1) The Zoning Administrator shall immediately distribute a copy to the Village Board's Water and Sewer Committee(s); a copy to the School Superintendent(s); a copy to the Soil and Water Conservation Service; a copy to the Village Engineer; a copy to the Director of Services; two copies to the Plan Commission; and a copy to the Fire Chief.
- (2) **Time Constraints.** The Commission shall review the preliminary plat within **sixty (60) days** from the date of application or the filing by the subdivider of the last item of required supporting data, whichever date is later, unless such time is extended by written mutual consent, and shall determine whether the preliminary plat shall be approved as submitted; shall be approved subject to certain conditions or modifications; or shall be disapproved.
- (3) **Plan Commission Review.** The action of the Plan Commission shall be noted in writing and if such preliminary plat is disapproved or is conditionally approved, the Commission shall furnish written notice of such action to the applicant setting forth the reasons for disapproval or conditional approval and specifying with particularity the aspects in which the preliminary plat fails to conform to the Village's Code including the Comprehensive Plan.
- (4) **Village Board Review.** The Village Board shall accept or reject the preliminary plat within **thirty (30) days** after its next regularly scheduled meeting following the action granting approval of the preliminary plat by the Commission, unless such time is extended by written mutual agreement of the Village Board and the applicant, or such preliminary plat will be deemed as approved. The Village Board shall indicate by letter whether the preliminary plat is approved or disapproved as submitted. If the preliminary plat is disapproved, the letter shall state the reasons for disapproval.
- (5) **Official Approval.** A certified copy of the letter of approval or disapproval by the Village Board shall be attached to the preliminary plat and shall be filed with the Village Clerk, one such copy shall be filed with the Zoning Administrator, and one copy shall be returned to the subdivider. Approval of the preliminary plat shall not qualify the preliminary plat for recording with the County Recorder of Deeds.
- (6) **Rights and Privileges of Subdivider.** Preliminary plat approval shall confer upon the subdivider the following rights and privileges:
- (a) That the preliminary plat approval will remain in effect for a **one (1) year** period. The applicant may, during this period, submit all of or part or parts of said preliminary plat for final approval. In the event that the subdivision is being developed in stages, the applicant may, by written

mutual agreement with the Plan Commission, have final approval of the last part of the plat delayed for a period not to exceed **three (3) years** from the date of the preliminary plat approval. Any part of a subdivision which is being developed in stages shall contain a tract of land at least one block in length.

- (b) That the general terms and conditions under which the preliminary plat approval was granted will not be changed.

(Ord. 716, passed 3-16-87) (Sec. 154.20)

34-2-2 REQUIREMENTS.

(A) Every preliminary plat shall be prepared by a land surveyor registered in the state.

(B) The preliminary plat to be provided by the subdivider shall meet and include the following specifications and supporting data:

- (1) Proposed name of the subdivision and location.
- (2) Small key map showing the relation of the proposed subdivision to section or U. S. survey lines and to platted subdivisions and dedicated streets within 300 feet of the proposed subdivision.
- (3) Names and addresses of the owner, subdivider, land planning consultant and the Illinois Registered Land Surveyor who prepared the preliminary plat.
- (4) Existing and proposed streets or alleys and rights-of-way on and adjoining the site of the proposed subdivision; showing the names and including street roadway and right-of-way widths, approximate gradients, types and widths of pavement, curbs, sidewalks, crosswalks, planting strips and other pertinent data, including classification of all streets as to function as established herein.
- (5) All lot lines adjacent to and abutting the subdivision.
- (6) Layout of lots, showing approximate dimensions, numbers, lot area, and zone district classification(s).
- (7) Parcels of land, if any, proposed to be dedicated or reserved for schools, parks, playgrounds, or other public, semi-public or community purposes and use(s) of the area to be subdivided.
- (8) Easements, existing and proposed, showing locations, widths, and purposes.
- (9) Building setback line and dimensions.
- (10) Location and size of existing public utilities and drainage ways or facilities within or adjoining the proposed subdivision and the location and size of nearest water trunk mains, interceptor sewer lines and other pertinent utilities.
- (11) Location, type and approximate size of utility improvements to be installed.
- (12) Tract boundary lines showing dimensions, bearings, angles and references to known land lines.
- (13) The gross area and net area acreage of the proposed subdivision, the acreage of streets, and of any areas reserved for the common

use of the property owners within the subdivision and/or for public use.

- (14) Contour lines at not greater than **two (2) foot** intervals shall be shown. Where the topography has a significant bearing upon the street grades, the plan of public utilities and drainage ways or facilities in the proposed subdivision and when it would be difficult for the Planning Commission or the Village Board to understand the relation of the plan to the existing topographic conditions. Contour lines shall be shown for all hillside areas and all other areas of significant slope.
- (15) Location of major water courses, ponding areas, natural drainage ways and flood hazard areas.
- (16) The preliminary plan shall be drawn to a scale of not greater than **one hundred (100) feet to one (1) inch**, provided, however, that if the resulting drawing would be over **forty-two (42) inches square**, a scale of up to **two hundred (200) feet to one (1) inch** may be used.
- (17) North arrow and date.
- (18) Whenever a large tract is intended to be developed in stages, and only part of that tract is to be submitted for final plat approval, a preliminary plat for subdivision of the entire tract shall be submitted.

(Ord. 716, passed 3-16-87) (Sec. 154.21)

34-2-3 STREETS AND ALLEYS.

(A) The street and alley arrangement shall be such as to not impose undue hardship upon the owners of adjoining property when they plat their own land and seek to provide for convenient access thereto. Reserve strips controlling access to streets are prohibited, except where their control is placed with the Village Board.

(B) The arrangement of rights-of-way in a subdivision shall provide for the continuation of the existing streets or rights-of-way in adjoining areas, unless the Plan Commission deems such continuation undesirable for reasons of topography or design. Where subdivision streets or rights-of-way are continuations or extensions of existing streets or rights-of-way, the width thereof shall be of the same or greater width as the existing street or right-of-way, except that in no case shall the street or right-of-way in the subdivision be of less width than hereinafter provided.

(C) Where, in the opinion of the Plan Commission, it is desirable to provide future street access to adjoining areas, the streets and rights-of-way in the subdivision shall be extended to the property line. If deemed necessary by the Plan Commission, any temporary dead-end street shall be provided with a temporary turn-around. In no case shall access be denied to any parcel or part of a parcel of ground by the subdividing of land.

(D) Streets shall intersect, as nearly as possible at right angles.

(E) Local street curb intersections shall be rounded by radii of at least **fifteen (15) feet**; intersections involving collector or arterial streets shall have radii of not less than **twenty-five (25) feet**.

(F) Street jogs with center line offsets of less than **one hundred twenty-five (125) feet** are prohibited.

(G) Unless topography indicates a need for a greater length, dead-end streets designed to be so permanently shall be no longer than **five hundred (500) feet** and shall terminate in a circular open space having a radius at the outside of the pavement of at least **forty (40) feet** and a diameter at the outside of the right-of-way of at least **one hundred (100) feet**.

(H) Local streets shall be designed so as to discourage through traffic.

(I) No local street grade shall be in excess of 10% and no collection street or arterial street grade shall be in excess of **seven percent (7%)**, except as otherwise approved by the Plan Commission due to adverse topographic conditions. For adequate drainage, the minimum grade of any new street shall not be less than **one-half percent (.5%)**.

(J) The Plan Commission shall not approve streets which will be subject to frequent inundation or flooding.

(K) Alleys shall be avoided in a single-family and two-family district, except as required by this Section, however, may be required in multiple-family districts and commercial or industrial districts, unless other definite and assured provision is made for service access, such as off-street loading, unloading and parking consistent and adequate for the use proposed.

(L) Dead-end alleys shall not be permitted, except where provided with adequate turn-around facilities at the dead-end, or where such dead-end alleys provide the only access to off-street parking.

(M) Alleys, where provided, shall have a right-of-way of not less than **twenty (20) feet**.

(N) The minimum right-of-way of local streets, including marginal access streets and cul-de-sacs, shall be **fifty (50) feet**.

(O) The minimum right-of-way of collector streets shall be **sixty (60) feet**.

(P) The minimum right-of-way of arterial streets shall be **eighty (80) feet**.

(Q) Intersections of more than **two (2) streets** at one point shall be avoided.

(R) Where the subdivision abuts in or contains an existing or proposed arterial street, the Plan Commission may require that marginal access streets be provided in order that no lots front on such existing or proposed arterial street.

(S) Dedication of half-streets shall be discouraged, but may be permitted whenever there is no other logical method of platting. However, wherever there exists a dedicated or platted half-street or alley adjacent to the tract to be subdivided, the other half of the street or alley shall be platted, unless otherwise permitted by the Plan Commission.

(Ord. 716, passed 3-16-87) (Sec. 154.22)

34-2-4 DRAINAGE. (See Chapter 32)

34-2-5 EROSION AND SEDIMENT CONTROL. (See Chapter 32)

34-2-6 **EASEMENTS.**

(A) Easements of not less than ten feet in width shall be provided on each side of all front and rear lot lines, and alongside lot lines where necessary for storm and sanitary sewers, gas, water, and other mains, and for electric and telephone lines or for other public utilities. Easements of greater width may be required along or across lots when necessary for the extension of main sewers or other utilities or where both water and sewer lines are located in the same easement. A two foot easement shall be required on one side of and adjacent to an alley to accommodate pole lines.

(B) Adequate easements for storm water drainage shall be established along any natural drainage channel and in such other locations as may be necessary to provide satisfactory disposal of storm water from streets, alleys and all other portions of the subdivision. The location and minimum widths of such easements shall be determined by the Zoning Administrator.

(C) No tree, shrub or building shall be placed or erected in any easement for utility or drainage purposes or within the right-of-way of any street, except at the owner's risk as to all costs for demolition, removal or reconstruction, and the proper authorities may have free access to and use of the easements at any time.

(Ord. 716, passed 3-16-87) (Sec. 154.25)

34-2-7 **BLOCKS.**

(A) No block shall be longer than **one thousand two hundred (1,200) feet** or less than **five hundred (500) feet** in length, except where the continuity of the existing neighborhood would be disrupted.

(B) All blocks, whenever it is deemed essential to provide access to schools, playgrounds, shopping centers and other community facilities, shall have a crosswalk with a right-of-way of at least **ten (10) feet** in width near the center of the block.

(C) The length, width and shapes of blocks shall be determined with due regard to building sites, land use, zoning requirements, access, safety and convenience.

(D) Where a subdivision adjoins an arterial or collector, the greater dimension of the block shall generally front or back upon such arterial or collector to avoid unnecessary ingress or egress.

(Ord. 716, passed 3-16-87) (Sec. 154.26)

Cross-reference:

Crosswalk requirements, see Section 34-3-9(B)

34-2-8 **PARKS AND OTHER PUBLIC AREAS.**

(A) Where any area is specifically designated on the Comprehensive Plan of the Village, for a public park, playground, school or other public use, and is owned by the subdivider, such area shall be reserved for such use on all subdivision plans and plats; and the acquisition of such area may then be secured by the Village Board or arrangements made for its acquisition within a period not to exceed **one (1) year** from the date of approval of the final plan. The value of such lands shall be established by three qualified appraisers; one of whom shall be appointed by the Plan Commission, one appointed by the subdivider, and one of whom shall be mutually agreed upon by the other two.

(B) Should the Village Board decide to take such premises, then and in that case, it shall make arrangements to pay the subdivider therefor the appraised value as determined by the above described appraisers, or a sum that is mutually agreed upon. The

Village Board may accept any donation of land as above described should the subdivider desire to contribute the same to the village.

(Ord. 716, passed 3-16-87) (Sec. 154.27)

34-2-9 **UTILITIES.**

(A) Source of domestic water supply and type of sewage disposal.

(B) Storm water drainage.

(1) Complete storm sewer system, including pipe sizes, inlets and inverts.

(2) A proposed surface water drainage pattern for each individual lot, block and street.

(C) All easements as required shall be indicated.

(D) **Protective Covenants.** An outline of all proposed protective covenants

shall accompany the preliminary plan and shall include a protection against the obstruction of any surface water drainage easement.

(Ord. 716, passed 3-16-87) (Sec. 154.28)

34-2-10 **LOTS.**

(A) **Minimum Size.** All lots in a subdivision shall conform to the minimum lot area and dimensions requirements of the zoning district in which the subdivision is located; land that is under water or reserved for street improvements shall not be counted in determining compliance with requirements.

(B) The lot arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, property related to topography and the character of surrounding development.

(C) All side lines of lots shall be at right angles to straight street right-of-way lines and radial to curved street right-of-way lines, except where a variation of this rule will provide a better street and lot design.

(D) All remnants of lots below minimum lot area size left over after subdividing of a larger tract shall be added to adjacent lots, rather than allowing to remain as unusable land, except when designated for utility purposes or accepted for public space for park or other public uses.

(E) Lots which cannot be served by either a public or private sanitary sewer, and/or a public water system, shall comply with the applicable provisions of the applicable zoning ordinance or shall be not less than **one (1) acre** in size per lot or household unit, whichever is greater. Such lots shall have a width of not less than **one hundred twenty-five (125) feet** or a depth in excess of three times its width, unless otherwise permitted and approved by the Plan Commission.

(F) Lots with double frontage should be avoided where possible. Corner lots and lots with double frontage shall have extra dimension sufficient to permit the establishment of front building setback lines on the adjoining streets.

(G) The subdividing of the land shall be such as to provide each lot with a minimum of **eighty (80) feet** of frontage along public streets and **fifty (50) feet** of frontage on cul-de-sacs. The Plan Commission may require additional reservation of land to insure adequate access to prevent land locking of the adjoining territory.

(Ord. 716, passed 3-16-87) (Sec. 154.29)

34-2-11 APPROVAL.

(A) **Checklist Completed.** In order to qualify for approval, the preliminary plan shall be accompanied by a properly executed checklist as shown in **Section 34-5-9.**

(B) **Changes or Revisions.** The Plan Commission and/or Zoning Administration may recommend or the Village Board may require such changes or revisions as are deemed necessary in the interests and needs of the community.

(C) **Approval - Tentative.** The approval of a preliminary plan by the Plan Commission and the Village Board is tentative only, involving merely the general acceptability of the layout as submitted.

(D) **Certificate.** Approval shall consist of a certificate to that effect on the preliminary plan signed by the Chairman of the Plan Commission and by the Mayor with the advice and consent of the Village Board.

(Ord. 716, passed 3-16-87) (Sec. 154.30)

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ARTICLE III – ENGINEERING PLANS

34-3-1 PROCEDURE.

(A) **General Statement.** Utility and street improvements shall be provided by the subdivider in each new subdivision in accordance with the standards and requirements described in the following Section. The requirements set forth below shall be considered as minimum requirements and nothing contained herein shall be construed to mean that the subdivider cannot construct or provide improvements of a higher type.

(B) **Engineering Plan Procedure.** Within **twelve (12) months** after receiving approval of the preliminary plan by the Village Board, there shall be submitted to the Zoning Administrator, by the subdivider, **four (4) copies** of the engineering plans and specifications as required in **Section 34-3-2 et seq.** The Zoning Administrator shall immediately refer **two (2) copies** to the Plan Commission and **two (2) copies** to the Village Administrator and shall notify the Village Board of this action at the next regular Village Board meeting. In the event of a special problem, the Plan Commission shall notify the owner or subdivider of the time and place at which he shall be afforded an opportunity of being heard. The Plan Commission shall make its recommendation to the Village Board within **forty-five (45) days** after receipt of the engineering drawings and specifications. In the event of disapproval of the engineering plans and specifications by the Plan Commission, the same shall be immediately returned so marked to the Zoning Administrator for return to the subdivider, and may be refiled with the Zoning Administrator after necessary revisions are made.
(Ord. 716, passed 3-16-87) (Sec. 154.40)

34-3-2 REFERENCE MONUMENTS.

(A) Permanent monuments shall be of concrete **4" x 4" x 30"**, with a **one-half (1/2) inch** iron pin cast in the center, set in such manner that they will not be moved by frost and shall be placed in the field as required by the **Illinois Compiled Statutes.**

(B) All lot corners shall be marked by **one-half (1/2) inch** iron pins not less than **thirty (30) inches** in length and driven into the ground and shall not protrude above the ground surface more than **one and one-half (1 ½) inch.**

(C) These monuments must be placed at all corners, at the end of all curves, at the point where a curve changes its radius, at all angle points along a meander line, the points to be not less than **twenty (20) feet** back from the normal water elevation of a lake or from the bank of a stream, except that when such corners or points fall within a street or proposed future street, the monuments must be placed in the right-of-way line of the street. All internal boundaries, corners and points must be monumented in the field by like monuments as defined above.

(Ord. 716, passed 3-16-87) (Sec. 154.41)

34-3-3 STREET IMPROVEMENTS. All streets shall be graded as hereinafter provided:

(A) All new streets, which are created and dedicated for use within a subdivision shall be graded, drained and surfaced in accordance with the minimum requirements hereinbelow set forth and in a manner which will provide complete and adequate drainage of all the streets, alleys, and public grounds which may be necessary in order to

provide adequate and satisfactory drainage along the side of any existing public street which lies adjacent to the subdivision.

(B) In general, all such new streets within the subdivision and all work to be undertaken thereon shall be designed and constructed according to the specifications adopted by the State Department of Transportation; as the same are in effect at the time the preliminary plat and plans for such improvement work are submitted for approval.

(C) **Grading Roadway and Side Slopes.** The roadway shall be considered to be that part of the improvement which lies between the right-of-way lines, and which roadway shall not be less than **fifty (50) feet** in width on local streets and **sixty (60) feet** on collector streets.

(D) **Combination Concrete Curb and Gutter.** Combination concrete curb and gutter shall be built in accordance with the detail shown in **Figure 3**. The minimum distance from back-to-back of curbs shall be **thirty (36) feet** on local streets and **forty (40) feet** on collector streets.

(E) **Street Construction Standards.** All streets within the jurisdictional authority of the village other than state highways shall be improved with pavements bounded by integral concrete curbs and gutter, in accordance with the following minimum standards:

Street Type	Dedicated Street Width	Pavement Width	Pavement Type
Arterial or Industrial	80 feet	50 feet	9" Standard Reinforced Portland Cement Concrete w/40' dowel joints* and 6" crushed stone base
Collector	60 feet	36 feet (one-side parking)	8" Standard Reinforced Portland Cement Concrete w/40' dowel joints* and 6" crushed stone base
Local	50 feet	32 feet (one-side parking)	6" Standard Reinforced Portland Cement Concrete w/15' plain joints** and 6" crushed stone base
Cul-de-sac	50 feet	26 feet	6" Standard Reinforced Portland Cement Concrete 2/15' plain joints** and 6" crushed stone base

* Dowel Joints - Saw cut or formed joints with cast-in-place dowels centered in joint and sealed with joint sealant.

** Plain Joints - Keyed or saw cut joints with joint surface sealant.

- (1) Portland Cement concrete designs shall be based on Illinois Department of Transportation pavement designs. Materials and construction techniques shall be in accordance with the latest edition of the Standards and Specifications for Road and Bridge Construction as published by the Illinois Department of Transportation.

- (2) The subdivider shall be required to improve arterial streets only to the width required by the current and immediate needs of his subdivision consistent with the standards and specifications herein contained.

(Ord. No. 1282; 02-19-08)

(F) All new streets and alleys shall be improved solely at the expense of the subdivider in accordance with the requirements set forth herein.

(G) All subdivisions that include existing streets or border on existing streets shall be improved as follows:

- (1) Streets or portions thereof that include subdivision lots on both sides of the street may be improved jointly by the Village and the subdivider, if determined by the Board of Trustees, with the subdivider to provide, by paying the cost of labor, material and installation, curb and gutter, and storm sewer and catch basins as required to provide adequate surface water drainage from the subdivision, with the Village to provide any additional base and surfacing required. The width of the surface portion of the street and the rights-of-way width shall be established by the Village Board or a designee, which shall generally conform to the width of existing streets in the immediately adjoining area or widths required by the Village Board.

- (2) Streets or portions thereof that include subdivision lots on one side thereof shall be improved the same as under paragraph (G)(1) of this Section, except that the subdivider's obligation shall include only the side of the street adjoining the subdivision.

(H) **Alleys.** Alleys, where permitted or required, shall be constructed as specified for local streets.

(I) **Utility Lines.** Underground utilities in streets or rights-of-way or in easements shall be installed prior to the construction of such streets and/or alleys. Wherever possible, utilities will be placed in rear lot easements with street placement permitted in only the most unusual circumstances.

(J) All storm sewer pipe under roadways must be reinforced concrete pipe.

(K) All pavement subgrade shall have soil stabilization by the lime modification method. Application rates and procedures shall be in accordance with Illinois Department of Transportation Standard Specifications for Road and Bridge Construction Section 300. Soil stabilization shall be provided for all pavement subgrades regardless of compaction or stability test results. **(Ord. No. 1212; 03-20-06)**

(Ord. 716, passed 3-16-87) (Sec. 154.42)

34-3-4 STORM SEWERS AND OTHER DRAINAGE APPURTENANCES. In addition to the installation of curbs or gutters along the streets as required by **Section 34-3-3**, storm sewer systems shall be constructed throughout the entire subdivision to carry off water from all inlets and catch basins and shall be connected to an adequate outfall. Such sewers shall provide for an extension to land lying within the upland drainage area, whether such land is within the subdivision or not. Storm sewers shall be designed by the rational method; and copies of the design computations shall be submitted with the plans. Inlets shall be provided so that surface water is not carried across or around any intersection, nor for a distance of more than **six hundred (600) feet** in the gutter. The storm water drainage system shall be

separate and independent of the sanitary sewer system. Surface water drainage patterns shall be shown for each and every individual lot and block. All maintenance to storm water drains on easements to side lots and back lots shall be the responsibility of the property owner.

(Ord. 716, passed 3-16-87) (Sec. 154.43)

34-3-5 PUBLIC UTILITY ENGINEERING REQUIREMENTS.

(A) All proposed water and sanitary sewer facilities shall comply with the minimum requirements and recommendations of the Illinois Environmental Protection Agency and the Zoning Administrator. When a proposed subdivision is reasonably accessible to a public sewer system and/or distribution system, the subdivider shall provide the subdivision with a complete sanitary sewer system and/or water distribution system to be connected to the proper public system(s).

(B) **Gas, Electric Power, and Telephone.** All subdivisions shall be connected with the gas, electric power and telephone utilities supplying service to the Village. All unsubdivided lands within the Village, whether developed by subdivision, record of survey, or parcels described by metes and bounds or otherwise, shall have the above-referenced utilities installed entirely underground. The following utility lines are excepted from this provision:

- (1) Electric lines rated at 33,000 volts or more; and
- (2) Electric lines designed or built to carry 2,000 kilovolt amperes or more.

(C) Where telephone, electric and gas service lines are placed underground throughout a subdivision area, conduits or cables shall be placed within easements or dedicated public ways in a manner which will not conflict with other underground services. Further, all pad-mounted transformers shall be located so as not to be unsightly or hazardous to the public.

(Ord. 716, passed 3-16-87) (Sec. 154.44)

34-3-6 SANITARY SEWERS.

(A) All sewer plans and installations shall conform to the standards and specifications set forth in the *Standard Specifications for Water and Sewer Main Construction in Illinois*, as established by the Illinois Society of Professional Engineers.

(B) Sanitary sewer lines shall be installed to serve all properties in the subdivision, except subdivisions where individual sewage disposal systems are permitted by the Village Board.

(C) Where sanitary sewer mains of larger capacity than necessary to serve the subdivision as delineated in the preliminary plan are required to serve the future growth in the vicinity of the subdivision, as determined by the Village Board, the Village shall then reimburse the subdivider for the difference in cost of the smaller size pipe and the larger size pipe; said larger size to be determined by the Village Board.

(D) Each lot in the subdivision shall be provided at the property line with a connection to the public sanitary sewer system. The construction of the sewer system shall conform to the approved plans and specifications and all work should be properly inspected and approved by the Zoning Administrator. This prevents the street from being torn up after construction.

(E) Sewage pumping stations shall be equipped with an automatic telephone dialer alarm system to notify the village officials of improper operation.

(F) Lift stations shall have emergency power hookup capability.

(G) All forced mains shall be installed with a #12 insulated copper tracer wire to aid in the location of lines.

(H) All sewer taps shall have six inch riser pipe above grade and shall be capped.

(Ord. 716, passed 3-16-87) (Sec. 154.45)

34-3-7 WATER SYSTEM.

(A) All water main plans and installations, including all appurtenances thereto, shall conform to the *Standard Specifications for Water and Sewer Main Construction in Illinois*, as established by the Illinois Society of Professional Engineers. No water mains shall be less than **eight (8) inches** in diameter unless approved by the Village Board.

(B) Water distribution facilities, including all pipe, fittings, hydrants, valves, vaults, etc., shall be installed to serve all properties within the subdivision.

(C) Where water mains of larger capacity than necessary to serve the subdivision as delineated in the preliminary plans are required to serve the future growth in the vicinity of the subdivision, as determined by the Village Board, the Village shall then reimburse the difference in cost of the smaller size and the larger size pipe. The larger size pipe shall be determined by the Village Board.

(D) The construction of the water system shall conform to the approved plans and specifications and all work shall be properly inspected and approved by the Village Engineer. Water service line shall be extended to each lot in the subdivision prior to the Village accepting the streets for maintenance.

(E) Fire hydrants shall be located and installed by the subdivider with the prior approval of the Public Works Director, as part of the water distribution system for the subdivision. Installation of hydrants shall be accomplished in such a manner that each lot is within **three hundred (300) feet** or less of a fire hydrant when measured along the centerline of the street right-of-way. All new fire hydrants shall comply with **Section 38-3-14** of the Revised Code of Ordinances of the Village. No hydrant shall be placed on a main smaller than **eight (8) inches** in diameter. All subdivision developments shall have a water supply, under normal operating conditions, of at least **one thousand (1,000) gallons** per minute with a residual pressure of at least **twenty (20) pounds** per square inch. The method and/or equipment employed to meet this requirement shall be subject to the approval of Village. A certification of a Registered Professional Engineer shall be submitted with each proposed subdivision certifying that the proposed water main and hydrant installations will meet or exceed the requirements of this Section. This certification shall appear on the Final Plat and shall be signed by a Registered Professional Engineer. **(Ord. No. 1266; 10-15-07)**

(F) All water lines shall be installed with a #12 insulated copper tracer wire to aid in the location of the lines.

(G) All water service, whether for domestic, commercial, or industrial use shall be metered. All meters shall be placed as to render the same accessible at all times for the purpose of reading and repairing, and so to be free from the danger of freezing. Meters outside of a building shall be set in a suitable free meter box approved by the Public Works Director. Water will not be turned on for new connections until the meter has been installed and all other requirements of this Chapter on the part of the property owner have been fully complied with.

(H) The Village reserves the right to follow its own specifications for both material and construction and installation in all meters and at all locations within its jurisdiction, including the size, kind, type and condition of the utility piping to which connection will be

made. It is the duty of the Public Works Director to determine that all specifications are followed before accepting or connecting any new work.

(I) All water service materials must be pre-approved by the Village and water meter lids must be drop-in tight.

(J) The Village will inspect all connections to water meters on the customer side of the meter.

(Ord. 716, passed 3-16-87) (Sec. 154.46)

34-3-8 STREET NAMES AND SIGNS.

(A) **Street Names.** The names of new streets shall be sufficiently different in sound and spelling from the names of existing streets in the Village to avoid confusion. A street which is planned as a continuation of an existing street shall bear the same name as the existing street.

(B) **Street Name Signs.** Street name signs shall be erected by the developer at all intersections within or abutting the subdivision. Signs shall be embossed steel U.S. Standard Street Name Signs (or the equivalent thereof) measuring **6 x 24 inches**, with lettering at least **four (4) inches** high. All street name signs shall be mounted on **two (2) inch** diameter galvanized pipe set in concrete to a depth of at least **three (3) feet** and extending above the surface to a height of at least **seven (7) feet**.

(Ord. 716, passed 3-16-87) (Sec. 154.47)

34-3-9 SIDEWALKS.

(A) Construction of sidewalks shall conform to the following requirements:

(1) **Dimensions.**

(a) **Width.** **Four (4) feet** minimum.

(b) **Thickness.** **Four (4) inches** minimum, except **six (6) inches** at all driveways.

(2) **Location.** **One (1) foot** in from the property line.

(3) Contraction joints with joint tool at **four (4) foot** centers.

(4) **Expansion joints.** **One-half (1/2) inch** remolded joint filler where abutting back of curb/gutter.

(5) **Crosslope.** Minimum of **one-eighth (1/8) inch** per foot; maximum of **one-half (1/2) inch** per foot.

(B) Sidewalks shall be constructed by the lot owner along the street frontage of each lot in the location as shown on the subdivision improvement engineering plans as approved by the Village, so as to meet smoothly with adjoining sidewalks at the same surface height. Construction shall be completed prior to or within **one hundred twenty (120) days** of the issuance of an occupancy permit for the principal structure on the lot. If more than **one (1)** adjacent lot is owned with the intent to construct thereon a single principal structure, the sidewalk must span the street frontage of all such lots or partial lots. In the event the sidewalk is not completed within the allotted time, the Village may, upon **fifteen (15) days** written notice to the lot owner of record, construct the sidewalk and shall have a lien or claim for the cost thereof against the property and property owner. As used in the paragraph, the term "street frontage" refers to all parts of a lot which abut a public street, and may include the front, side, and in some cases, the rear lines of a lot. **(Ord. No. 1080; 03-17-03)**

(C) Sidewalks are not required in residential zone districts where the dwelling unit density is below **two (2) dwelling units** per net acre.

- (1) Sidewalks are required in residential zone districts on at least one side of the street when dwelling unit/net density is from two to four units per acre.
- (2) Sidewalks are required in any zone district on both sides of the street when dwelling unit density is greater than 4.0 units per net acre.
- (3) Sidewalks are required in any zone district on both sides of all arterial and collector streets. Sidewalks are not required in I-1 or I-2 Zoning Districts unless specifically requested by the Village at the time of preliminary plat submittal. **(Ord. No. 1080; 03-17-03)**
- (4) Sidewalks are required in all "B" zone districts.
- (5) Sidewalks are required in any zone district if the subdivision property line(s) is within **one thousand (1,000) feet** of the property line(s) of a school or shopping area (strip mall or store greater than **seventy-five thousand (75,000) square feet**).

(D) A variance may be granted by the Planning Commission if one or more of the following conditions are met:

- (1) Where sidewalks are not deemed necessary for public safety or where topographical or other conditions make their installation and use impractical.
- (2) Where the subdivision designed has a proposed pedestrian movement plan that provides for more direct and safer movement of pedestrian traffic.

(Ord. 716, passed 3-16-87) (Sec. 154.48)

34-3-10 APPROVAL OF DESIGN PLANS.

(A) **Checklist.** In order to qualify for approval, the engineering plans shall be accompanied by a properly executed checklist as shown in **Section 34-5-9**.

(B) **Changes or Revisions.** The Plan Commission may recommend or the Village Board may require such changes or revisions as are deemed necessary in the interest and needs of the community.

(C) **Approval, Tentative.** The Plan Commission may grant approval of the total required engineering plans by approval of plans covering only a portion of the land improvements (e.g., sanitary sewers and water) so as to facilitate immediate installations. This partial approval shall consist of a certificate on the plans covering each of the required improvements signed by the Plan Commission.

(D) **Letter of Approval.** Final approval of the complete set of engineering plans shall consist of a letter of approval from the Plan Commission, listing thereon:

- (1) Type of improvement(s) covered by the plan.
- (2) Name of designing engineer.
- (3) Date of preparation and revision, if any.

(Ord. 716, passed 3-16-87) (Sec. 154.49)

34-3-11 STREET LIGHTING.

(A) **Type of Installation.** In all subdivisions, street lights will be installed by the Village or at the direction of appropriate village staff.

- (1) **Standard Lighting Unit.** Consisting of 100-watt lamp, wooden **thirty (30) foot** pole and wiring and hanging fixtures.
- (2) **Non-Standard Lighting Unit.** The Village will install at its expense all standard fixtures. Developers may request use of a non-standard fixture for approval. Once the use of a non-standard unit has been approved, the developer will be responsible for all material and installation labor expense above and beyond that of the standard unit as calculated by the appropriate village official.

(B)

Amount of Units.

- (1) In all subdivisions, street lights will be placed at all corner lots and at all cul-de-sacs.
- (2) All subdivisions with a majority of lots less than **one (1) acre** or any street with lots of less than **one (1) acre** in size will be required to have street lights placed not to exceed **one hundred seventy-five (175) feet**, unless it is necessary to have slightly greater distance to place lighting along lot lines. All efforts will be made to place street lighting at the convergence of lot lines while maintaining as close as possible to the **one hundred seventy-five (175) feet** maximum limit.
- (3) In subdivisions where lot sizes are **one (1) acre** or greater throughout the subdivision, the street lighting design plan will be at the approval of the appropriate village official and efforts will be made where possible to place lighting at the convergence of lot lines whenever and wherever possible while maintaining a reasonable foot candle lighting.

(Ord. 716, passed 3-16-87) (Sec. 154.50)

ARTICLE IV – FINAL PLATS

34-4-1 SUBDIVIDER.

(A) Within **six (6) months** after receiving approval of the engineering plans and specifications by the Plan Commission, or a period of time beyond **six (6) months** that may be granted by the Village Board, there shall be submitted to the Zoning Administrator by the subdivider, the original drawing, one transparency print, and four copies of the final plat, which shall also contain all required signed certifications, other than signed certificates of approval by the Plan Commission, the Village Board, and the Village Administrator. It shall contain the necessary documents as may be necessary concerning the form of guarantees or performance bond to be used. The final plat shall retain the overall characteristics of the preliminary plan and may include all or part of the area shown on the preliminary plan. The Zoning Administrator shall refer the original drawing and **two (2) copies** of the final plat to the Plan Commission, and **one (1) copy** of the final plat to the Superintendent of Utilities, at least **ten (10) days** prior to their next regularly scheduled meeting for recommendation as to final approval. In the event of a special problem, the Plan Commission shall notify the owner or subdivider as to the time and place of the Plan Commission meeting at which time he will be afforded an opportunity of being heard.

(B) **Plan Commission Action.** The Plan Commission shall review the final plat and plans and transmit their report of findings and recommendations to the Village Board within **thirty (30) days** of the filing date of the final plat. The action of the Plan Commission, whether approval or disapproval of the final plat, as well as the date of said action, shall be noted in writing and attached to the final plat. If the final plat is disapproved, the reasons why shall be so stated.

(C) **Village Board Action.** The Village Board shall take action on the final plat within **sixty (60) days** from the date of the subdivider's filing of the last required document or other paper or within **sixty (60) days** from the date of the subdivider's filing application for approval of the final plat, whichever date is later, unless such time is extended by written mutual consent.

(D) **Disapproval.** If the final plat is disapproved by the Village Board, the reasons for such action shall be noted in writing by resolution, stating the reasons for disapproval, specifying with particularity the aspects in which the final plat fails to conform with the Village's ordinances.

(E) **Posting Performance Bond.** If the final plat is approved by the Village Board, the final plat shall be held by the Village Clerk until such time the subdivider posts a performance guarantee bond as required by **Section 34-4-5** and **34-4-6**. Upon receipt of said performance guarantee or bond, the Mayor shall affix his signature to the final plat and attach thereto a notation that the final plat has received final approval of the Village Board; the Clerk shall attest the signature of the Mayor and affix the seal and attach a certified copy of the Village Board's resolution of approval to the approved final plat. If such performance guarantee of bond is not posted by the subdivider within **sixty (60) days** from the date of approval of the final plat by the Village Board, approval of such final plat shall expire and become null and void.

(F) **Payment of Development Fee.** If the final plat is approved by the Village Board, the final plat shall be held by the Village Clerk until such time as the subdivider submits a final plat filing fee in the amount of **One Thousand Five Hundred Dollars (\$1,500.00)** per residential lot included on the plat. All such development fees shall be deposited to a special account designated as the Infrastructure Development Account. The use

of such funds shall be limited to capital expenditures for infrastructure improvement and/or expansion projects. **(Ord. No. 1209; 02-21-06)**
(Ord. 716, passed 3-16-87) (Sec. 154.60)

34-4-2 REQUIREMENTS OF SUBDIVIDER.

(A) The final plat may include all or only a part of the preliminary plat which has received approval.

(B) The final plat shall be drawn on new linen tracing cloth, mylar or a polyester-base film with waterproof black ink to a scale of not greater than **one hundred (100) feet to one (1) inch**, provided, however, that if the resulting drawing would be over **forty-two (42) inches square**, a scale of up to **two hundred (200) feet to one (1) inch** may be used.

(C) **Four (4)** black or blue line prints shall be submitted with the original tracing of the final plat, or in order to conform to modern drafting and reproductive methods, **four (4)** black or blue line prints and reproducible cloth or film positives of the final plat shall be submitted. Prints filed with the village shall include: **one (1)** black or blue line print made after recording of the final plat and bearing the official stamp attesting the fact of the recording; and **one (1)** reproducible print or film positive of the final plat, as approved.

(D) All dimensions shall be shown in feet and decimals of a foot and/or meters.

(E) All surveys for a final plat shall be made under the active and personal direction of an Illinois Registered Land Surveyor, and the following basic information shall be shown:

- (1) Accurate boundary lines, with dimensions and bearings or angles which provide a survey of the tract, closing with an error of closure of not more than **one (1) foot in five thousand (5,000) feet.**
- (2) Accurate distances and directions to the nearest established official monument. Reference corners shall be accurately described on the final plat.
- (3) All elevations shall be referenced to the established datum and the said reference shall be clearly stated on any plans or drawings showing such datum, provided that bench marks are located within a reasonable distance.
- (4) Accurate metes and bounds description of the boundary and the included area of the subdivision to the nearest one-hundredth of an acre.
- (5) Accurate locations of all existing and recorded streets intersecting the boundaries of the tract, shown by heavy solid lines.
- (6) Right-of-way lines of streets, easements and other rights-of-way and property lines and areas of lots and other tracts, with accurate dimensions, bearings and curve data, including radii, arcs and chords, points of tangency, and central angles.
- (7) Name and right-of-way width for each street or other right-of-way.
- (8) Location, dimensions and purposes of any easement, shown by light, dashed lines.
- (9) Number to identify each lot or site.

- (10) Purpose for which sites, other than residential lots are dedicated or reserved.
- (11) Lot dimensions and areas of each lot and building setback lines and dimensions.
- (12) Location, type, material and size of all monuments and lot markers.
- (13) Names of owners and mortgages accepting said plat with owner or owners personally signing all plans.
- (14) Names of owners of record of adjoining unplatted lands.
- (15) Reference to recorded subdivision plats within **three hundred (300) feet** of adjoining platted land by record name, date and number.
- (16) Restrictions of all types which will run with the land and become covenants in the deeds for lots. Restriction lines should be shown by medium, dashed lines.
- (17) Title or name of subdivision; section, township and range numbers in which the subdivision is located; and north arrow, scale and date.
- (18) Certification as required by **Section 34-4-3.**

(Ord. 716, passed 3-16-87) (Sec. 154.61)

34-4-3 **APPROPRIATE CERTIFICATES.** The following shall be completed as required by the Code:

(A) **Owner's Certificate.**

We, _____, the owners of (_____), have caused the said tract to be surveyed and subdivided in the manner shown, and said subdivision is to be hereinafter known as _____. All rights-of-way and easements shown hereon are hereby dedicated to the use of the public forever including the release and waiver of the right of homestead under the Homestead Exemption laws of the State of Illinois.

Dated this _____ day of _____, 20 ____.

_____ (SEAL)

_____ (SEAL)

(B) **Notary Public's Certificate.**

STATE OF ILLINOIS)
)
) ss
COUNTY OF ST. CLAIR)

I, _____, Notary Public, in and for said County in the State aforesaid, do hereby certify that _____, personally known by me to be the same persons whose names are subscribed to the foregoing instrument as such owners, appeared before me this day in person and acknowledged that they signed and delivered this plat as their own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this _____ day of _____, 20____, at _____.

Notary Public

(C) **Surveyor's Certificate.**

STATE OF ILLINOIS)
) ss
COUNTY OF ST. CLAIR)

I, _____, a registered Illinois Land Surveyor, do hereby certify that this plat is a correct representation of a survey and subdivision made under my direct supervision at the request of _____ for the purpose of subdividing the tract into lots as shown.

Illinois Land Surveyor

Registration Number

Date

(D) **County Clerk's Certificate.**

STATE OF ILLINOIS)
) ss
COUNTY OF ST. CLAIR)

I, _____, County Clerk of St. Clair County, _____, do hereby certify that there are no delinquent general taxes, no unpaid forfeited taxes and no redeemable tax sales against any of the land included in the attached plat.

I further certify that I have received all statutory fees in connection with the attached plat.

(G) **Plan Commission Certificate.**

STATE OF ILLINOIS)
)
COUNTY OF ST. CLAIR) ss

Approved this _____ day of _____, 20__.

FREEBURG PLAN COMMISSION
VILLAGE OF FREEBURG

CHAIRMAN: _____

SECRETARY: _____

(H) **Director of Services.**

STATE OF ILLINOIS)
)
COUNTY OF ST. CLAIR) ss

I, _____, do hereby certify that the required improvements have been installed or the required guarantee bond has been posted for the completion of all land improvements.

Director

Dated this _____ day of _____, 20__.
(Ord. 716, passed 3-16-87) (Sec. 154.62)

34-4-4 REQUIREMENTS OF FINAL PLAT. In order to qualify for approval, the final plat shall be accompanied by the following:

- (A) A properly executed checklist as shown in **Section 34-5-9(C)**.
- (B) Detailed specifications for all required land improvements other than those specifications submitted and approved with the engineering plans.
- (C) A copy of the Illinois Environmental Agency's permit for the sanitary sewer installation.
- (D) A copy of the Illinois Environmental Agency's approval for the water main installation.
- (E) An affidavit executed by the owner and/or subdivider accepting the responsibility for the installation of the improvements as shown on the approved engineering plans and covered by the specifications and permits required above. This affidavit shall include a stipulation by the subdivider of the installation of all land improvements in the person of a registered engineer.
- (F) A certified estimate of cost of all required land improvements prepared by a registered engineer.

(G) A description of the bond or guarantee collateral intended to be submitted as required below.
(Ord. 716, passed 3-16-87) (Sec. 154.63)

34-4-5 **GUARANTEES TO VILLAGE.** After the Village Board has approved the final plat with respect to the above qualifications, the subdivider shall be so notified by the Zoning Administrator. Final approval and signature by the Mayor and the Village Administrator shall be contingent upon the receipt by the village of guarantee by the owner and/or subdivider to the Village for the completion of all land improvements yet remaining to be installed within **sixty (60) days** of the approval of the final plat. The guarantee shall be in one of the following described forms:

(A) Deposit with the Village a subdivider's bond in the amount of the estimated cost of the land improvements; said bond need never exceed **one and one-half (1 ½) times** the estimated cost of the improvements remaining to be completed.

(B) Deposit with the Village cash in the amount of the estimated cost of the land improvements; said amount of cash need never exceed **one and one-half (1 ½) times** the estimated cost of the improvements remaining to be completed. The subdivider shall execute "an undertaking in lieu of a bond" provided for in **Section 34-5-9** and an "irrevocable commitment" from a financial institution as provided for in **Section 34-5-9**.

(C) Deposit with the Village a lien to be recorded in the County Recorder's Office on all property being subdivided, with the provision that partial release may be obtained when the loaning company executes with the Village an agreement to withhold **one and one-half (1 ½) times** the estimated cost of the land improvements yet remaining to be installed, in escrow, until such time as all land improvements have been completed and accepted by the Village. All expenses incurred in determining the amounts apportioned against the land and the cost of releasing each lot or tract shall be paid by the subdivider.

(D) Deposit with the Village other collateral equivalent to **one and one-half (1 ½) times** the estimated cost of land improvements yet remaining to be installed, such collateral to be approved by the Village Board.
(Ord. 716, passed 3-16-87) (Sec. 154.64)

34-4-6 **CONSTRUCTION TIME CONSTRAINTS.**

(A) **Inspections Required.** The subdivider/developer shall notify the Zoning Administrator and Village Administrator or Public Works Director of the start and completion of construction.

(1) The Village shall inspect said improvements while they are under construction. If he or his designated deputy determines that they are being built in violation of this Chapter, he shall request that the Administrator or Public Works Director promptly issue a stop order.

(2) The Village Administrator or Public Works Director and Village Engineer shall inspect improvements upon completion. This municipality shall not accept any completed improvement until the Administrator and Engineer have stated in writing that it complies with this Chapter.

(B) **Filing "As-Built" Records.**

- (1) The subdivider/developer shall file with the administrator a set of reproducible cloth or polyester-base film positives showing the as-built details and any deviations from the approved plans upon the completion of improvements. These shall show all individual water, sewer and electrical utility connections to meter points.
- (2) The subdivider/developer shall pay the costs to add water, sewer, and street and storm water improvements to the overall Village map(s), street, sewer, water, and storm water.
- (3) If the Administrator finds the as-builts to be unacceptable, building permits shall be discontinued until such time as the information is acceptable.

(Ord. 716, passed 3-16-87) (Sec. 154.65)

34-4-7 INSPECTION.

(A) All required land improvements to be installed under the provisions of this Chapter shall be checked during the course of construction, by or at the direction of the Village Administrator.

(B) The cost of any re-inspection of any required land improvement found to be faulty or not in accordance with the approved plans and specifications shall be paid by the subdivider to the Village. The testing of any concrete, asphalt, soil, or other materials and workmanship shall be done at the direction of the Village and at the expense of the subdivider.

(Ord. 716, passed 3-16-87) (Sec. 154.66)

34-4-8 RELEASE OF BOND. The subdivider's bond or guarantee collateral shall be released only upon fulfillment of the following conditions:

(A) The completion of all required land improvements.

(B) The submission of four copies of acceptable "as-built" drawings of all land improvements.

(C) An affidavit to the effect that:

- (1) All materials, labor, and other costs have been paid, or arrangements have been made for payment so as to hold the Village free from any obligations for payment of any costs of the land improvements; and
- (2) That the subdivider accepts responsibility for the maintenance and repair of all land improvements for **one (1) year** after the date of the acceptance resolution by the Village Board.

(D) Final acceptance by resolution by the Village Board of all land improvements.

(Ord. 716, passed 3-16-87) (Sec. 154.67)

ARTICLE V - ADMINISTRATION

34-5-1 ENFORCEMENT OFFICER; DUTIES. The Zoning Administrator, referred to herein as the Administrator, is hereby authorized and directed to administer and enforce the provisions of this Code. This broad responsibility encompasses, but is not limited to, the following specific duties:

- (A) To review and forward preliminary and final plats to the Plan Commission;
- (B) To transmit improvements plans to the Village Engineer for his review;
- (C) To issue stop orders as necessary when the Village Engineer determines that approved improvements are being constructed in violation of this Code;
- (D) To pursue actions authorized in this Code when a developer fails to complete required improvements;
- (E) To evaluate and make decisions concerning proposed minor changes in approved final plats;
- (F) To review and forward applications for subdivision variances to the Plan Commission;
- (G) To periodically review the provisions of this Code to determine whether revisions are needed, and to make recommendations on such matters to the Plan Commission as necessary;
- (H) To maintain up-to-date records of matters pertaining to this Code, including, but not limited to, preliminary plats, as-built records of completed improvements, final plats, variances, and amendments; and
- (I) To provide information to subdividers/developers and to the general public on matters related to this Code.

(Ord. 716, passed 3-16-87) (Sec. 154.80)

34-5-2 SUBDIVISION VARIANCES. Any subdivider/developer desiring a variance from the requirements of this Code shall file a written application therefor with the Administrator at the same time that he files his preliminary plat. The application shall fully explain the grounds for the variance request, and specify the section(s) of this Code which, if strictly applied, would cause great practical difficulties or hardship. The Administrator shall prepare an advisory report on every variance application and submit it, together with the completed application, to the Plan Commission.

(A) **Review by Plan Commission.** The Plan Commission shall review the variance application and the Administrator's comments, and submit their advisory report to the Board of Trustees together with their recommendation on preliminary plat approval. The Plan Commission's advisory report shall be responsive to all the variance standards set forth in paragraph (B) below.

(B) **Action by Board of Trustees; Variance Standards.** At the same meeting at which they take action on the application for preliminary plat approval, the Board of Trustees shall decide by resolution whether to grant or deny the requested subdivision variance. A copy of their decision, clearly stating their reasons therefor and the exact terms of any variance granted, shall be attached to both the preliminary and final plats. The Board of Trustees shall not grant any subdivision variance unless, based upon the information presented to them, they determine that:

- (1) The proposed variance is consistent with the general purposes of this Code; and
- (2) Strict application of the subdivision design and improvement requirements would result in great practical difficulties or hardship to the applicant, not a mere inconvenience; and
- (3) The proposed variance is the minimum deviation from the subdivision requirements that will alleviate the difficulties/hardship; and
- (4) The plight of the applicant is due to peculiar circumstances not of his own making; and
- (5) The peculiar circumstances engendering the variance request are not applicable to other tracts, and therefore, that a variance would be a more appropriate remedy than an amendment; and
- (6) The variance, if granted, will not substantially impair implementation of the Village Community Plan, including the Official Map.

(Ord. 716, passed 3-16-87) (Sec. 154.81)

34-5-3 AMENDMENTS. Amendments to this Code may be proposed by the Administrator, any member of the Board of Trustees, any Plan Commission member, or any party in interest. Every amendment proposal shall be filed on a prescribed form in the Administrator's office. The Administrator shall promptly transmit each proposal, together with any comments or recommendations he may wish to make, to the Plan Commission for a public hearing.

(Ord. 716, passed 3-16-87) (Sec. 154.82)

34-5-4 ADVISORY REPORT; ACTION BY BOARD OF TRUSTEES. Within a reasonable time after the public hearing, the Plan Commission shall submit an advisory report to the Board of Trustees. The Board of Trustees shall act on the proposed amendment at their next regularly scheduled meeting following submission of this report. Without another public hearing, the Board of Trustees may either pass or reject the proposed amendment or may refer it back to the Plan Commission for further consideration.

(Ord. 716, passed 3-16-87) (Sec. 154.83)

34-5-5 SCHEDULE OF FEES.

(A) By resolution, the Board of Trustees shall establish (and may periodically amend) a schedule of filing fees for the various permits and procedures listed in this Chapter. Said fees are intended to defray the administrative costs connected with the processing/conducting of such permits or procedures; the fees do not constitute a tax or other revenue-raising device. All such fees shall be paid by the applicant to the Village and are non-refundable.

(B) A current schedule of filing fees shall be maintained in the Administrator's office and filed with the Village Clerk.

(C) No building permits shall be issued until roadwork is complete to the Village's requirements.

(Ord. 716, passed 3-16-87) (Sec. 154.84)

34-5-6 RECORDING.

(A) The Village Clerk shall not accept a final plat for filing with the County Recorder of Deeds unless the following conditions are met:

- (1) The final plat conforms to all requirements specified by the Village Board as conditions of approval.
- (2) The final plat meets the design standards and engineering specifications set forth herein.
- (3) The final plat meets all requirements of the laws of the state.
- (4) The subdivider or applicant establishes sufficient proof of his intent and ability to post a guarantee or performance bond or bonds with the Village equal to the estimated construction cost of all improvements intended to be dedicated to the Village for maintenance and operation.

(B) No subdivision plat or re-plat of land within the jurisdiction of the Village shall be filed for record or recorded in the Office of the County Recorder of Deeds, unless and until the approval of the Village Board is endorsed thereon by the Village Clerk.

(C) No lot shall be sold for such subdivision plat or re-plat until it has been approved by the Village Board and filed for record in the Office of the Recorder of Deeds as herein provided.

(D) The Village Clerk shall file the approved final plat and ordinance with the County Recorder of Deeds, not more than **thirty (30) days** from the date of posting of and not prior to the posting of the performance guarantee or bond as required by **Section 34-4-5** and **34-4-6; two (2) copies** of such final plat and ordinance be kept in file by the Village Clerk; **one (1)** such copy filed with the enforcement officer; and **one (1) copy** shall be returned to the subdivider.

(E) It shall be unlawful for the County Recorder to accept for recording any plat of a subdivision within the incorporated area of the Village or unincorporated lands lying within the area of jurisdiction of the Village until the plat has been approved as required herein and such approval has been endorsed in writing on the plat.

(F) The Village Board shall not permit any public improvements under its jurisdiction to be constructed or maintained within an area that has been subdivided after the adoption of this Code unless such subdivision has been approved in accordance with the requirements contained herein.

(G) No Building and Zoning Occupancy Permit shall be issued by the Zoning Administrator, village or county for the construction of any building, structure or improvement to the land or any lot within the subdivision as defined herein, until all requirements herein have been fully complied with.

(Ord. 716, passed 3-16-87) (Sec. 154.85)

34-5-7 VACATION OF PLATS. In accordance with state law, any plat or part thereof may be vacated by the owner of the tract, at any time before the sale of any lot therein, by a written vacation instrument to which a copy of the plat is attached. If there are public service facilities in any street, other public way, or easement shown on said plat, the instrument shall reserve to the Village or other public entity or public utility owning such facilities the property, rights-of-way, and easements necessary for continuing public service by means of those facilities and for maintaining or reconstructing the same. The vacation instrument shall be approved by the Village Board in the same manner as plats of subdivision and shall also be approved by the County Superintendent of Highways, the Highway

Commissioner of the appropriate township, and the public utilities involved. In the case of the platted tracts wherein any lots have been sold, the written vacation instrument must also be signed by all the owners of lots in said tracts.

(Ord. 716, passed 3-16-87) (Sec. 154.86)

Statutory reference:

Vacation of plats, see ILCS Ch. 765, Act 205, §§ 6 - 8

34-5-8 MAINTENANCE OF IMPROVEMENTS.

(A) The subdivider/developer shall maintain all the improvements in the subdivision until they have been accepted by and dedicated to the Village or other appropriate entity.

(B) Prior to dedication, the subdivider/developer shall post a maintenance bond with the Village Clerk in the form approved by the Village Attorney. Said bond shall be in the amount determined by the Village Engineer to be sufficient to guarantee the satisfactory condition of the required improvements for a period of **two (2) years** from the date of their acceptance and dedication. If, at any time during the **two (2) year** period, the improvements are found to be defective, they shall be repaired/replaced at the subdivider's/developer's expense. If the subdivider/developer fails or refuses to pay such costs within **ninety (90) days** after demand is made upon him by the Administrator, the Village shall use the maintenance bond to make the necessary repairs/replacements. If the cost of the repairs/replacements exceeds the bond amount, the subdivider/developer shall be liable for the excess. At the end of the **two (2) year** period, the maintenance bond shall be released.

(Ord. 716, passed 3-16-87) (Sec. 154.87)

34-5-9 SCHEDULES AND BONDS.

(A) **Schedule A. Checklist for Preliminary Plan.**

_____ (Name of Subdivision)

_____ (Date of submission)

_____ (Due date of recommendation - 60 days)

(NOTE: To properly execute this checklist, the subdivider or his engineer shall:

- (A) Insert the required information.
- (B) Denote compliance with applicable ordinances by placing his initials in all spaces where applicable.
- (C) Denote those items which the subdivider considers "not applicable" to this particular subdivision by the abbreviation "N.A.").

- _____ 1. Six copies of preliminary plan submitted.
- _____ 2. Plans conform to Section 34-2-2.
- _____ 3. Plan scale is not less than 1" to 100'.
- _____ 4. Minimum profile scale is 1" to 100' horizontal and 1" to 10' vertical.
- _____ 5. A title sheet is included with each set of preliminary plans.
- _____ 6. Name of proposed subdivision shown.

- _____ 7. Location given by town, range, section or other legal description.
- _____ 8. Name and address of owner, trust, corporation, or subdivider having control of project is shown.
- _____ 9. Name and seal of registered engineer or surveyor who prepared topographic survey is shown.
- _____ 10. Name and address of the designer of the plan is shown.
- _____ 11. North direction is shown.
- _____ 12. Date of preparation and date of revision, if any, is shown.
- _____ 13. A location map is included indicating:
 - _____ a. A scale of not less than 1" to 1,000'.
 - _____ b. Boundary lines of adjoining land within an area bounded by the nearest arterial streets or other natural boundaries.
 - _____ c. Use of surrounding land.
 - _____ d. Ownership of the surrounding land.
 - _____ e. Alignment of existing streets.
 - _____ f. Section and corporate lines.
- _____ 14. Boundary lines of proposed subdivision are clearly shown.
- _____ 15. Total approximate acreage is shown.
- _____ 16. Existing zoning classification is indicated.
- _____ 17. The following existing items, if within the boundaries of the subdivision, or located 100' or less outside the boundaries are shown:
 - _____ a. Previously platted streets and other right-of-way, with improvements, if any, indicating:
 - _____ 1. location
 - _____ 2. widths
 - _____ 3. names
 - _____ b. Railroad rights-of-way, indicating:
 - _____ 1. location
 - _____ 2. dimensions
 - _____ c. Utility rights-of-way, indicating:
 - _____ 1. location
 - _____ 2. widths
 - _____ 3. type
 - _____ a. sewer
 - _____ b. water
 - _____ c. electric
 - _____ d. other
 - _____ d. Parks and other open spaces indicating:
 - _____ 1. location
 - _____ 2. area
 - _____ e. Easements, indicating:
 - _____ 1. location
 - _____ 2. width
 - _____ 3. purpose
 - _____ f. Permanent buildings and structures, indicating:
 - _____ 1. location
 - _____ 2. setback lines
 - _____ 3. names of owners

- _____ g. Section and corporate lines
- _____ h. Sanitary sewers, indicating:
 - _____ 1. location
 - _____ 2. size
 - _____ 3. manholes
 - _____ 4. invert elevations at manholes
- _____ i. Water mains, indicating:
 - _____ 1. location
 - _____ 2. size
 - _____ 3. valves, indicating:
 - _____ a. valve manhole, or
 - _____ b. valve box
 - _____ 4. fire hydrants and auxiliary valves
- _____ j. Culverts, indicating:
 - _____ 1. type
 - _____ 2. location
 - _____ 3. size
 - _____ 4. invert elevation
- _____ k. Storm sewers, indicating:
 - _____ 1. location
 - _____ 2. size
 - _____ 3. catch basins
 - _____ 4. invert elevations
- _____ l. Watercourses, indicating:
 - _____ 1. type
 - _____ 2. high water width and elevation
 - _____ 3. width of easement
 - _____ 4. location of easement
- _____ m. Marshes, indicating:
 - _____ 1. location
 - _____ 2. dimensions
 - _____ 3. soil bearing capacity
- _____ n. Rock outcrops, indicating:
 - _____ 1. location
 - _____ 2. dimensions
- _____ o. Monuments and survey markers, indicating:
 - _____ 1. location
 - _____ 2. type
- _____ 18. Topographic data is given in feet above mean sea level within the tract and to a distance of 100' beyond, indicating:
 - _____ a. Existing contours at vertical intervals of not more than 2'.
 - _____ b. Proposed contours at vertical intervals of not more than 2'.
 - _____ c. Bench mark, indicating:
 - _____ 1. location
 - _____ 2. description
 - _____ 3. elevation
- _____ 19. Soil bearing data is given, if required by the Superintendent of Public Works, indicating:

- _____ a. Location of tests
- _____ b. Depth of tests
- _____ c. Soil bearing capacity
- _____ d. Moisture content
- _____ 20. The following proposed items, if within the boundaries of the subdivision or located 100' or less outside of the boundaries, are shown:
 - _____ a. Layout of streets, indicating:
 - _____ 1. Arterial streets, indicating:
 - _____ a. 80' right-of-way width
 - _____ b. 50' roadway width
 - _____ 2. Collector streets, indicating:
 - _____ a. 60' right-of-way width
 - _____ b. 40' roadway width, back to back of curbs
 - _____ 3. Local streets, indicating:
 - _____ a. 50' right-of-way width
 - _____ b. 36' roadway width, back to back of curbs
 - _____ 4. Cul-de-sac streets, indicating:
 - _____ a. 50' right-of-way width
 - _____ b. 26' roadway width, back to back of curbs
 - _____ c. The length does not exceed 500' unless there are less than 16 lots abutting the cul-de-sac street.
 - _____ d. Terminus is circular, or nearly so, and right-of-way is at least 120' in diameter.
 - _____ e. Terminus roadway width is 80' in diameter.
 - _____ 5. Marginal access street, indicating:
 - _____ a. 50' right-of-way width
 - _____ b. 24' roadway width back to back of curbs
 - _____ 6. Through street shown extended to boundaries of subdivision
 - _____ 7. Storm water runoff pattern on paving
 - _____ b. Names of streets
 - _____ 1. Not duplicating the name of any street heretofore used in the village: or its environs, unless the street is an extension of an already existing street, in which case, the name shall be used.
 - _____ c. Street improvement plan showing location of all new street improvements, including those to the center line of previously dedicated rights-of-way, abutting the subdivision, in accordance with present village standards.
 - _____ d. Utility easements:
 - _____ 1. Located at the rear of each lot and other necessary locations

- _____ 2. Not less than 10' in width on each lot
 - _____ 3. Purpose is indicated
 - _____ 4. Storm water runoff is indicated
- _____ e. Centerline profiles of all streets showing gradients not less than 0.4 percent and not more than:
 - _____ 1. 5.0% on collector streets
 - _____ 2. 7.0% on minor streets
- _____ f. Pedestrian ways, when required, indicating:
 - _____ 1. Location at approximately the center of blocks in excess of 900' in length
 - _____ 2. Width not less than 12'
 - _____ 3. Shrub or tree hedge at side boundary lines
- _____ g. Block layout, indicating:
 - _____ 1. Blocks do not exceed 1200' in length
 - _____ 2. Additional access ways to parks, schools, etc., are shown in accordance with the plan commission's requirements
 - _____ 3. Blocks fit readily into the overall plan of the subdivision, with due consideration given to:
 - _____ a. topographical conditions
 - _____ b. lot planning
 - _____ c. traffic flow pattern
 - _____ d. public open space areas
 - _____ 4. Block numbers
 - _____ 5. Blocks intended for commercial, industrial or institutional use are so designated.
- _____ h. Lot layout, indicating:
 - _____ 1. Lot dimensions
 - _____ 2. Lot areas, not less than those stipulated in the appropriated district regulations of the zoning code (Areas may be listed by Schedule)
 - _____ 3. Building setback lines shown and properly dimensioned
 - _____ 4. Proposed land use
 - _____ 5. Lot numbers
 - _____ 6. Corner lots are sufficiently larger than interior lots to allow maintenance of building setback lines on both street frontages and still allow a buildable width equal to that of the smallest interior lot in the block
 - _____ 7. All lots abut .a publicly dedicated street for a distance of not less than the minimum width of the lot
 - _____ 8. Lots are as nearly rectangular in shape as is practicable
 - _____ 9. Lots are not less than the provision of the zoning code
 - _____ 10. Lot lines are substantially at right angles to the street lines and radial to curved street lines

- _____ 11. Double frontage lots only where:
 - _____ a. lots back upon an arterial street and front on an access street
 - _____ b. topographic or other conditions make subdividing otherwise unreasonable
 - _____ c. lots can be made an additional 20' deeper than average
 - _____ d. a protective screen planting is indicated on one frontage
- _____ 12. Lots abutting or traversed by a watercourse, drainage way, channel way, channel, or stream, indicate:
 - _____ a. additional width and depth to provide an acceptable building site
 - _____ b. width of easement is at least 15' wider on each side of water at high water level
- _____ 13. Due regard for natural features, such as:
 - _____ a. trees
 - _____ b. watercourses
 - _____ c. historic items
 - _____ d. other similar conditions
- _____ i. Areas intended to be dedicated for public use, indicating:
 - _____ 1. Plan conforms to general development plan of the village
 - _____ 2. Purpose
 - _____ 3. Acreage
- _____ j. Source of domestic water supply, indicating:
 - _____ 1. Connection to existing water mains
 - _____ 2. Location of site for community water plant
- _____ k. Provision for sewage disposal, indicating:
 - _____ 1. Connection to existing sanitary sewer mains
 - _____ 2. Location of site for community sewage disposal plant
- _____ l. School sites, indicating:
 - _____ 1. Location
 - _____ 2. Dimensions
 - _____ 3. Acreage
- _____ m. Topographic information, indicating:
 - _____ 1. Proposed changes in elevation of land showing that any flooding would be relieved
 - _____ 2. Adequate installation of storm sewers would remove the possibility of flooding
- _____ n. Sanitary Sewer layout, indicating:
 - _____ 1. Location
 - _____ 2. Size
 - _____ 3. Invert elevations at manholes
 - _____ 4. Manhole locations

- _____ o. Watermain layout, indicating:
 - _____ 1. Location
 - _____ 2. Size
 - _____ 3. Looped pattern where practicable
 - _____ 4. Fire hydrants, spaced apart not more than 400'
- _____ p. Storm sewer layout, indicating:
 - _____ 1. Location
 - _____ 2. Catch basins at not more than 600' intervals
 - _____ 3. Storm water is not carried across or around any intersection
 - _____ 4. Surface water drainage pattern for individual lot and block
- _____ q. Street light layout, indicating:
 - _____ 1. Locations and typical street light detail, or
 - _____ 2. Statement by subdivider that street lights will be installed in accordance with village standards
- _____ 21. An outline of proposed covenants accompanies the plans, indicating the intention of the subdivider to have the covenants recorded with the final plat.
 - _____ a. Protective against obstruction against drainage easements.
- _____ 22. Typical street cross-section showing base construction, surfacing, concrete curb and sidewalk in accordance with the land improvements code.
- _____ 23. Indication that sidewalks will be installed along all lot lines coincidental with street rights-of-way.
- _____ 24. Indication on drawing or by certificate that subdivider is aware of his responsibility for installation of street signs and for seeding and tree planting in all parkways.

Completed by _____ (Name)
 _____ (Address)
 Reviewed by: _____ (Zoning Administrator)
 _____ (Date)
 Considered by Plan Commission on _____ (Date)
 _____ (Chairman)

(B) **Checklist for Engineering Plans.**

_____ (Name of Subdivision)
 _____ (Date of Submission)
 _____ (Due Date of Recommendation - 45 Days)

(NOTE: To properly execute this checklist, the subdivider or his engineer shall:

- (A) Insert the required information.
- (B) Denote compliance with applicable ordinance by placing his initials in all spaces where applicable.
- (C) Denote those items which the subdivider considers "not applicable" to this particular subdivision by the abbreviation, "N.A.")

- _____ 1. Plans have been submitted within twelve (12) months of the date of approval by the Village Board of the Preliminary Plan.

- _____ 2. Four (4) copies of engineering plans have been submitted.
- _____ 3. Plans conform to § 154.60.
- _____ 4. A title sheet is included with each set of plans, and includes:
 - _____ a. Name of subdivision and unit number.
 - _____ b. Type of work covered.
 - _____ c. Location map showing relation of area to be improved to existing streets.
 - _____ d. An index of sheets.
 - _____ e. A summary of quantities.
 - _____ f. Name, address, and seal of registered engineer preparing the plans.
 - _____ g. Date of preparation and revisions, if any, is shown.
- _____ 5. Plan and profiles are on Federal Aid Sheets, plate I or II or equal.
 - _____ a. Horizontal scale is not less than 1" to 50'.
 - _____ b. Vertical scale is no less than 1" to 5'.
- _____ 6. Cross sections are plotted on Federal Aid Sheets, plate III.
- _____ 7. North direction is shown for each separate plan view.
- _____ 8. An adequate number of bench marks are shown with elevations referenced to mean seal level, to facilitate checking of elevations.
- _____ 9. Delineation is shown of all easements necessary to serve all lots with underground and overhead utilities, and to allow for perpetual maintenance to these facilities.
- _____ 10. An application for State Environmental Protection Agency permit for the sanitary sewer extension accompanies the plans.
- _____ 11. Sanitary sewer plans and specifications are complete and conform to the standards and requirements of the codes applicable thereto and denote all of the following:
 - _____ a. All properties in the subdivision are served and house service connections are provided.
 - _____ b. The minimum size main is 8" I.D.
 - _____ c. The plan conforms to the overall village plan for any trunk sewers traversing the subdivision.
 - _____ d. The distance between manholes does not exceed 400'.
 - _____ e. The invert elevation of each manhole is shown.
 - _____ f. The grade of each section of sewer is shown by percentage in accordance with accepted engineering practice.
 - _____ g. Extra strength pipe and extra strength manhole wall construction is specified and shown on the plans and in the estimates of quantities where the depth of installation exceeds 8'.
 - _____ h. Profile of existing and proposed ground surfaces.
 - _____ i. Risers are shown for individual house service laterals where depths of main exceeds 12'.
 - _____ j. Pipe joints are of permitted type.
 - _____ k. Minimum manhole cover weights are correct.
 - _____ 1. 540 pounds in collector streets.
 - _____ 2. 400 pounds in minor and cul-de-sac streets.
 - _____ 3. 335 pounds in rear-lot easements.
- _____ 12. An application for State Environmental Protection Agency approval of the water main installation accompanies the plans.

- _____ 13. Water distribution plans and specifications are complete and conform to the codes applicable thereto and include all of the following:
 - _____ a. All properties in the subdivision are served.
 - _____ b. The minimum size main is 8" I.D.
 - _____ c. The plan conforms to the village's overall plan for any trunk lines which might traverse the subdivision.
 - _____ d. Valve and hydrant spacing and location conform to the approved preliminary plan.
 - _____ e. Materials and joint specifications comply with the village's standards.
 - _____ f. Specifications include provisions for testing and sterilization of all new water distribution facilities.
 - _____ 1. Valve cover
 - _____ 2. Standard cover
 - _____ 3. Standard hydrant installation

- _____ 14. Street plans, including storm sewers, are complete and conform to the codes applicable thereto and include all of the following:
 - _____ a. The location of streets and width of pavements conform to those indicated on the approved preliminary plan.
 - _____ b. Plan shows curb, gutter and sidewalk locations, and include the following information:
 - _____ 1. Corner curb radius is not less than 16'.
 - _____ 2. Curve data for all horizontal curves.
 - _____ 3. Direction of flow along all curbs.
 - _____ 4. No surface water is carried across or around any street intersection, nor for a distance greater than 600'.
 - _____ c. Cross-sections are submitted as necessary to indicate feasibility of proposed street elevations in relation to adjacent lot elevations, and include sidewalk location.
 - _____ d. Profiles are submitted for all paving centerlines and storm sewers and indicate:
 - _____ 1. Catch basin invert elevations
 - _____ 2. Minimum pipe size is 12" I.D., except that a lead from a single inlet may be 10" I.D.
 - _____ 3. The grade of each section of sewer is shown by percentage in accordance with accepted engineering practice.
 - _____ 4. Storm sewer elevations do not conflict with any other underground utilities.
 - _____ 5. Storm sewer is connected with an adequate outfall.
 - _____ 6. Curve data is given for vertical road curves.
 - _____ e. The storm sewer system is designed to provide sufficient capacity for the drainage of upland areas contributing to the storm water runoff on the street.
 - _____ 1. Storm sewer design computations are submitted with plans.
 - _____ f. A surface water drainage pattern is shown for each block.
 - _____ g. Material specifications comply with village standards and include:

- _____ 1. paving base materials
- _____ 2. paving surface materials
- _____ 3. concrete
- _____ 4. pipe materials
- _____ h. Typical cross-sections and details include the following:
 - _____ 1. Collector street
 - _____ 2. Minor or cul-de-sac street
 - _____ 3. Concrete curb and gutter
 - _____ 4. Concrete sidewalk
 - _____ 5. Standard manhole
 - _____ 6. Standard cover
 - _____ 7. Catch basin
- _____ 15. Street light plans are complete and include the following:
 - _____ a. Pole locations
 - _____ b. Spacing
 - _____ c. Average maintained footcandle illumination (calculated).
 - _____ 1. type of base and pole
 - _____ 2. bracket or arm
 - _____ 3. luminaire, indicating type of lamp and wattage
 - _____ 4. mounting height
- _____ 16. Parkway improvement specifications are complete and include provisions for:
 - _____ a. Removal of stumps, trees that cannot be saved, boulders, and all other similar items.
 - _____ b. Grading, installation of topsoil and seeding or sodding.
- _____ 17. Street signs are shown to be installed at all street intersections not previously marked.

Completed by _____ (Name)
 _____ (Address)
 _____ (Date)

Reviewed by: _____ (Zoning Administrator)
 _____ (Date)

Considered by Plan Commission on _____ (Date)
 _____ (Chairman)

(C) **Checklist for Final Plat.**

_____ (Name of Subdivision)
 _____ (Date of Submission)
 _____ (Due Date of Recommendation - 30 days)

(NOTE: To properly execute this checklist, the subdivider or his engineer shall:

- (A) Insert the required information.
- (B) Denote compliance with applicable ordinances by placing his initials in all spaces where applicable.
- (C) Denote those items which the subdivider considers "not applicable" to this particular subdivision by the abbreviation "N.A.").

SUBDIVISION CODE 34-5-9

- _____ 1. Plat has been submitted within six (6) months after the approval of the engineering plan.
- _____ 2. Plat has been submitted within three (3) years after the approval of the preliminary plan (unless an extension of time has been requested of and granted by the Village Board).
- _____ 3. One (1) original drawing of the final plat has been submitted.
- _____ 4. One (1) transparency print of the final plat has been submitted.
- _____ 5. Four (4) copies of the final plat have been submitted.
- _____ 6. Plat is drawn with black or blue ink on heavy linen tracing cloth or polyester film.
- _____ 7. North direction is shown.
- _____ 8. Scale is shown (minimum 1" equals 100').
- _____ 9. Section corners and section lines are accurately tied into subdivision by distances and angles.
- _____ 10. Official survey monuments are shown as required.
- _____ 11. All necessary easements are shown and dimensioned.
- _____ 12. Building setback lines are shown and dimensioned in accordance with the zoning code.
- _____ 13. Lot areas are in accordance with the applicable zoning regulations.
- _____ 14. Street names are shown.
- _____ 15. Areas to be dedicated or reserved for public use are shown and described and the purpose is designated.
- _____ 16. Protective covenants are lettered on the plat or are appropriately referenced.
- _____ 17. Required certificates are shown and signed:
 - _____ a. Surveyor's certificate (including legal description).
 - _____ b. Owner's certificate.
 - _____ c. Notary certificate.
 - _____ d. County Clerk certificate.
 - _____ e. Flood Hazard certificate.
 - _____ f. Plan Commission certificate.
 - _____ g. Village Board certificate.
 - _____ h. Director of Services.
- _____ 18. The following items have been submitted with the final plat:
 - _____ a. Detailed specifications for all required land improvements not previously submitted and approved with the engineering plans.
 - _____ b. A copy of the state sanitary water board permit for the sanitary sewer installation.
 - _____ c. A copy of the state department of public health approval of the water main installation.
 - _____ d. An affidavit by the subdivider acknowledging responsibility for the proper installation of all required land improvements.
 - _____ e. A certified estimate of cost of all required land improvements prepared by a registered engineer.
 - _____ f. A description of the bond or guarantee collateral intended to be submitted after contingent approval is granted by the Village Board.

Completed by: _____ (Name)
_____ (Address)
_____ (Date)

Reviewed by: _____ (Zoning Administrator)

(Date)
Considered by Plan Commission on _____ (Date)

(Chairman)

(D) **Surety Bond for Improvements.**

"Know all men by these presents that we, _____
_____, (name of individual, corporation, etc.), as principal, and the _____
_____, (name of bonding company), a corporation, authorized
to do business in the state of _____, as surety,
are held and firmly bound unto the Village of _____, in the
penal sum of _____ Dollars, lawful money of the United States for the
payment of which we and each of us bind ourselves, our heirs, executors, administrators,
successors and assigns jointly by these presents:

'The condition of this obligation is such that whereas, the said _____
_____, (name of individual, corporation or principal) has agreed to
construct and/or install at its expense the following improvements:

- Street base and paving
- Concrete curb and gutters
- Water mains, appurtenances, and house services
- Storm sewers, appurtenances, and house services
- Sanitary sewers, appurtenances and house services
- Concrete sidewalks) Optional
- Street lights) Optional
- Site improvements) Optional

all in accordance with the specifications and codes of the Village, and contained in plans and
specifications prepared by _____
(named engineer), and approved by the Village Board, at the following location:

(Description of Property)

'And has agreed to maintain such improvements constructed under this bond for a
period of one year from the date of acceptance of the same by the Village.

'Now, therefore, if the said principal shall well and truly perform in all respects in strict
accordance with the requirements, and shall save the Village harmless from all loss, cost or
damage, by reason of their failure to complete said work, or maintain said improvements,
relating to the above described work, then this obligation to be void, otherwise to remain in full
force and effect."

(E) **Cash Bond.** The Plan Commission may permit a developer to file in lieu of the
surety bond called for in Section 34-4-5, a cash bond guaranteeing that the improvements will
be completed as follows:

(A) Undertaking in Lieu of Completion Bond.

WHEREAS, the statutes of the State of Illinois grant to a municipal corporation the right to require that a developer constructing certain improvements within that community guarantee the construction of such improvements by a completion bond or other security acceptable to the community; and WHEREAS, _____ desires to construct a residential development within the _____ of _____, and that said municipality is willing to accept an undertaking from a financial institution in the nature of an irrevocable commitment in lieu of such completion bond.

NOW, THEREFORE, are the following representations made by the owner and/or developer to the _____ of _____, as follows:

1. THAT _____ is the owner and/or developer of the property legally described in clause 2 of this undertaking, and shall hereinafter be referred to as "OWNER"; and, THAT the _____ of _____ shall hereinafter be referred to as "MUNICIPALITY".

2. THAT the OWNER is the legal title holder of the following described property:

[Legal Description]

3. THAT the OWNER shall be required to install and guarantee the installation of streets, sidewalks, street lights, sanitary sewers, storm sewers, water lines, recreational facilities (including structures), and common landscaping. In order to guarantee that such facilities shall be installed, the OWNER shall submit to the municipal engineer such specifications and estimated engineering costs as shall be required to meet with his approval. In aiding the municipal engineer in determining the amount of reasonably anticipated costs for the construction of such improvements, the OWNER may submit to the engineer signed contracts for the construction of such improvements. The municipal engineer, upon being satisfied that the design of the required improvements are in accordance with the ordinances of the MUNICIPALITY and in accordance with good engineering practices, shall estimate and certify an amount which shall represent one hundred ten percent (110%) of the reasonably estimated cost of completing the required improvements for which the MUNICIPALITY is requiring a completion guarantee.

4. [THAT except for the issuance of building permits for a reasonable number of models], the OWNER shall not be entitled to the issuance of [further] building permits until and unless said OWNER shall submit to the municipality an irrevocable financial commitment from a bank, savings and loan, or mortgage company approved by the municipality in the amount certified by the municipal engineer.

5. THAT the written irrevocable financial commitment shall be furnished by the Village from a banking or lending institution in the form marked Appendix A and appended to this agreement.

6. THAT the OWNER guarantees the workmanship of the public improvements to be installed upon the site for a period of one (1) year after their donation to the Village. Upon final completion of the streets, sidewalks, street lights, sanitary sewers, storm sewers, and water mains the OWNER shall execute a Bill of Sale for those items which are personal property. For a period of one (1) year after the granting of the Bill of Sale in the case of personal property and the acceptance for maintenance in the case of streets and sidewalks, all necessary repairs to such facilities shall be the responsibility of the OWNER.

IN WITNESS WHEREOF _____
has hereunto set his hand and seal this _____ day of _____
_____, 20__ .

(OWNER)

APPROVED by the _____ of _____
_____ this _____ day of _____, 20__.

BY: _____
(MUNICIPALITY)

(B) [Letterhead of Bank, Savings and Loan or Mortgage House]
_____, 20__

(F) *Maintenance bond.* The contractor making subdivision improvements shall furnish a one-year maintenance bond in the amount of 25% of the total cost of any improvements and installations excluding street tree plants and landscaping, which are to be maintained by the village. Such bond shall be in full force and effect from the date of the letter from the Village Administrator certifying that all required subdivision improvements and installations have been completed. This bond shall provide that all defects in the improvements and installations will be corrected at the end of the bond period subject to the approval of the Village Administrator. In those cases where a surety bond has been posted for the improvements in accordance with division (D) of this section, the applicant may provide that the surety bond be extended to cover this one-year period. Otherwise, a separate maintenance bond shall be posted.

(Ord. 716, passed 3-16-87) (Sec. 154.88)

APPENDIX A: FINANCIAL COMMITMENT

GENTLEMEN:

We hereby establish our irrevocable credit in favor of _____
[developer] _____, or the municipality of _____
_____ in the amount of _____
Dollars (\$ _____). We understand that this irrevocable credit is to be used to
construct the following improvements in the residential development known as _____
_____ to be constructed within the _____
_____, Illinois:

streets; sidewalks; street lights; the portion of sanitary sewers, storm sewers,
and water mains to become municipality-owned; recreational facilities (including
a recreational building and a swimming pool and appurtenances thereof); and,
landscaping in common areas.

The development is legally described as follows: [Legal Description]

We shall make payouts from this irrevocable commitment as follows:

If we have not been notified by the municipality of a default by the owner and/or
developer, we shall disburse the funds for labor and materials furnished by contractors in
accordance with the sworn statement on order of the owner, the submission of proper lien
waivers from the contractors engaged in such work, and the certificate by the municipal
engineer, _____ [his name] _____, that such work has
been properly completed, however, that we shall withhold from each payment made under
such sworn statement(s) or order(s) an amount equal to ten percent (10%) thereof until all
improvements have been completed except final surfacing of the streets and sidewalks, at
which time the ten percent (10%) sum withheld shall be disbursed less a sum equal to one
hundred and twenty-five percent (1250) of the cost of the final surfacing of the streets, which
sum shall be finally disbursed when the work has been completed and the requirements of
certification and lien waivers as has been hereinabove set out.

The required improvements shall be completed in accordance with the following
schedule: [Insert Schedule].

If we receive a resolution of the corporate authorities of the municipality indicating that
the owner and/or developer has failed to satisfactorily complete or carry on the work of the
installation and construction of the required improvements, and such resolution indicates that
the owner and/or developer has been notified that the municipality finds that a breach of the
owner's and/or developer's obligations has occurred and have not been cured within a period of
thirty (30) days, that in such case we shall make payments for materials and labor to such
contractor(s) or subcontractor (s) retained by the municipality who have completed the
improvements in substantial accordance with the plans and specifications of the owner and/or
developer; such payments shall be made upon the certification of the municipal engineer that
the work has been completed and the submission of proper waiver of liens from the
contractor(s) or subcontractor(s). The amount of the payouts shall be in accordance with the
retention provisions as previously set out.

The irrevocable credit established by us shall be in force for a period of _____ (_____) years, and shall remain in effect without regard to any default in payments of sums owed us by the owner and/or developer and without regard to other claims which we may have against the owner and/or developer. Sixty (60) days prior to the expiration of this irrevocable credit we shall notify the corporate authorities of the municipality, by registered letter return receipt requested, of the impending expiration date. This commitment shall not terminate without such notice. If the work covered by this commitment has not been completed within the time set forth in this agreement the municipality may at its option continue drawing funds as otherwise provided for an additional period of one (1) year. It is recognized that the municipality is according to the owner and/or developer the permission to proceed with the development project expressly upon the guarantee of the irrevocable nature of this commitment. It is further acknowledged that the consideration for this irrevocable commitment is provided by agreements between this financial institution and the developer. The sum of this credit shall, however, be reduced in the amount of disbursements made from time to time in accordance with the terms under which this credit is extended as set out above.

(Ord. 716, passed 3-16-87)

APPENDIX B: IMAGES

(Ord. 716, passed 3-16-87)

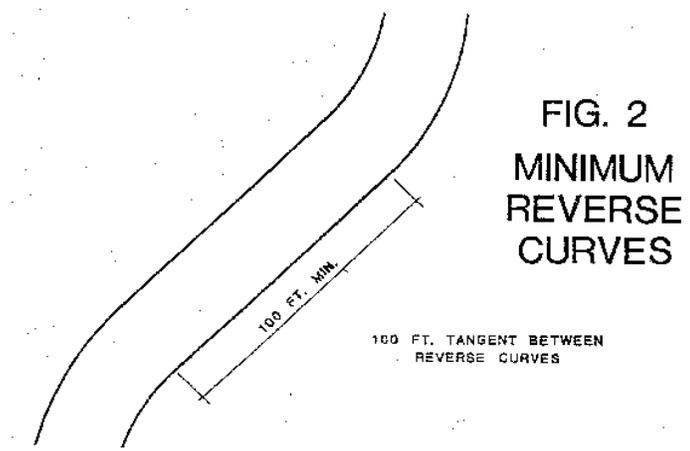
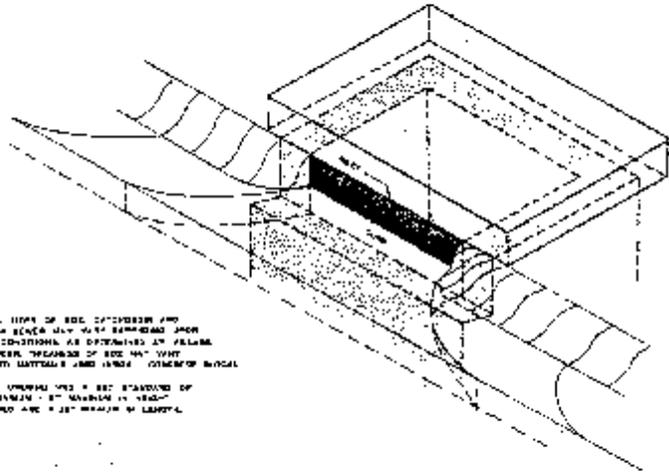
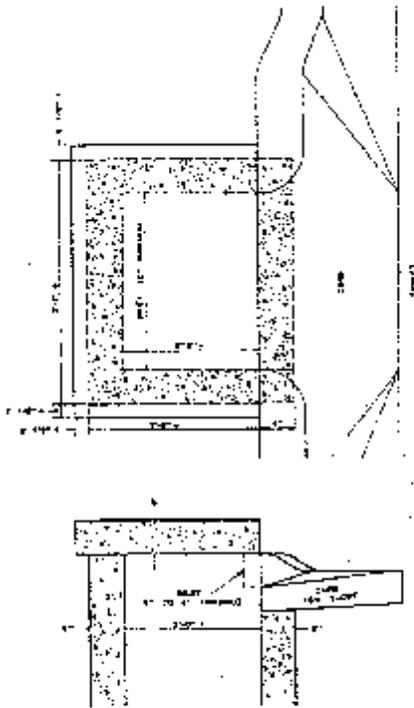


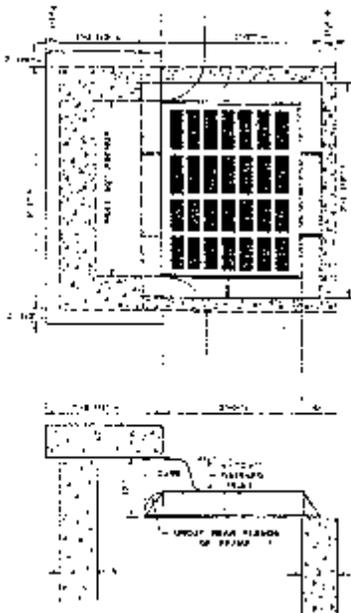
FIG. 2
MINIMUM
REVERSE
CURVES

(Ord. 716, passed 3-16-87)

FIG. 5
INLETS



NOTE: TYPE OF EDGE CURB/FRAME AND
STORM SEWER SIZE MUST BE DETERMINED FROM
SITE CONDITIONS AS DETERMINED BY PLUMB
ENGINEER. SPACING OF EDGE W/OUT
WAY TO MATERIALS AND UNDER CONCRETE SURFACE.
MUST PROVIDE 1/2\"/>



NOTE: TYPE OF EDGE CURB/FRAME AND
STORM SEWER SIZE MUST BE DETERMINED FROM
SITE CONDITIONS AS DETERMINED BY PLUMB
ENGINEER. SPACING OF EDGE W/OUT
WAY TO MATERIALS AND UNDER CONCRETE SURFACE.
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