# CHAPTER 34

# SUBDIVISION CODE

## ARTICLE I – GENERAL PROVISIONS

**34-1-1 TITLE.** This Code shall be known and cited as the "Hamel Subdivision Code".

**34-1-2 PURPOSE AND INTENT.** In accordance with the **Illinois Compiled Statutes**, this Code 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's Growth Management Plan and 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, erosion and sedimentation, or similar hazards;

(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 that the proper installation and maintenance of adequate water mains, sanitary sewers, storm sewers, and other utilities and service; and

(J) to provide a means for making adequate parks, schools, and other public facilities available to the residents of new developments.

**34-1-3 JURISDICTION AND CONFLICTING LAWS.**

(A) This Code shall be applicable within the corporate limits of the Village and within all unincorporated territory located within **one and one-half (1 ½) miles** of said limits, provided such territory is not located within the subdivision jurisdiction of another municipality. Jurisdictional boundary lines shall be determined in accordance with **65 ILCS 5/11-12-9**.

(B) Whenever the requirements of this Code differ from those of any easement, statute, other lawfully adopted ordinance or regulation, the more stringent requirement shall prevail. Developers are therefore encouraged to review such regulations, including requirements of the Illinois Department of Transportation, and to ensure compliance. In accordance with State law, whenever this Code imposes higher standards than any County Subdivision Code, said higher standards shall supersede any County regulations in unincorporated territory located within the subdivision jurisdiction of the Village.

**34-1-4 INTERPRETATION.**

(A) In the event that any provision of this Code requires interpretation in order to be clarified, the Code Administrator identified in **Section 34-4-4** shall be vested with the authority to make said interpretation.

(B) Any appeal of said interpretation shall be made in writing to the Planning Commission, which shall review the appeal request and forward a recommendation to the Village Board of Trustees, whose decision shall be final.

Any such interpretation, whether by the Code Administrator or the Village Board of Trustees, shall be reduced to writing and thereafter equitably applied to all.

(C) Every provision of this Code shall be construed liberally in favor of the Village, and every regulation set forth herein shall be considered the minimum requirement for the promotion of the public health, safety, and welfare.

(D) This Code and the aforementioned statutes shall be construed together in such a manner as to give full effect to both the regulations and statutes except in a case of irreconcilable conflict. In case of irreconcilable conflict, the laws passed by the Illinois General Assembly are controlling to the extent of such conflict.

**34-1-5 INCORPORATION OF FIGURES AND STANDARDS.** Certain design concepts, improvement standards, and related matters addressed herein are further clarified by illustrations and examples contained in the appendices. Accordingly the following appendices are hereby incorporated into these regulations by reference:

**Standard Specification Plat Sheet: T1**
Typical Street Cross Sections, Design Considerations and Erosion Control Methods
**Standard Specification Plan Sheet: T2**
Typical Street Construction Details
**Standard Specification Plan Sheet: T3**
Typical Storm Sewer Construction Details
**Standard Specification Plan Sheet: T4**
Typical Storm Sewer Construction Details
**Standard Specification Plan Sheet: T5**
Typical Sanitary Sewer Construction Details
**Standard Specification Plan Sheet: T6**
Typical Water System Construction Details
**Exhibit E1**
Preliminary Plat Checklist
**Exhibit E2**
Improvement Plan Checklist
**Exhibit E3**
Final Plat Checklist
**Exhibit E4**
Certificate of Agency Approval
**Exhibit E5**
Application for Variation
**Exhibit #6**
Application for Amendment
**Exhibit E7**
Engineer's Hydraulic/Hydrologic Drainage Summary and Certification

The requirements indicated in the appendices shall be as effective and binding as the narrative portions of this Code.

**34-1-6 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 Code. **(See "Local Governmental and Governmental Employees Tort Immunity Act," Ill. Comp. Stats., Chap. 745, Secs. 10/1-101.)**

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

**34-1-7 SEVERABILITY.** If any provision of this Code is declared unconstitutional or invalid by a court of competent jurisdiction, that judgment shall not affect the validity of any other provision hereof not specifically included in said judgment.

## ARTICLE II - DEFINITIONS

**34-2-1 RULES OF CONSTRUCTION.** In construing the intended meaning of terminology used in this Code, the following rules shall be observed:

(A) Unless the context clearly indicates otherwise, words and phrases shall have the meanings respectively ascribed to them in **Section 34-2-2**; terms not defined in **Section 34-2-2** shall have the meanings respectively ascribed to them in the Village's Zoning Code; if any term is not defined either in **Section 34-2-2** or in the Zoning Code, said term shall have its standard English dictionary meaning.

(B) Words denoting the masculine gender shall be deemed to include the feminine and neuter genders.

(C) Words used in the present tense shall include the future tense.

(D) Words used in the singular number shall include the plural number, and the plural the singular.

(E) The word "shall" is mandatory; the word "may" is discretionary.

(F) With the exception of building setbacks, all distances shall be measured to the nearest integral foot; **six (6) inches** or more shall be deemed **one (1) foot**.

(G) Captions (i.e., titles of sections, subsections, etc.) are intended merely to facilitate general reference and in no way limit the substantive application of the provisions set forth thereunder.

(H) References to sections shall be deemed to include all subsections within that section; but a reference to a particular subsection designates only that subsection.

(I) A general term that follows or is followed by enumerations of specific terms shall not be limited to the enumerated class unless expressly limited.

**34-2-2 SELECTED DEFINITIONS.**

***AASHTO:*** American Association of State Highway and Transportation Officials.

***ASTM:*** American Society of Testing Materials.

***Administrator:*** The employee or officer of the Village appointed by the Mayor to administer this Code; or his duly authorized representative.

***Alley:*** A public right-of-way that affords a secondary means of vehicular access to the side or rear of premises that front on a nearby street.

***Amendment:*** A change in the provisions of this Code, properly effected in accordance with State law and the procedures set forth herein.

***Area, Gross:*** The entire area within the lot lines of the property proposed for subdivision/ development, including any areas to be dedicated/reserved for street and alley rights-of-way and for public uses.

***BAM:*** Abbreviation for "bituminous aggregate mixture", a bituminous plant hot mix meeting IDOT Standard Specifications; used for bituminous stabilized bases and subbases.

***Block:*** An area of land entirely bounded by streets, highways, barriers, or ways (except alleys, pedestrian ways, or exterior boundaries of a subdivision unless exterior boundary is a street, highway, or way) or bounded by a combination of streets, public parks, cemeteries, railroad rights-of-way, waterways, or corporate boundary lines.

***Catch Basin:*** A receptacle, located where a street gutter opens into a storm water sewer, designed to retain matter that would not readily pass through the sewer and to allow storm water runoff to enter the sewer.

***Centerline:***

(A) the centerline of any right-of-way having a uniform width;
(B) the original centerline, where a right-of-way has been widened irregularly;
(C) the new centerline, whenever a road has been relocated.

***Centerline Offset:*** The distance between the centerline of **two (2)** roughly parallel streets, measured along the third street with which both said "parallel" streets intersect.

***Cross-slope:*** The degree of inclination measured across a right-of-way rather than in the direction traffic moves on said right-of-way.

***Curb and Gutter, Integral:*** The rim forming the edge of a street, plus the channel for leading off surface water, constructed of placed concrete as a single facility.

***Dedicate:*** To transfer the ownership of a right-of-way, parcel of land, or improvement to the Village or other public entity without compensation.

***Density, Net:*** The total number of dwelling units divided by the total project area less the area for street rights-of-way.

***Develop:*** To erect any structure or to install any improvements on a tract of land, or to undertake any activity (such as grading) in preparation therefor.

***Developer:*** Any person, firm, partnership, association, corporation, estate or other group or combination acting as a unit, and developing or proposing to develop land within the corporate limits; may be synonymous with "subdivider". In the event that a developer or subdivider is not the record owner, then both shall sign and be responsible for all submittals and the performance thereunder.

***Dimensions:*** In relation to the size of a lot, refers to both lot depth and lot width.

***District, Zoning:*** A designated area within the corporate limits of the Village wherein certain uniform requirements or various combinations thereof apply to structures, lots, and uses under the terms of the Zoning Code.

***Drainageway:*** A watercourse, gully, swale, dry stream, creek, or ditch which naturally carries storm water runoff or which is fed by street or building gutters or by storm water sewers.

***Easement:*** A right to use a portion of another person's real property for certain limited purposes.

***Escrow Deposit:*** A deposit in cash or other approved securities to assure the completion of improvements within a subdivision.

***Excavation:*** Any act by which organic matter, earth, sand, gravel, rock or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated or bulldozed and shall include the conditions resulting therefrom.

***Fill:*** Any act by which earth, sand, gravel, rock, rubble (not to exceed **three (3) inches** in diameter) or concrete (not to exceed **three (3) inches** in diameter and not to include rebar) is deposited, placed, replaced, pushed, dumped, pulled, transported or moved by man to a new location used to build up a piece

of ground, and including the conditions resulting therefrom. Sod, frozen material, organic matter, or any other material which by decay or otherwise might cause settlement, shall not be utilized as fill.

***Flag Lot:*** A lot with a lot line arrangement whereby the main use or building area of which does not abut a public street but is connected thereto by a narrow strip of land which is a part of the lot. **(Ord. No. 18-01; 01-09-18)**

***Flat Lot, Front Lot Line:*** In the case of a flag lot, the closest line, parallel to the public road, at the end of the "flagpole" or "panhandle". **(Ord. No. 18-01; 01-09-18) (See Section 34-3-3(I))**

***Frontage:*** The lineal extent of the front (street-side) of a lot.

***Grade (gradient):*** The degree at inclination at the site or right-of-way, expressed as a percentage; synonym for "slope."

***Grade, Existing:*** The vertical location of the existing ground surface prior to excavation or filling.

***Grade, Final:*** The vertical location of the ground or pavement surface after grading work is completed.

***Grading:*** Excavation, or fill, or any combination thereof, and including the conditions resulting from any excavation or fill.

***Green Space:*** Land devoted to park, recreation or other open space which is not part of an individual lot occupied by another principal use such as a house.

***Growth Management Plan:*** A plan or any portion thereof adopted by the Village Board of Trustees to guide and coordinate the physical and economic development with the Village. The Growth and Management Plan includes, but is not limited to, plans and programs regarding the location, character, and extent of: streets and related facilities; public buildings and uses; utilities; schools; residential, commercial, or industrial land uses; parks; and drainage facilities.

***I-11:*** A class of bituminous concrete hot mix used to denote either a surface course or binder course and consisting of coarse aggregate, fine aggregate, mineral filler, and asphalt cement.

***Improvements:*** Any site grading or street, curb and gutter, sidewalk, drainage ditch, sewer, catch basin, newly planted tree, off-street parking area, or other facility necessary for the general use of property owners in a subdivision.

***Improvement Plans:*** The engineering plans showing types of materials and construction details for the facilities to be installed in, or in conjunction with, a subdivision.

***Inlet:*** A receptacle, located where a street gutter opens into a storm water sewer, designed to retain matter that would not readily pass through the sewer and to allow storm water runoff to enter the sewer.

***Intersection:*** The point at which **two (2)** or more public rights-of-way (generally streets) meet.

***Letter of Credit:*** An irrevocable cash assurance pledged by a financial institution on behalf of a subdivider/developer, and provided in lieu of a surety bond as a means of guaranteeing the installation of required improvements within or in conjunction with a subdivision.

***Lot:*** A tract of land intended as a unit for the purpose (whether immediate or future) of development or transfer of ownership. A "lot" may or may not coincide with a "lot of record."

***Lot, Corner:*** A lot abutting upon **two (2)** or more streets at their intersection or upon **two (2) parts** of the same street. The point of intersection of the street lines is the "corner". Both such side lines shall be deemed front lot lines.

***Lot, Through:*** A lot having a pair of approximately parallel lot lines that abut **two (2)** approximately parallel streets. Both such lot lines shall be deemed front lot lines.

***Lot Area, Gross:*** The area of a horizontal plane bounded by the front, side, and rear lines of a lot, but not including any area occupied by the waters of a duly recorded lake or river. For those lots that include property under water, Gross Lot Area shall be considered as the area of a horizontal plane bounded by the high water mark along all banks and the remaining lot lines.

***Lot of Record:*** An area of land designated as a lot on a plat of subdivision recorded with the Recorder of Deeds of the County, in accordance with State law.

***Low Impact Development (LID):*** An approach to site design and stormwater management that seeks to maintain the site's pre-development rates and volumes of runoff. LID accomplishes this through the minimization of impervious cover, strategic placement of buildings, pavement and landscaping as well as other measures.

***Maximum Density:*** A minimum **ninety-five percent (95%)** compaction as determined by ASTM Specifications 0-698 for clayey materials and a minimum relative density of **ninety-five percent (95%)** as determined by ASTM Specifications 02049 for granular materials.

***Metes and Bounds Description:*** A description of real property not by reference to a lot or block shown on a recorded Subdivision Plat, but in terms of a known point and the bearings and distances of the lines forming the boundaries of the property.

***Official Map:*** A graphic statement of existing facilities and the capital improvements planned by the Village which require the acquisition of land; such as streets, drainage systems, or parks.

***On Record:*** Officially adopted by the legislative body of a municipality, township, county, state, or other governmental entity; or officially adopted by a department of the state (e.g., Illinois Department of Transportation). Generally, materials, which are on record, may be found in the office of the County Recorder of Deeds, but certain other legal materials such as state regulations or municipal ordinances that cannot be found in the office of the recorder of deeds shall nonetheless be deemed on record.

***Owner:*** A person having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under these regulations.

***P.C.C.:*** Portland cement concrete.

***Parkway:*** The area, normally grass covered, between the back of curb/gutter and the right-of-way lines.

***Person:*** Any natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them.

***Planning Commission:*** The Planning Commission of the Village.

***Plat, Final:*** The final engineering, survey, maps, drawings, and supporting material indicating the subdivider's plan of the subdivision which, if approved, may be filed with the County Recorder of Deeds.

***Plat, Preliminary:*** The preliminary engineering, survey, maps, drawings, and supportive material indicating the proposed layout of a subdivision.

***Reserve:*** To set aside a parcel of land in anticipation of its acquisition by the Village (or other governmental entity) for public purposes.

***Reserve Strip:*** A narrow strip of land between a public street and adjacent lots which is designated on a recorded Subdivision Plat, or property deed as land over which vehicular travel is not permitted.

***Reverse Curve:*** A curve in a street heading in approximately the opposite direction from the curve immediately preceding it so as to form an "S" shape.

***Right-of-Way, Public:*** A strip of land which the owner/subdivider has dedicated to the Village or other unit of government for streets, alleys, and other public improvements.

***Setback Line:*** A line that is usually parallel to the front, side, or rear property line of a lot, establishing the minimum distance a building must be placed away from said lot line. Minimum setback requirements are set forth in the Zoning Code.

***Sewerage System, Private:*** A sewer system including collection and treatment facilities established by the developer to serve a new subdivision in an outlying area.

***Sidewalk:*** A pedestrian way constructed in compliance with the standards of this Code generally abutting or near the curb line of the street.

***Site:*** When used in reference to grading, a lot or parcel of land, or a contiguous combination thereof, where grading work is performed as a single unified operation.

***Site Development:*** Altering terrain and/or vegetation and construction improvements.

***Stop Work Order:*** An order used by the Code Administrator to halt work-in-progress that is in violation of this Code.

***Street:*** A public or private way for motor vehicle travel. The term "street" includes a highway, thoroughfare, parkway, through way, road, pike, avenue, boulevard, lane, place, drive, court, and similar designations, but excludes an alley or a way for pedestrian use only.

***Street, Arterial:*** A street, thoroughfare, major street, or highway, which carries or is proposed to carry high volumes of traffic at higher vehicular speeds on a continuous route with intersections at grade, and on which traffic control devices might be located in order to help expedite the safe movement of through traffic.

***Street, Collector:*** A street of considerable continuity, including the principal entrance street(s) of residential developments and the principal circulating street(s) within said developments which carries or is proposed to carry intermediate volumes of traffic from land access streets to arterials.

***Street, Cul-de-Sac:*** A land access street having only **one (1) outlet** for vehicular traffic and having the other end permanently terminated by a turn-around for vehicles; the term may also be used to refer solely to said turn-around.

***Street, Frontage Road:*** A minor street, parallel with and adjacent to, or in the immediate vicinity of, an arterial street or limited access highway, used for local access to abutting lots, and therefore relieving said arterials from providing such access.

***Street, Land Access:*** A street serving limited amounts of residential traffic, used solely for ingress and egress to abutting property from a local street (residential) or collector street (residential); may be a cul-de-sac.

***Street, Local (Residential):*** A street normally serving limited amounts of residential traffic; used primarily for access to abutting residential properties, normally with more than **one (1) outlet**, not typically a through route, and, under normal traffic patterns, serving less than **fifty (50) dwelling units**, or up to **one hundred (100) dwelling units** at the discretion of the Village Board.

***Street, Local (Commercial):*** A street normally serving limited amounts of commercial traffic; used primarily for access to abutting commercial properties, normally with more than **one (1) outlet**, not typically a through route, or serving a limited volume of mixed traffic in a commercial subdivision, and whereon no curb-side parking is allowed.

***Street, Temporary Stub:*** A street that is temporarily terminated without the use of a cul-de-sac because it is planned for future continuation.

***Street Width:*** The shortest distance between lines delineating the pavement width of a street, usually measured from back-of-curb to back-of-curb. Not to be confused with right-of-way width, which includes both pavement and parkways.

***Stripping:*** Any activity that removes the vegetative surface cover including tree removal, clearing and storage or removal of topsoil.

***Structure:*** Anything constructed or erected on the ground, or attached to something having a fixed location on the ground. All buildings are structures, but not all structures are buildings.

***Subdivider:*** Any person, firm, partnership, association, corporation, estate or other group or combination acting as a unit, and dividing or proposing to divide land in a manner that constitutes a subdivision as defined herein; synonymous with "developer". In the event that a subdivider or developer is not the record owner, then both shall sign and be responsible for all submittals and the performance thereunder.

***Subdivision:*** Any division of land into **two (2)** or more lots, except as provided otherwise in the list of exceptions set forth in the Plat Act **(765 ILCS 205/1)**. The term "subdivision" includes re-subdivision.

***Subdivision, Minor:*** A division of land into **two (2)**, but not more than **four (4) lots**, all of which front upon an existing street, and not involving any new streets, 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.

***Vacate:*** To terminate the legal existence of right-of-way or subdivision, and to so note on the Final Plat recorded with the County Recorder of Deeds.

***Variation, Subdivision:*** A relaxation in the strict application of the design and improvement standards set forth in this Code.

***Village:*** The Village or the area within the territorial limits of the Village, and such territory outside of the Village over which the Village has jurisdiction or control by virtue of any constitutional or statutory provision.

***Village Engineer:*** A professional engineer registered in the State of Illinois and designated by the Village Board of Trustees as the Village Engineer.

## ARTICLE III - DESIGN AND IMPROVEMENT STANDARDS

**34-3-1 GENERAL PROHIBITION.** Streets, sanitary sewer systems, and water treatment and distribution represent major investments in a community. Obviously these improvements should be constructed in such a manner so that they become enduring assets to the community. In order to assure that improvements constructed by a subdivision developer for dedication to the public are worthy of acceptance by the Village, this Article sets forth the appropriate design and construction standards necessary to achieve that goal. The design and improvement standards set forth herein shall be deemed the minimum requirements for public health, safety, and general welfare. Nothing contained in this Article shall be construed as preventing the Subdivider from constructing improvements that exceed these requirements.

(A) No land within the subdivision jurisdiction of the Village; other than land that is specifically exempted from the requirements of the Illinois Plats Act **(765 ILCS 205/1(b))** shall be subdivided or developed except in compliance with the regulations of this Article and the applicable provisions of State law. **(See 65 ILCS 5/11-12-8; 765 ILCS 205/1 et seq.)**

(B) No lot in any subdivision shall be conveyed until:

(1) The Final Plat of said subdivision has been approved by the Village Board and recorded with the County Recorder of Deeds; and

(2) The portion of said subdivision of which the lot is located has been improved in accordance with the requirements of this Article or until an irrevocable Letter of Credit or some other acceptable assurance has been posted to warrant the completion of such improvements.

(C) No building permit shall be issued to allow construction on any lot conveyed in violation of this Section, and any so issued shall be made invalid by said violation.

**34-3-2 GENERAL SUITABILITY FOR SUBDIVISION.** Land which the Village Board determines to be unsuitable for development due to probable flooding, poor drainage, rough topography, adverse soil conditions, or other conditions that in the opinion of the Administrator and/or Village Engineer will prove detrimental to the health, safety and/or general welfare of the future inhabitants of said tract and/or surrounding areas shall not be subdivided or developed unless the developer submits plans and methods that the Administrator or Village Engineer deems adequate to resolve or avoid the problems caused by the adverse land conditions.

**34-3-3 GENERAL DESIGN STANDARDS.** It is the intent of this Code and the Village to facilitate the design of new subdivisions and developments that are in compliance with the provisions and procedures outlined herein. As such, the Village has developed the following Standard Specification Plan Sheets in order to illustrate specific design requirements:

**Standard Specification Plan Sheet: T1**
Typical Street Cross Sections, Design Considerations and Erosion Control Methods
**Standard Specification Plan Sheet: T2**
Typical Street Construction Details
**Standard Specification Plan Sheet: T3**
Typical Storm Sewer Construction Details
**Standard Specification Plan Sheet: T4**
Typical Storm Sewer Construction Details
**Standard Specification Plan Sheet: T5**
Typical Sanitary Sewer Construction Details
**Standard Specification Plan Sheet: T6**
Typical Water System Construction Details

Said Plan Sheets are included herein and made a part hereof by reference. The Village shall make said Plan Sheets available to all Subdividers/Developers, who are thereafter encouraged to photocopy said sheets and include them within the construction plans for the proposed development. By doing so, the Subdivider/Developer can more easily make the requirements of this Code known to the contractors responsible for the construction and installation of improvements within the development, and be more assured that actual construction will be in compliance with said illustrations.

**34-3-4 STANDARDS FOR LOTS.** The planning and development of lots shall be done in such a manner so as to assure compliance with the Zoning Code. In order to help achieve this result, every Subdivider shall comply with the requirements herein.

(A) All lots in any subdivision within the Village shall conform to the minimum lot area and dimension requirements of the Zoning District in which said subdivision is located.

(B) All lots in any subdivision outside the Village, shall conform to the minimum lot area and dimension requirements of the Village's Zoning District which is most appropriate; as determined by the Administrator of this Code.

(C) Land contained with lakefront lots that is under water when the lake is at its highest level, or land reserved for street improvements shall not be counted in determining compliance with minimum lot size requirements.

(D) If possible, the creation of through lots should be avoided in all new subdivisions.

(E) Every corner and through lot shall be large enough to permit compliance with the Zoning District's front setback requirement on every side of said lot that faces a street.

(F) All lot remnants shall be added to adjacent lots to avoid the creation of non-buildable or nonconforming parcels.

(G) All side lot lines shall be at right angles to straight street right-of-way lines or radial to curved street right-of-way lines, except where the Village Engineer has determined that a deviation from this requirement will provide a street and lot design more beneficial to the Village.

(H) All side lot lines of lots which front a cul-de-sac shall be at right angles to the centerline of said cul-de-sac until the point at which the centerline meets the center of the cul-de-sac turnaround. Side lot lines beyond that point shall be radial to the center of the cul-de-sac turnaround except where the Village Engineer has determined that a deviation from this requirement will provide a street and lot design more beneficial to the Village.

(I) **Flag Lots.** The use of flag lots is normally prohibited everywhere in this Municipality. There may be certain circumstances and instances where the use of flag lots is required due to physical limitations or other factors out of the control of the developer including wasted or damaging building areas in areas of environmental sensitivity. Flag lot usage within a subdivision development may be permitted by requesting a variance to the subdivision control ordinance, following the procedures and requirements as listed herein.

(1) **Variation Procedure and Criteria.** The Plan Commission shall first determine the following criteria before any flag lots shall be permitted as an approved lot subdivision method.

(a) **Property Values.** Flag lots shall not significantly reduce property values in the neighborhood areas adjoining and within the proposed development. The Plan Commission among other things, shall consider the size of nearby lots in comparison to the proposed flag lots when considering whether property values have been reduced; and

(b) **Physical or Geographical Restraints.**

(i) The physical terrain, or the configuration of the land to be subdivided and the location of non-accessible streets or any combination of the above, is such that subdivision of said area into standard lots in accordance with regular subdivision standards are not feasible.

(ii) Conventional division would result in greater erosion hazard, loss of trees, or other environmental damage which could be prevented by use of a flag lot.

The subdivider or their assignee must make application for a variation to permit flag lots within their development on the subdivision application and forms as provided for in the department of development administration.

(2) **Use of Flag Lots.** If flag lots are requested and approved as a variation to the subdivision control ordinance, the following criteria will be utilized as minimal design standards to permit flag lots within a subdivision development.

(3) **Standards and Use.** Minimum standards for usage of flag lots:

(a) Minimum lot size is **seven thousand five hundred (7,500) square feet**, exclusive of the area of the "flagpole" or "panhandle" with a width at the established building line of not less than **seventy-five (75) feet** and not less than **one hundred (100) feet** in average depth.

(b) The minimum panhandle width shall be **thirty (30) feet** and shall only serve the lot to which is connected.

(c) Minimum access paving width of the driveway used for access shall be **twelve (12) feet**.

(d) Driveways and parking areas shall be constructed of at least **six (6) inches** thick P.C. concrete driveway pavement, or equal, as approved by the Director of Public Works. Driveway portions of a flag lot must be constructed prior to final plat approval of the subdivision, unless at the developer's election, money is escrowed for construction of the driveway. No occupancy permit shall be issued without construction of the driveway to stated standards.

(e) Sub-base and base course of driveways and parking areas shall be inspected and be acceptable to the Director of Public Works prior to final surfacing.

(f) Whether or not the panhandle is used for access, it shall remain free of structures and be available for possible future access to a public street.

(g) Each rear lot or parcel shall have **two (2)** unenclosed parking spaces plus at least **two (2)** enclosed with sufficient turn around area to eliminate the necessity for a vehicle to back out onto the street. The parking spaces shall not be located in the panhandle portion of the driveways.

(h) The lot size, yard areas, dwelling standards, and conditions of use shall be the same for flag lots as for any other lot in a particular zoning district.

(i) If public utility easements are located on the flagpole or panhandle portion of the lot, then the pole portion of the lot shall be a minimum of **thirty-five (35) feet** in width.

(j) The flagpole or panhandle sidelines shall be parallel.

(k) The length of the panhandle or flagpole shall not exceed **two hundred (200) feet** in length.

(l) An area for garbage pick-up shall be identified and designated which is alongside the street onto which the private drive leads.

(m) The mailbox for all flag lots shall be located at the corner of the driveway and the street. House numbers must be located on the mailbox. No occupancy permit will be issued without meeting these requirements.

(n) Commercial or manufacturing flag lots are allowed on the same variance basis as above. No access is allowed through residential areas, residentially zoned areas, or residential local streets. Yards of commercial/manufacturing flag lot adjacent to residential zones must take the buffer distance required when non-residential and residential zones abut.

**(Ord. No. 18-01; 01-09-18)**

**34-3-5 STREET FRONTAGE REQUIRED.** All land to be subdivided, shall be divided in such a way that each lot abuts a public street meeting the requirements of **Sections 34-3-6** and **34-3-16**. **(Ord. No. 18-01; 01-09-18)**

**34-3-6 REFERENCE MONUMENTS REQUIRED.** In accordance with "An Act to Revise the Law in Relation to Plats", **765 ILCS 205/1(a) et seq.**, as amended from time to time, reference monuments shall be erected by each Subdivider as follows:

(A) **In the Field.** Stone or reinforced concrete reference monuments, set in the ground in such a manner that they will not be moved by frost, shall be placed in the field, at opposite corners of the subdivision.

(B) **At Lot Corners.** Every lot corner shall be marked by an iron pin or pipe, at least **one-half (1/2) inch** in diameter and not less than **twenty-four (24) inches** long, driven into the ground deep enough that they do not protrude above the surface more than **one and one-half (1 ½) inches**.

(1) No lot in any subdivision shall be sold unless the corners of said lot are marked as specified above at the time of sale.

(C) **Front Lot Corners.** Front lot corners abutting platted street shall be marked in the curb by a saw cut "T" (minimum of **one-quarter (1/4) inch** deep and maximum of **one-half (1/2) inch** deep) in addition to the lot pins required above.

**34-3-7 CLEARING AND GRUBBING.**

(A) Prior to grading within the limits of the right-of-way, the entire area to be affected with improvements, including areas intended for pavement, water mains, sewer lines, and drainage facilities, shall be cleared of all tree stumps, roots, brush, and other objectionable materials and of all trees not intended for preservation.

**(Ord. No. 18-01; 01-09-18)**

**34-3-8 EROSION CONTROL.** Because of the possibility that excessive quantities of soil will erode from areas undergoing subdivision or development and the construction of related improvements, this Code requires the use of specific erosion control measures. Sediment from soil erosion can reduce the channel capacity of waterways, thereby limiting their use for many beneficial purposes and resulting in increased chances of flooding, a risk to public health and safety. Sediment can also clog sewers and ditches; pollute and silt rivers, streams, lakes, and reservoirs; and necessitate costly repairs to gullies, washed out fill and embankments.

In order to help safeguard persons, protect property, prevent damage to the environment, and promote the public welfare, the provisions of this Section guide, regulate and control the design, construction, use, maintenance of any development which disturbs or breaks the topsoil or otherwise results in the movement of earth on land situated within the Village.

In addition to other penalties authorized, any person, partnership, or corporation convicted of violating any of the provisions of the erosion control provisions of this Code shall be required to restore the affected site to the condition existing prior to commission of the violation, or to reimburse the Village for the expense of such restoration.

**34-3-9 GENERAL EROSION CONTROL PROVISIONS.**

(A) Whenever feasible, natural contours should be followed as closely as possible in areas of steep slopes where high cuts and fills might otherwise be required, so that the design of every subdivision is consistent with the natural limitations presented by topography and soil, and so as to create the least potential for soil erosion.

(B) Wherever possible, natural vegetation should be retained and protected and areas immediately adjacent to natural watercourses should be left undisturbed.

(C) The smallest practical area of land should be exposed for the shortest practical time during development.

(D) During development, the Subdivider/Developer shall install temporary erosion control measures to prevent siltation of adjacent streams, roads, and property.

(E) The Subdivider/Developer shall install and maintain appropriate permanent devices, such as sediment basins, debris basins, desilting basins, silt traps, filters, rip rap, or energy dissipaters, in order to prevent long term erosion and siltation and to remove sediment from runoff waters.

(F) The Subdivider/Developer shall select erosion and sedimentation control measures based upon an assessment of the probable frequency of climatic and other events likely to contribute to erosion, and upon an evaluation of the risks, costs, and benefits involved.

(G) In the design of erosion control facilities and practices, aesthetics and the requirements of continuing maintenance should be considered.

(H) Provision shall be made to accommodate the increased runoff caused by changed soil and surface conditions during and after development. Drainageways should be designed so that their final gradients and the resultant velocities of discharges will not create additional erosion.

(I) Permanent vegetation and structures should be installed as soon as practical during development, and in no case exceed more than **ninety (90) days**.

**34-3-10 EROSION CONTROL PLAN.**

(A) No Subdivider/Developer shall commence or perform any grading, stripping, or excavating of land, without having first submitted an Erosion Control Plan as part of the Improvement Plan process outlined in **Section 34-4-20**, and received approval therefor.

(1) The developer shall not be relieved of responsibility for damage to persons or property otherwise imposed by law and the Village or its officers or agents are not made liable for such damage, by:
   (a) the approval of a plan under this Code;
   (b) compliance with the provisions of that plan or with conditions attached to it by the Building and Zoning Administrator or any representative or agent to the Village;
   (c) failure of Village Officials to observe or recognize hazardous or unsightly conditions;
   (d) failure of Village Officials to recommend denial of, or to deny a plan; or
   (e) exemptions from the plan requirements of this Code.

(2) Plans, specifications, and reports for all site developments shall be retained with the Subdivision Improvements Plans.

(B) The Erosion Control Plan shall be prepared in accordance with the standards and requirements contained in "Procedures and Standards for Urban Soil Erosion and Sedimentation Control in Illinois", prepared by the Northeastern Illinois Soil Erosion and Sedimentation Control Steering Committee, and recognized by the Madison County Soil and Water Conservation District.

(C) No Erosion Control Plan shall be approved for any intended development site unless:

(1) Where applicable, the proposed subdivision, planned unit development, or other development has been approved by the Village, or

(2) The proposed site is situated within, and the earthwork is being performed, as part of a Comprehensive Development Plan previously approved by the Village.

(D) Any significant amendments of the approved Erosion Control Plan shall be submitted to the Building and Zoning Administrator or his designated representative, reviewed and approved or disapproved in the same manner as the original plan.

(1) Field modifications of a minor nature may be authorized by the Building and Zoning Administrator or his designated representative by written authorization to the Subdivider/Developer.

(E) Every Erosion Control Plan shall expire and become null and void if the work authorized by such plan has not been commenced within **one hundred eighty (180) days**, or is not completed by a date which shall be specified in the plan.

(1) The Building and Zoning Administrator may grant a reasonable extension of time if written application is made before the expiration date of the plan, and if the developer presents satisfactory evidence that unusual difficulties have prevented work being commenced or completed within the specified time limits.

(F) The Building and Zoning Administrator or his designated representative may authorize exceptions to any of the erosion control requirements and regulations set forth in this Code, in accordance with the following procedures:

(1) An application for any requested exception shall be made by written petition of the Subdivider/Developer and filed with all other documents required as part of the erosion control plan.

(2) Said petition shall clearly state the grounds upon which it is based and the facts relied upon by the Subdivider/Developer.

(3) In order for said petition to be granted, the Building and Zoning Administrator shall determine all of the following:

(a) That the land referred to in the petition is of such shape or size, or is affected by such physical conditions, or is subject to such title limitations of record, that it is impossible or impracticable for the applicant to comply with all of the requirements of these provisions;

(b) That the exception is necessary for the preservation and enjoyment of a substantial property right of the applicant; and

(c) That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the vicinity of the subject property.

(G) If stripping, clearing, grading and/or landscaping are to be done in phases, the Subdivider/Developer shall give notice and request the inspections required in **Section 34-4-22** for each separate phase at each of the stages of work listed in said Section.

(1) If the Village determines by inspection at any stage of the earth work that further work, although authorized by an erosion control plan, is likely to imperil property, public ways, watercourses or drainage structures, the Village may require that special precautions be taken in order to minimize the likelihood of such peril, and may require said precautions as a condition of allowing the work to continue.

(a) "Special precautions" may include, but shall not be limited to: a more level exposed slope; construction of additional drainage facilities, berms, terracing, compaction, or cribbing; installation of plant materials for erosion control; or recommendations from a registered soils engineer and/or engineering geologist.

(2) Should it appear that damage may result from pending storms because the grading on any development site is not complete, the Village may require that work be stopped and that the Subdivider/Developer install temporary

structures or take such other measures as may be required to protect adjoining property or the public safety.

(3) On large developments or where unusual, site conditions prevail, the Village may specify an allowable time period during which earthwork may be performed, or may require that earthwork be conducted in specific stages so as to insure completion of protection measures or devices prior to the advent of seasonal rains.

(H) The Village may waive specific requirements for the content of said plan upon determining the information as submitted is sufficient to show that work will comply with the objectives and principles of this Code.

**34-3-11 STANDARDS FOR GRADING.**

(A) All grading necessitated for the construction of pavement, curb and gutter, sidewalks, right-of-way and drainage facilities shall be done in such a manner so as to assure a uniform subgrade with adequate bearing capacity to properly support the loading/structures to be superimposed.

(B) All topsoil shall be removed from areas proposed for the construction of pavement, curb and gutter, or sidewalks, and under no circumstances shall said improvements be constructed on topsoil, or on any other soil not capable of meeting the specifications for compaction specified herein.

**34-3-12 SUBGRADES.**

(A) All subgrades shall be properly graded to the lines and grades shown on the plans for the given project.

(B) In areas to be cut below existing grade, the Contractor responsible for rough grading shall take the following steps in an effort to obtain less than **ninety-five percent (95%)** of the standard laboratory density in the subgrade.

(1) The subgrade shall be cleared of all unsuitable material, including, but not limited to, vegetation, tree stumps and roots, trash, debris, soft spongy soil, etc., for a minimum depth of **eighteen (18) inches** below subgrade elevation.

(2) Plan ditches that drain the area are to be cut to grade at least **two (2) weeks** prior to the work required in the following paragraph.

(3) The top **eight (8) inches** of subgrade shall be air dried, and shall include processing the soil utilizing discs or tillers to a depth of **eight (8) inches** at least twice each day for **three (3)** consecutive good drying days.

(4) All areas processed per the above paragraph shall be recompacted in order to achieve not less than **ninety-five percent (95%)** density, or until at least **nine (9)** passes have been made utilizing a roller that has demonstrated its ability to obtain the required density on adjacent earthwork.

(C) In areas requiring the construction of roadway embankment, and where said embankment will be less than **one and one-half (1 ½) feet** in height, all filling shall be done in lifts that do not exceed **eight (8) inches** loose thickness, and that are compacted to not less than **ninety-five percent (95%)** of the standard laboratory density.

(1) If the embankment height is between **one and one-half (1 ½) feet** and **three (3) feet** inclusive, the first lift shall be compacted to not less than **ninety percent (90%)**, and the balance to a minimum of **ninety-five percent (95%)** of the standard laboratory density.

(2) If the embankment exceeds **three (3) feet** in height, the lower **one-third (1/3)** of the embankment, but not more than **two (2) feet**, shall be compacted in a manner that will yield a minimum of **ninety percent (90%)** of standard laboratory density to the uppermost lift of that portion of the embankment. The next **one (1) foot** of embankment shall be

compacted to not less than **ninety-three percent (93%)**, and the balance of the embankment compacted to not less than **ninety-five percent (95%)** of the standard laboratory density.

(3) Large clods and excessively wet material used for fills shall be disked or raked prior to placement.

(4) No wood, trash, or other objectionable material shall be used for fills.

(D) The standard laboratory density shall be the maximum density determined according to AASHTO T 99 (Method A or C). A coarse particle correction according to AASHTO T 224 shall be used with Method A and may be used with Method C.

(E) The top **two (2) feet** of all embankments shall not contain more than **one hundred twenty percent (120%)** of the optimum moisture determined according to AASHTO T 99 (Method C).

(F) Compaction shall be achieved with a roller capable of properly compacting the given type of embankment material; in the case of fine-grained soils, a sheeps-foot roller shall be deemed suitable.

**34-3-13 LIME MODIFICATION.** All streets shall be constructed with a lime-modified subgrade to a depth of at least **eight (8) inches**.

(A) Lime used for this purpose shall be proportioned within a range of **two percent (2%)** to **six percent (6%)** of soil (oven dry basis).

(B) The loose thickness of a single lime modified layer shall not exceed **eight (8) inches** if a disk harrow is used, or **fourteen (14) inches** if rotary speed mixer is used.

(C) Lime shall not be applied when wind conditions are such that blowing lime becomes objectionable to adjacent property owners, or creates a hazard to traffic on adjacent highways.

(D) For all Residential Street Applications, in lieu of lime modification sub-grade, **four (4) inches** of crushed stone with underlayment may be used. Requirements of **Section 34-3-12** apply.

**34-3-14 GRANULAR SUB-BASE.** Where granular sub-base is required, the Subdivider/Developer shall use CA-6 sub-base aggregate granular material, Type A, conforming Section 311 - Granular Sub-base of the IDOT Standard Specifications.

(A) The sub-base shall be constructed in layers not more than **four (4) inches** thick when compacted, provided, however, that if tests indicate that the desired results are being obtained, the compacted thickness of any layer may be increased to a maximum of **eight (8) inches**.

(B) In the event it is necessary to undercut the subgrade due to soft or spongy areas, CA-3 aggregate shall be used as fill in order to bring the subject area to subgrade elevation.

(C) The granular material shall be compacted to not less than **ninety-five percent (95%)** of the standard laboratory density.

(1) The standard laboratory density shall be the maximum density determined according to AASHTO T 99 (Method A or C).

(2) A coarse particle correction according AASHTO T 224 will be used with Method A and may be used with Method C.

(D) Equipment used for placement of granular sub-base shall consist of either a suitable spreader box or by the blading of end-dumped or tailgated material, provided however, that the latter method will be allowed only if it can be accomplished without undue segregation of the material.

**34-3-15 COMPACTION VERIFICATION.** The developer shall be responsible for providing soils testing results to the Village Engineer to verify compliance with the above stated compaction requirements.

(A) In general, soils tests shall be taken every **two hundred (200) feet**, **eight (8) feet** off of the centerline; at intersecting streets; and at sag (low) points.

(B) A written report from a Registered Professional Engineer, certifying that soils throughout the embankment and subgrade material uniformly meet the compaction requirements, shall be provided to the Village at least **twenty-four (24) hours** prior to paving or pouring curb and gutter.

**34-3-16 STANDARDS FOR STREETS.** All streets under the jurisdiction of the Village shall be classified by the Village and said classification shall determine the standards to which said streets must be constructed. If the proper classification of any street is unknown, or if a new street is proposed for construction, the Village shall review the existing or proposed street and thereafter establish a classification.

(A) As a general rule, the design of all streets within any subdivision shall be properly integrated with the Village's existing and proposed street system, and all work, installation, procedures and testing shall conform to the specifications contained in the latest edition of the Illinois Department of Transportation "Standard Specifications for Road and Bridge Construction", hereinafter referred to as IDOT Standard Specifications, with the provisions of this Article, and with the specifications set forth in Table 31.

(B) Measurement of pavement width for streets shall be made from back-to-back of the curbs. Measurement of pavement width for alleys, where curbs are not required, shall be from edge-to-edge.

**TABLE 31**

**STREET CLASSIFICATION**

| | |
|---|---|
| **Arterial/Industrial** | |
| Minimum right-of-way width | 80 feet |
| Minimum pavement width | 50 feet |
| Minimum grade | .5% |
| Maximum grade | 5% |
| Minimum crown | 3 inches |
| **Collector (Residential or Commercial)** | |
| Minimum right-of-way width | 60 feet |
| Minimum pavement width | 36 feet |
| Minimum grade | .5% |
| Maximum grade | 8% |
| Minimum crown | 3 inches |
| **Local (Commercial)** | |
| Minimum right-of-way width | 60 feet |
| Minimum pavement width | 34 feet |
| Minimum grade | .5% |
| Maximum grade | 8% |
| Minimum crown | 4 inches |
| **Local (Residential)** | |
| Minimum right-of-way width | 50 feet |
| Minimum pavement width | 32 feet |
| Minimum grade | .5% |
| Maximum grade | 8% |
| Minimum crown | 3 inches |
| **Land Access** | |
| Minimum right-of-way width | 50 feet |
| Minimum pavement width | 32 feet |
| Minimum grade | .5% |
| Maximum grade | 8% |
| Minimum crown | 3 inches |

**Alley**

| | |
|---|---|
| Minimum right-of-way width | 25 feet |
| Minimum pavement width | 18 feet |
| Minimum grade | .5% |
| Maximum grade | 8% |
| Minimum crown | 3 inches |

(C) Grades of streets shall conform as closely as possible to the natural topography without exceeding the minimum or maximum standards as specified herein, and designed so that as many building sites as is possible, are at least **one (1) foot** above street grade.

(D) All streets shall be constructed of Portland Cement Concrete or bituminous pavement. "Oil & Chip" streets shall no longer be constructed.

(E) Alleys may be provided in single-family residential districts at the option of the developer, but may be required in other districts in the absence of other provisions for service access.

(1) When provided, alleys shall not intersect with each other or change sharply in alignment.

(2) Adequate vehicular turnaround space shall be provided at the terminus of every dead-end alley.

(F) Every concrete street, curb, and gutter, hereafter constructed in the Village, shall have a compressive strength of **four thousand (4,000)** P.S.I. at **twenty-eight (28) days**.

(1) The Subdivider or developer shall provide to the Village Engineer at no expense to the Village, concrete tests verifying compressive strength. The number of such tests shall be determined by the Village Engineer. The Village Engineer shall also have the right to request other tests, including air entrainment and slump tests, as he deems necessary.

(G) Alternative pavement designs to those contained herein, may be submitted to the Village Engineer for consideration. Such designs shall adhere to current policy of the Illinois Department of Transportation, be at least equivalent to the requirements contained herein, be signed and sealed by a Registered Professional Engineer licensed in Illinois, and certified by said engineer that the proposed design meets these requirements. This alternate pavement design must be approved, in writing, by the Village Engineer.

**34-3-17 MATERIALS FOR FLEXIBLE PAVEMENT CONSTRUCTION.** Each Developer may choose to construct new streets within a proposed subdivision of either flexible pavement (bituminous pavement) or rigid pavement (Portland Cement Concrete). If selecting flexible pavement, all streets and alleys shall be constructed, solely at the expense of the Subdivider/Developer, in conformance with the requirements set forth in Table 32 with the provisions outlined herein, and with the Standard Specification Plan Sheets.

(A) Should the Village Engineer or Administrator of this Code, determine that the Village's minimum pavement standards are not adequate for a given condition, including, traffic volume, size of loads, subgrade support, or drainage, a revised pavement design shall be proposed by the developer's engineer, subject to all provisions and procedures of the current pavement design which remain applicable, and subject to the review of the Village Engineer or Administrator.

(B) Since it is the intent of this Code to assure that the materials, equipment, and methods of construction utilized in the construction of bituminous pavements are adequate to provide a durable, safe, smooth-riding pavement that will afford a useful life of at least **twenty (20) years**, the work, materials, procedures, and testing of said pavement shall conform with Section 405 and 406 of the IDOT Standard Specifications.

(C) **Bituminous Mixtures.** All bituminous mixtures shall be manufactured in Illinois-based plants and within the tolerance limits of the mixing formula provided by IDOT to said plants for said mixture.

(D) **Bituminous Concrete Binder Course Class I.** Bituminous concrete binder shall conform to the IDOT Standard Specifications Section 406 - Bituminous Concrete Binder and Surface Course

Class I, mixture A or B, and shall utilize an asphalt cement with a penetration of **seventy (70)** to **eighty-five (85)**.

(1) The binder courses shall be placed only when the temperature in the shade is at least **forty degrees Fahrenheit (40°F)** and the forecast is for rising temperatures.

(2) Bituminous concrete binder and surface course shall be compacted to **ninety-three (93)** to **ninety-seven percent (97%)** of the theoretical maximum density as determined by Illinois Modified AASHTO T 209, and no individual test shall be below **ninety-one percent (91%)**.

(E) **Bituminous Concrete Surface Course Class I.** Bituminous surface course shall conform to the IDOT Standard Specifications Section 406 - Bituminous Concrete Binder and Surface Course Class I, mixture C, and shall utilize an asphalt cement with a penetration of **seventy (70)** to **eighty-five (85)**.

(1) The surface course shall be placed only when the air temperature in the shade is at least **forty-five degrees Fahrenheit (45°F)** and the forecast is for rising temperatures.

(2) Bituminous concrete binder and surface course shall be compacted to **ninety-three (93)** to **ninety-seven percent (97%)** of the theoretical maximum density as determined by Illinois Modified AASHTO T 209, and no individual test shall be below **ninety-one percent (91%)**.

(F) **Bituminous Aggregate Mixture.** Bituminous aggregate mixture (BAM) used as a base or sub-base shall either be:

(1) An asphalt cement of **eighty-five (85)** to **one hundred fifty (150)** penetration for the binding agent and a minimum Marshall stability of 1700.

(2) A bituminous concrete binder, Class 1, either mixture A or B, with an asphalt cement of **eighty-five (85)** to **one hundred fifty (150)** penetration for the binding agent and a minimum Marshall stability of 1700.

(G) **Bituminous Prime Materials.** No bituminous hot mix shall be placed directly upon granular sub-base.

(1) All granular sub-bases shall be primed with MC-30 at the rate of 0.25 gallons per square yard at least **twenty-four (24) hours** in advance of bituminous materials placement.

(2) The MC-30 shall conform with Section 1009 - Bituminous Materials of the IDOT Standard Specifications.

## 34-3-18 EQUIPMENT AND PROCEDURES FOR FLEXIBLE PAVEMENT.

(A) All bituminous mixtures shall be placed in a workmanlike manner under weather conditions favorable to assuring a high quality pavement.

(1) Crushed stone bases/sub-bases shall be fine-graded and compacted prior to priming.

(2) Water shall be added to the material during fine-grading if it becomes necessary in order to achieve compaction and avoid segregation of the material.

(B) Bituminous concrete surface courses and binder courses shall e laid with a self-propelled paver with a vibrating or tamping screed.

(C) Bituminous base shall be laid with a self-propelled Barber Greene paver as used in highway construction, or its equal.

(D) **Two (2)** rollers shall be provided to function as a breakdown roller and a finish roller.

(1) The breakdown roller may be a tandem or three-wheel steel roller in the **eight (8)** to **fifteen (15) ton** weight range.

(2) The finish roller shall be a tandem drum roller in the **five (5)** to **ten (10) ton** weight range, provided, however, that a vibratory roller of equivalent compactive effort may be used as a finish roller.

(E) Successive layers of bituminous materials shall not be placed unless the supporting layer is free of water, dirt, mud, and other undesirable debris.

(F) Longitudinal joints between successive lifts of bituminous concrete mixtures shall be staggered by at least **four (4) inches**.

(1) The temperature of the mixture and the rolling pattern shall be such that tight, well-knit longitudinal joints between passes are achieved.

(2) The compactive effort shall be such that it produces a dense, durable mat.

**TABLE 32**

**STRUCTURAL COMPOSITION - FLEXIBLE PAVEMENT**

| | |
|---|---|
| **Arterial/Industrial** | |
| Surface: I-11 | 1 ½" depth |
| Binder: I-11 | 2" depth |
| Sub-base: Bituminous Aggregate Mix | 8" depth |
| OR | |
| Surface: I-11 | 1 ½" depth |
| Binder: I-11 | 2" depth |
| Sub-base: Bituminous Aggregate Mix | 5" depth |
| Sub-base: Crushed stone | 8" depth |
| **Collector (Commercial)** | |
| Surface: I-11 | 1 ½" depth |
| Binder: I-11 | 2" depth |
| Sub-base: Bituminous Aggregate Mix | 6" depth |
| OR | |
| Surface: I-11 | 1 ½" depth |
| Binder: I-11 | 1 ½" depth |
| Sub-base: Bituminous Aggregate Mix | 4" depth |
| Sub-base: Crushed stone | 8" depth |
| **Collector (Residential)** | |
| Surface: I-11 | 2" depth |
| Binder: I-11 | 2 ½" depth |
| Sub-base: Bituminous Aggregate Mix | 4" depth |
| OR | |
| Surface: I-11 | 1 ½" depth |
| Sub-base: Bituminous Aggregate Mix | 3" depth |
| Sub-base: Crushed stone | 8" depth |
| **Local (Commercial)** | |
| Surface: I-11 | 2" depth |
| Binder: I-11 | 2" depth |
| Sub-base: Bituminous Aggregate Mix | 4" depth |
| OR | |
| Surface: I-11 | 1 ½" depth |
| Binder: I-11 | 3" depth |
| Sub-base: Crushed stone | 8" depth |

**Local (Residential)**

| | |
|---|---|
| Surface: I-11 | 2″ depth |
| Sub-base: Bituminous Aggregate Mix | 6″ depth |
| OR | |
| Surface: I-11 | 1 ½″ depth |
| Binder: I-11 | 2″ depth |
| Sub-base: Crushed stone | 8″ depth |

**Land Access**

| | |
|---|---|
| Surface: I-11 | 2″ depth |
| Sub-base: Bituminous Aggregate Mix | 4″ depth |
| OR | |
| Surface: I-11 | 1 ½″ depth |
| Binder: I-11 | 1 ½″ depth |
| Sub-base: Crushed stone | 8″ depth |

**Alley**

| | |
|---|---|
| Surface: I-11 | 2″ depth |
| Sub-base: Bituminous Aggregate Mix | 4″ depth |

*Maximum lift thickness shall be eight (8) inches for crushed stone, six (6) inches for Bituminous Aggregate Mixture, two and one-half (2 ½) inches for I-11 binder, and two (2) inches for I-11 surface. All streets shall be constructed with a lime-modified sub-grade to a depth of at least eight (8) inches.*

(2) Minimum width of any single pass of the spreader/paver shall be capable of producing a lane width equivalent to **one-half (1/2)** of the roadway width (i.e. from edge of curb to centerline). In variable width areas such as cul-de-sacs, no single pass of the spreader/paver shall be less than **fifteen (15) feet**.

(G) The final surface course shall be placed so that following compaction the roadway surface is either at the gutter flag or above it by no more than **one-fourth (1/4) inch**.

(1) Care shall be taken to assure that the final surface course properly meets drainage grates, manhole frames, and valve boxes.

(2) The final surface shall be neat and uniform in appearance.

**34-3-19 MATERIALS FOR RIGID PAVEMENT CONSTRUCTION.** Each Developer may choose to construct new streets within a proposed subdivision of either flexible pavement (bituminous pavement) or rigid pavement (Portland Cement Concrete). If selecting rigid pavement, all streets and alleys shall be constructed, solely at the expense of the Subdivider/Developer, in conformance with the requirements set forth in Table 34, with the provisions outlined herein, and with the Standard Specification Plan Sheets.

(A) Should the Village Engineer or Administrator of this Code, determine that the Village's minimum pavement standards are not adequate for a given condition, including, traffic volume, size of loads, subgrade support, or drainage, a revised pavement design shall be proposed by the developer's engineer, subject to all provisions and procedures of the current pavement design which remain applicable, and subject to the review of the Village Engineer or Administrator.

(B) Since it is the intent of this Code to assure that the materials, equipment, and methods of construction utilized in the construction of Portland Cement Concrete Pavements are adequate to provide a durable, safe, smooth-riding pavement that will afford a useful life of at least **twenty (20) years**, the work, materials, procedures, and testing of said pavement shall conform with Section 420 of the IDOT Standard Specifications.

(C) **Concrete Admixtures.** Concrete admixtures shall conform to Section 1021 - Concrete Admixtures of the IDOT Standard Specifications, provided however, that chloride based accelerators shall not exceed 0.3% by mass.

(D) **Concrete Haul Time.** The maximum haul time for concrete transported in truck mixers or truck agitators shall be in accordance with the following:

| Concrete Temperature at Point of Discharge | Maximum Haul Time |
|---|---|
| 50-64EF | 1 hour, 30 minutes |
| 65-90EF | 1 hour (without retarder) |
| 65-90EF | 1 hour, 30 minutes (with retarder) |

(E) **Portland Cement Specifications.** Portland cement concrete shall be Class PV as specified in Section 1020 - Portland Cement Concrete of the IDOT Standard Specifications. Specific mix design criteria is listed in Table 33 below.

**TABLE 33**

**PORTLAND CEMENT CONCRETE SPECIFICATIONS**

All Street Classifications

| | |
|---|---|
| Mix Design: | Type III, Cement |
| Minimum Compressive Strength: | 4500 psi |
| Minimum Flexural Strength: | 650 psi |
| Minimum Flexural Strength: | CA-5 & CA-7 |
| OR | CA-5 & CA-11 |
| OR | CA-7 or CA-11 |
| OR | CA-14 |
| *Slump in inches: | ¾" to 1 ½" |
| Air Content: | 5 - 8% |
| Mix Design: | 6 Bag |

**** A slump above the maximum specified may be used with the Village Engineer's approval, up to a maximum of three (3) inches provided the water/cement ratio does not exceed 0.42.***

(F) **Pavement Reinforcement.** For those street classifications in Table 34 for which Standard Reinforcement: Wire Mesh is required, the Subdivider/Developer shall use welded wire fabric conforming to AASHTO M 55.

(1) The wire fabric shall be **six (6) inches** by **twelve (12) inches** with W4 wire transversely and W6.5 fabric longitudinally.

(2) The fabric shall be lapped **twelve (12) inches** on the transverse laps and **six (6) inches** on the longitudinal laps.

(3) Reinforcement shall be placed on the subgrade and supported by proper chairs and spacers prior to paving.

(G) **Membrane Curing Compound.** After the concrete has been finished and immediately after the water sheen has disappeared from the surface of the concrete, the surface shall be sealed with membrane curing compound as approved by the Illinois Department of Transportation.

(1) Under no circumstances shall polyethylene sheeting be placed on the pavement prior to initial set that would cause marking on the pavement surface.

(H) **Load Transfer Devices.** Dowel bars shall be smooth, plain, round bars conforming to the requirements of AASHTO M-227 grades **seventy (70)** through **eighty (80)**.

(1) Tie bars (deformed) shall conform to the requirements of AASHTO M-31 grade **forty (40)**.

(I) **Joint Sealer.** Joint filling compound shall be rubberized asphalt conforming to the requirements of AASHTO M-173.

(J) **Underlayment.** When required, underlayment shall be of **one-fourth (1/4) inch** thick fabric such as "bidmin", Petromat", or equal.

**34-3-20 EQUIPMENT AND PROCEDURES FOR RIGID PAVEMENT.**

(A) As a preferred method, Portland Cement Concrete Pavement shall be placed with a slip-form paver with an electronic grade-control system, and capable of striking off, consolidating, and finishing the pavement to the required cross section. Pavement may be placed monolithically with the curb and gutter placed concurrently, or a slip form curbing machine with electronic grade control system may be employed to first pour the curbing, then a slip form paving machine may be utilized to pour the pavement from curb to curb.

(1) Pavement placed with this method shall be checked with a **ten (10) foot** straight edge and any necessary corrections made as discussed herein.

(B) **Subgrade Preparation.** Prior to placement of concrete on the subgrade/sub-base, the grade shall be checked for proper depth with a template or a string line (if forms are used), or with before and after elevation shots for slip-form work.

(1) Any soft or spongy areas shall be properly corrected by undercutting or stabilization.

(2) Dry sub-grades shall be made wet in advance of concrete placement.

(3) Under no circumstances shall concrete be placed on a frozen subgrade.

**TABLE 34**

**STRUCTURAL COMPOSITION - RIGID PAVEMENT**

| | |
|---|---|
| **Arterial/Industrial** | |
| Pavement: Portland Cement Concrete | 9" depth |
| Standard Reinforcement: Wire Mesh | Required |
| Joints: Doweled, spaced every | 40 feet |
| Sub-base: Crushed stone* | 6" depth |
| Underlayment | Required |
| **Collector (Commercial)** | |
| Pavement: Portland Cement Concrete | 8" depth |
| Standard Reinforcement: Wire Mesh | Required |
| Joints: Doweled, spaced every | 40 feet |
| Sub-base: Crushed stone* | 4" depth |
| Underlayment | Required |
| **Collector (Residential)** | |
| Pavement: Portland Cement Concrete | 6" depth |
| Reinforcement: | Fiberglass |
| Joints: Plain, spaced every | 15 feet |
| **Local (Commercial)** | |
| Pavement: Portland Cement Concrete | 7" depth |
| Reinforcement: | Fiberglass |
| Joints: Plain, spaced every | 15 feet |

**Local (Residential)**

| | |
|---|---|
| Pavement: Portland Cement Concrete | 6" depth |
| Reinforcement: | None Required |
| Joints: Plain, spaced every | 15 feet |

**Land Access**

| | |
|---|---|
| Pavement: Portland Cement Concrete | 6" depth |
| Reinforcement: | None Required |
| Joints: Plain, spaced every | 15 feet |

**Alley**

| | |
|---|---|
| Pavement: Portland Cement Concrete | 6" depth |
| Reinforcement: | None Required |
| Joints: Plain, spaced every | 15 feet |

(C) **Placement and Finishing.** Plastic Portland Cement Concrete shall be deposited on the grade in successive batches as a continuous operation and in such a manner so as to require a minimal amount of rehandling or segregation.

(1) No batch/load shall be incorporated that has been in the truck longer than the maximum allowed haul time, as stated herein.

(2) The operation shall be coordinated in such a manner so as to have the mixture struck off and consolidated within **thirty (30) minutes** being deposited on grade.

(3) The longitudinal float shall be passed across the entire surface a minimum of **two (2) times** with an overlap of **fifty percent (50%)** between successive locations along the pavement.

(D) After the operation of the slip-form paver, the finishing machine, or the longitudinal float, but while the concrete is still plastic, the pavement surface shall be tested with a **ten (10) foot** straight edge.

(1) The straight edge shall be held in successive positions parallel to the pavement centerline in contact with the surface.

(E) Advancement along the pavement shall be such to provide at least **fifty percent (50%)** overlap for successive stages.

(1) High areas shall be cut down and refinished with a **five (5) foot** float.

(2) The corrected area shall be checked again with the **ten (10) foot** straight edge.

(F) **Transverse Sawed Contraction Joints.** The Subdivider/Developer shall install transverse sawed contraction joints, consisting of planes of weakness created by cutting grooves in the surface of the pavement and shall include load transfer devices.

(1) Transverse joint spacing shall not exceed **fifteen (15) feet** and shall be constructed sawed and sealed in accordance with the Standard Specifications, and the Standard Specification Plan Sheets.

(2) Cutting of said joints shall commence as soon as the concrete has hardened sufficiently to permit sawing without excessive raveling, usually between **four (4)** and **twenty-four (24) hours**.

(3) All joints shall be sawed to full depth before uncontrolled shrinkage cracking takes place.

(G) **Transverse Expansion Joints.** The Subdivider/Developer shall install transverse expansion joints with load transfer devices in accordance with the Standard Specifications and the Standard Specification Plan Sheets.

(1) The dowel units are to be smooth plain round bars placed at mid-height of the pavement with an expansion cap on one end.

(2) The bar assemblies shall be placed so that the bars are parallel to the centerline and to the pavement surface and shall be treated to prevent bonding of the concrete.

(H) **Transverse Construction Joints.** The Subdivider/Developer shall install transverse construction joints at the end of each day's run, or whenever there is an interruption of more than **thirty (30) minutes** in the laying of concrete pavement, in accordance with the Standard Specifications and the Standard Specification Plan Sheets.

(1) All transverse construction joints shall be formed by means of a suitable header, accurately set, and securely held in place in a plane perpendicular to the surface of the pavement.

(2) All transverse construction joints shall be "tied" with #4 deformed bars, **thirty (30) inches** long, spaced at **thirty (30) inch** centers.

(3) Construction joints must be at least **five (5) feet** from a contraction joint.

(I) **Longitudinal Sawed Joint.** The Subdivider/Developer shall install longitudinal joints along the centerline of **two (2)** lane pavements, assuring that said joints are no closer than **eight (8) feet** or farther than **fifteen (15) feet** apart.

(1) Said joints shall be sawed within **ten (10) days** of concrete placement and prior to any traffic or vehicles traveling on the surface.

(2) Epoxy-coated deformed steel tie bars, the length, size and spacing of which are shown on the Standard Specification Plan Sheets, shall be placed perpendicular to the longitudinal sawed joints using approved mechanical equipment, firmly supported on support pins, or rigidly supported on approved joint assemblies to prevent displacement.

(J) **Longitudinal Construction Joint.** When adjacent lanes of pavement or pavement and curb and gutter are constructed separately, the Subdivider/Developer shall install epoxy-coated deformed steel tie bars across the longitudinal construction joint, as detailed in the Standard Specification Plan Sheets, in order to tie the lanes together.

(1) The epoxy coated tie bars shall be installed in preformed or drilled holes along the vertical edge of the first pour, using an approved non-shrink grout or chemical adhesive to provide a minimum pull requirement of 7750 lbs. for No. 5 bars, 5000 lbs. for No. 4 bars, 11000 lbs. for No. 6 bars, and 19750 lbs. for No. 8 bars.

(2) As an option, a trapezoidal metal joint type C (preformed keyway) as specified by the Illinois Department of Transportation shown in the Standard Specification Plan Sheets may be utilized in lieu of tie bars.

(K) **Joint Sealing.** Prior to traffic being allowed on newly placed concrete pavement, all sawed joints (contraction and longitudinal) are to be thoroughly cleaned of all foreign material, including membrane curing compound, and immediately sealed with hot poured rubber asphalt joint filling compound.

(1) All construction joints and pavement edges shall first be finished with an edging tool having a radius of **one-fourth (1/4) inch**.

(2) The joint faces shall be clean and surface dry when the seal is applied.

(L) **Finished Texture.** Subsequent to initial set prior to hardening of the surface, the pavement shall be given a roomed or burlap drag finish either transversely or parallel to the centerline of the road, so that the surface is indented to a nominal depth of **one-sixteenth (1/16) inch**.

(M) **Curing Procedures.** Following the application of the finished texture, and as soon as possible without marring the surface, the pavement shall be coated with membrane curing compound required.

(1) In doing so the contractor shall insure that adequate and uniform coverage is achieved.

(2) Two separate applications applied at least **one (1) minute** apart, each at the rate of not less than **one (1) gallon** per **two hundred fifty (250) square feet** will be required upon the surface.

(3) Type III compound shall be agitated immediately before and during the application.

(4) Membrane curing is not permitted where a protective coat or waterproofing is to be applied, or at any area where rubbing or a normal finish is required, or at construction joints other than those necessary in pavement or base course.

(5) Curing shall be maintained for a minimum of **seventy-two (72) hours**.

(N) **Cold Weather Protection.** When the National Weather Bureau Forecast for the construction area predicts a temperature of **thirty-two degrees Fahrenheit (32°F)** or lower, concrete less than **seventy-two (72) hours** old shall be protected in the following manner:

(1) If the temperature is predicted to fall, or falls to **twenty-five - thirty-two degrees Fahrenheit (25-32°F)** or lower, protection shall consist of **two (2) layers** of polyethylene sheeting or **one (1) layer** of polyethylene and **one (1) layer** burlap, or **two (2) layers** of waterproof paper.

(2) If the temperature is predicted to fall, or falls below **twenty-five degrees Fahrenheit (25°F)**, protection shall consist of **six (6) inches** of straw covered with **one (1) layer** of polyethylene sheeting or waterproof paper placed after initial set of the concrete.

(O) **Traffic Restriction.** Traffic shall be restricted on newly placed concrete streets by barricades and appropriate signs for a period of **ten (10) days**, provided that the Village Engineer may increase the time period depending upon site location and conditions such as weather.

(P) **Protective Coat.** Whenever pavement is constructed after **October 15** and it will be opened to traffic prior to the following **April 15**, or whenever directed to do so by the Village Engineer or Administrator, the Subdivider/Developer shall apply a protective surface treatment consisting of **two (2) coats** of boiled linseed oil mixture to the surface of the pavement and all appurtenances.

(1) Said protective coat shall conform to Section 1023 - Protective Coat of the IDOT Standard Specifications, and is to be applied when the concrete is at least **fourteen (14) days** old and before the pavement is opened to traffic.

**34-3-21 SPECIFICATIONS FOR CONCRETE IN NON-PAVEMENT AREAS.** It is the intent of this Section to establish minimum quality control requirements for Portland Cement Concrete Construction used in areas other than pavement, in order to assure durable and functional installations that are workmanlike in appearance.

(A) **Mix Proportions.** Portland Cement Concrete to be used for the construction of structures such as sidewalks, paved ditches, drainageways, and medians, and shall conform to the specific mix design criteria as listed in Table 35 below.

(B) **Concrete Admixtures.** Concrete admixtures shall conform to Section 1201 - Concrete Admixtures of the IDOT Standard Specifications.

(1) Calcium chloride shall not be added to concrete mixtures except during cold weather construction, and at that time shall not exceed **two percent (2%)**.

**TABLE 35**

**PORTLAND CEMENT CONCRETE SPECIFICATIONS**

**All Non-Pavement Areas**

| | |
|---|---|
| Mix Design: | Type I, Cement |
| Minimum Compressive Strength: | 3500 psi |
| Minimum Flexural Strength: | 650 psi |
| Coarse Aggregates Permitted: | CA-7 & CA-11 |
| OR | CA-14 |

| | |
|---|---|
| *Slump in inches: | 2" to 4" |
| Air Content: | 5-8% |
| Cement Factor (cwt/c.y.): | 6.05 |

(C) All Portland Cement Concrete shall be placed in an acceptable and workmanlike manner and at such a consistency that the plastic mixture workable but does not exceed the slump herein.

(1) No batch/load shall be incorporated that has been in the truck longer than the maximum allowed haul time, as stated in **Section 34-3-19(E)**.

(2) The mixture shall be properly consolidated by vibrator or spading prior to or concurrently with the strike off operation.

(3) All concrete shall be worked sufficiently to bring **one-eighth (1/8) inch** to **one-fourth (1/4) inch** of mortar to the surface to for proper finishing.

(4) Care shall be exercised to avoid segregation of the mixture.

(D) Under no circumstances shall concrete be placed on a spongy or frozen sub-grade.

(E) **Forms.** Forms shall be of wood or metal, straight and free from bend or warp, and be clean and securely staked and braced prior to placement of concrete in order to prevent vertical movement during placement and finishing operations.

(1) Forms may deviate from true straightness over a **ten (10) foot** length no more than **three-eighths (3/8) inch** horizontally or **one-fourth (1/4) inch** vertically, as determined with a string line.

(F) **Finished Texture.** Subsequent to initial set, and prior to hardening of the surface, the concrete shall be given a broomed finish at right angles to the centerline of the road, or to the flow line, so that surface is indented to a nominal depth of **one-sixteenth (1/16) inch**.

(G) **Curing Procedures.** Following the application of the finished texture, and as soon as possible without marring the surface, the pavement shall be coated with membrane curing compound as required.

(1) In doing so that contractor shall insure adequate and uniform coverage is achieved.

(2) **Two (2)** separate applications applied at least **one (1) minute** apart, each at the rate of not less than **one (1) gallon** per **two hundred fifty (250) square feet** will be required upon the surface.

(3) Type III compound shall be agitated immediately before and during the application.

(4) Membrane curing is not permitted where a protective coat or waterproofing is to be applied, or at any area where rubbing or a normal finish is required, or at construction joints other than those necessary in pavement or base course.

(5) Curing shall be maintained for a minimum of **seventy-two (72) hours**.

(H) **Cold Weather Protection.** When the National Weather Bureau Forecast for the construction area predicts a temperature of **thirty-two degrees Fahrenheit (32°F)** or lower, or if the actual temperature drops below **thirty-two degrees Fahrenheit (32°F)** or lower, concrete less than **seventy-two (72) hours** old shall be protected in the following manner:

(1) If the temperature is predicted to all, or falls to **twenty-five - thirty-two degrees Fahrenheit (25-32°F)**, protection shall consist of **two (2) layers** of polyethylene sheeting or **one (1) layer** of polyethylene and **one (1) layer** of burlap, or **two (2) layers** of waterproof paper.

(2) If the temperature is predicted to fall, or falls below **twenty-five degrees Fahrenheit (25°F)**, protection shall consist of **six (6) inches** of straw covered with **one (1) layer** of polyethylene sheeting or waterproof paper.

**34-3-22 CURB AND GUTTER CONSTRUCTION.** After the effective date of this Code, all streets, except those classified as alleys, shall be constructed with curbs and guttering of Portland Cement Concrete.

(A) Those streets classified as Arterial, Industrial, Local Commercial, or Collector Commercial, shall be constructed with a vertical combination curb and gutter in accordance with the Street Specification Plan Sheets, the dimensions depicted thereon, and the IDOT Standard Specifications.

(B) Those streets classified as Land Access Residential, Local Residential or Collector Residential, may be constructed with either a vertical combination curb and gutter in accordance with the Standard Specification Plan Sheets, the dimensions depicted thereon, and the IDOT Standard Specifications, or with a mountable curb and a V-type gutter in accordance with the Standard Specification Plan Sheets, the dimensions depicted thereon, and the IDOT Standard Specifications.

(C) Curb and/or gutter may be constructed either integrally or separately in conjunction with Portland Cement Concrete pavement.

(1) If constructed separately, the gutter flag shall be "tied" to Portland Cement Concrete pavement with #4 reinforcing bars at least **thirty (30) inches** long and spaced at **thirty (30) inch** centers.

(D) Contraction joints and expansion joints shall be installed in the curb, or curb and gutter, in prolongation with joints in adjacent Portland Cement Concrete pavement or base course, except that dowel bars shall not be required in contraction joints.

(1) Contraction joints, when sawed or template formed, shall be sealed in accordance with IDOT Standard Specifications.

(E) When curb and gutter is constructed adjacent to flexible pavement, a **one (1) inch** expansion joint shall be installed at points of curvature for short radius curves and at construction joints.

(1) Contraction joints shall be placed between expansion joints at a distance not to exceed **twenty-five (25) feet**.

(F) All expansion joints shall be constructed with a minimum **one (1) inch** thick preformed expansion joint filler conforming to the cross section of the curb and gutter, and shall be provided with a **one and one-fourth (1 ¼) inch** diameter by **eighteen (18) inch** long, coated smooth dowel bar conforming to standard specifications.

(1) Said dowel bar shall be fitted with a cap having an inched top that will provide a minimum **one (1) inch** of expansion.

(G) Construction joints constructed in curb and gutter adjacent to Portland Cement Concrete pavement and Portland Cement Concrete base course, shall be provided with #4 deformed steel tie bar at least **thirty (30) inches** long, and placed on **nine (9) inch** or more centers with a minimum of **two (2) bars** per joint.

**34-3-23 RELATIONSHIP OF NEW TO EXISTING STREETS.** New streets shall be so arranged to provide for the continuation of collector streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire and police protection, efficient provision of utilities, and where such continuation is in accordance with the Village's Official Map.

(A) Whenever any subdivision abuts an existing street that is narrower than the standards indicated in this Section, the dedicate shall dedicate sufficient right-of-way on the side abutting the subdivision to permit compliance with those standards at some future date.

(B) Whenever any subdivision is proposed in such a manner that it will front on either one or both sides of an existing street, the developer shall, at his own expense, be required to make improvements to said existing street so that it complies with the standards imposed herein, as determined by the Village.

(1) If such a development is proposed to front only one side of an existing street, the cost to improve said street to the standards set herein, shall be borne equally by the developer and the Village.

(2) If such a development is proposed so that it fronts both sides of an existing street, the cost to improve said street to the standards set herein, shall be borne entirely by the developer.

(C) Where a subdivision abuts or contains an existing or proposed arterial street, access to said street shall be limited by one of the following means:

(1) That lots be subdivided so that they back onto the arterial street and front onto a parallel land access street, thereby creating double frontage lots, and that the developer install screening in a reserve strip along the rear lot lines of such lots; or

(2) That the developer create a series of cul-de-sacs, U-shaped streets, or short loops entered from and generally at right angles to the arterial street, with the rear lot lines of the lots at the termini of such streets backing onto the minor arterial; or

(3) That the developer create a frontage road, separated from the arterial street by a planting strip, but having access thereto at suitable points.

**(Ord. No. 18-01; 01-09-18)**

(D) New residential streets shall be planned and laid out to discourage traffic from existing or proposed arterial and/or collector streets adjacent to the subdivision from using non-arterial or non-collector streets to "cut through" the subdivision to destinations not within the subdivision.

Any combination of curvilinear U-shaped, or modified grid system streets may be utilized to affect a more desirable street layout, and minimize "cut through" traffic between streets outside the subdivision while encouraging connectivity within the subdivision.

Whenever a proposed residential development independently or in conjunction with another adjoining residential development collectively exceeds **one hundred twenty-five (125) lots/dwelling units** in size, it shall be required to have **two (2)** or more entrances into the proposed development which connect to secondary, collector or arterial streets, with a new street or to a secondary, collector or arterial street in the existing or adjoining development. The same requirement shall apply to a commercial or industrial development containing **ten (10)** or more lots.

While not encouraged, cul-de-sac streets are allowed. However, for every cul-de-sac beyond the first two within a subdivision, there shall be one additional street connection from the subdivision to an adjacent collector or arterial street.

**(Ord. No. 18-01; 01-09-18)**

**34-3-24 DESIGNING BLOCKS.**

(A) **Block Width.** Wherever practicable, blocks shall be sufficiently wide to accommodate **two (2) tiers** of lots having the minimum depth required by the applicable Zoning District regulations.

(B) **Block Length.** No block shall be longer than **one thousand four hundred (1,400) feet**, nor shorter than **five hundred (500) feet**; provided, however, that wherever practicable, blocks along collector streets shall not be less than **one thousand (1,000) feet** in length.

**34-3-25 DESIGNING INTERSECTIONS.**

(A) No more than **two (2) streets** shall intersect at any **one (1) point**.

(B) Streets shall be laid out so as to intersect as nearly as possible at right angles.

(1) In no case shall **two (2) streets** intersect at any angle of less than **seventy (70) degrees**.

(2) An oblique street shall be curved as it approaches an intersection so that it is approximately at right angles with said intersection for a distance of at least **one hundred (100) feet** therefrom, unless the Subdivider's engineer recommends, and the Village Engineer and/or administrator concurs, that a lesser distance would in accordance with safe and accepted traffic engineering practices.

(C) Proposed new intersections along **one (1) side** an existing street shall, wherever practicable, align with any existing intersection on the opposite side of such street.

(1) Street jogs with centerline offsets of less than **one hundred fifty (150) feet** shall not be permitted, except where the intersected street has divided lanes without median breaks at either intersection.

(2) Intersections involving collector or arterial streets shall be at least **one thousand (1,000) feet** apart.

(D) Returns at intersections shall be made concentric and shall be rounded by a radius of not less than **twenty (20) feet** at the right-of-way line, and not less than **thirty (30) feet** at the back of curb line.

(E) All street intersections shall be built in such a way that whenever practical, the cross-slopes thereon do not exceed **three percent (3%)**.

(F) The approach to an intersection shall be designed and built so that for a distance of at least **seventy-five (75) feet** from the centerline said intersection the grade does not exceed **three percent (3%)**.

(G) Where any street intersection will involve earth banks or existing vegetation in a triangular area depicted herein on the Standard Specification Plan Sheets, the developer shall cut such ground and/or vegetation, including trees, in connection with the grading of the public right-of-way.

**34-3-26 DESIGNING CURVES.**

(A) Where curvilinear horizontal alignment is utilized for subdivision streets, the minimum centerline radius shall be as indicated below, unless otherwise dictated by site constraints and reviewed by the Village Engineer:

(1) Arterial Street - **three hundred (300) feet**

(2) Collector Street - **one hundred fifty (150) feet**

(3) Local or Land Access Street - **seventy-five (75) feet**

(B) If reverse curves are to be utilized on any collector street or arterial street, the radii of which are less than **three hundred (300) feet**, a tangent at least **one hundred (100) feet** in length shall be introduced between the curves, as depicted on the Standard Specification Plan Sheets.

**34-3-27 DESIGNING DEAD-END STREETS.**

(A) **Temporary Stub Streets.** If property adjacent to a subdivision is undeveloped and the Village Plan, the Planning Commission or the Village Board propose the future extension of streets from the subdivision presented for development into the undeveloped property, said streets may be allowed to dead-end temporarily. In this case, the right-of-way shall be extended to the property line, a temporary turnabout shall be provided at the terminus, and no strip that would prevent connections with future streets shall be reserved.

(1) All temporary all-weather surface turnabout with a minimum radius of **thirty (30) feet** shall be provided at the terminus of any temporary dead-end street whenever the distance along the dead-end street measured from the terminus to the nearest intersection is greater than one contiguous lot.

(B) **Permanent Dead-End Streets.** For greater convenience to traffic and more effective police and fire protection, permanent dead-end streets shall be limited to **one thousand (1,000) feet** in length.

(1) The terminus of a permanent dead-end street shall not be closer than **one hundred (100) feet** to the boundary of an adjacent tract.

(2) A cul-de-sac turnaround, having a minimum right-of-way radius of **fifty-nine (59) feet** and a minimum pavement radius of **fifty (50) feet**, shall be provided at the end of every permanent dead-end street, as depicted on the Standard Specification Plan Sheets.

**34-3-28 DESIGNING SIDEWALKS.** The Subdivider/Developer shall be required to construct sidewalks at no cost to the Village along both sides of every new or improved street. No variation from this requirement shall be granted unless the Village Board, having considered an advisory report from

the Planning Commission, determines that in the area in question, topographical conditions made the installation of sidewalks impractical.

(A) Every sidewalk shall be constructed of concrete in accordance with the specifications outlined in **Section 34-3-21**. "Specifications for Concrete in Non-Pavement Areas", as well as the following:

(1) Every sidewalk shall be constructed to generally parallel the street and be placed to a thickness of at least **four (4) inches**, provided, however, that any sidewalk locate across a point of ingress or egress for vehicles shall be placed to a thickness of at least **six (6) inches**.

(2) Control joints shall be troweled in at intervals of **five (5) feet** or less.

(3) Expansion joints of **three-fourths (3/4) inch** pre-molded joint filler shall be placed at driveway crossings, at both ends of the sidewalk, at the back of the curb when the sidewalk abuts, and in the event of excessively long runs, as determined by the Village Engineer.

(4) No sidewalk shall be constructed at a grade steeper than **eight percent (8%)** unless steps, and/or ramps, approved by the Village Engineer, are provided.

(5) The cross slope shall not exceed 1:50.

(6) Curbs shall be cut and sidewalks ramped at all intersections and driveways so as to enhance the mobility of handicapped individuals and comply with accessibility rules and regulations.

(7) All ramps at intersections and other hazardous vehicular ways shall have a detectable warning texture.

(8) When a sidewalk intersects with the top of a storm sewer inlet cover, the inlet cover dimension perpendicular to the street shall be increased so that the edge of said cover which is parallel to and furthest away from the street, is aligned with the edge of the sidewalk furthest away from the street, thereby incorporating the inlet cover into the sidewalk, as depicted on the Standard Specification Plan Sheets. This provision shall not be required if the parkway between the sidewalk and curb is wide enough to allow an inlet cover independent of the sidewalk.

(B) In residential areas, sidewalks shall be a minimum of **five (5) feet** in width. **(Ord. No. 18-01; 01-09-18)**

(1) Said sidewalks shall be located **thirty (30) inches** behind the curb along streets, and **twelve (12) inches** behind the curb around the radii of cul-de-sacs and curves.

(2) Because driveways in a new residential subdivision cannot be effectively located until lots are sold and developed thereby inhibiting the initial installation of sidewalks throughout the development, the Subdivider/Developer may require that individual owners install sidewalks in accordance with these provisions at the same time that the owner's driveway is constructed. However, as sidewalk connectivity is a priority within residential subdivisions, sidewalks will be installed within **twenty-four (24) months** of the recording date of the final plat. After the **twenty-four (24) month** period has expired, owners may petition the Village Board for extension for the sidewalk installation. Said request shall be accompanied by a date certain sidewalk installation date not to exceed **twelve (12) months**. **(Ord. No. 18-01; 01-09-18)**

(3) Failure to do so by the owner shall not release the Subdivider/ Developer from the ultimate responsibility for installation of said sidewalks.

(4) Time frame for completion of sidewalks to be determined at time of approval of plan.

(C) In commercial and other non-residential areas, sidewalks shall be a minimum of **five (5) feet** in width.

(1) Because of safety considerations in said areas, sidewalks shall be located as far as practical from the traffic lanes, usually abutting the right-of-way line.

**34-3-29 SPECIFICATIONS FOR STREET SIGNS.** Street name signs shall be purchased by the Subdivider/Developer for all intersections within or abutting any subdivision.

(A) Said signs shall be of flat .080 aluminum with engineering grade sheeting and measure **six (6) inches** in height and no less than **twenty-four (24) inches** and no more than **thirty-six (36) inches** in length.

(B) At a minimum, all street name signs shall be mounted on galvanized steel "U" channel posts **twelve (12) feet** in length and weighing at least **three (3) pounds** per foot, provided, however, that the Village may allow other options upon written request from the Subdivider/Developer.

(C) Mounting brackets and bolts shall be made of aluminum, shall be designed so as to inhibit theft of said signs, and shall comply with the IDOT Standard Specifications.

(D) All street name signs within a subdivision shall be provided to the Village for installation by the Village no later than the date on which the first home within said subdivision is occupied.

(E) A street that is a continuation of an existing street, or obviously in alignment with an existing street, shall bear the same name as the existing street.

(F) The names of new streets shall be significantly different in sound and spelling from the names of existing streets in the Village so as to avoid confusion, and shall be approved by the County 911 Coordinator prior to the ordering of said signs.

**34-3-30 DEDICATION FOR PUBLIC USE.** Every Subdivider/Developer shall dedicate for public use, at least the minimum right-of-way indicated in the street design specifications contained herein.

(A) The Village Engineer may require a Subdivider/Developer to dedicate right-of-way in excess of the stated minimum if, in his professional opinion, he feels that:

(1) Due to topography, additional width is necessary to provide adequate site lines; or

(2) Due to the location of streams and railroad tracks, additional width is needed to construct bridges, underpasses, and/or safe approaches thereto.

(B) Whenever a subdivision abuts an existing street that does not meet the street design specifications contained herein, the Subdivider/Developer shall reserve sufficient right-of-way along the street abutting the subdivision so that, when additional right-of-way is acquired on the other site, compliance with said standards will be possible.

(C) Any land that is dedicated or reserved for public rights-of-way shall not be counted in determining compliance with the lot size and setback requirements set forth in the Zoning Code.

(D) Upon the effective date of this Code, it shall be unlawful to create any private street within the subdivision jurisdiction of the Village.

**34-3-31 STORM WATER MANAGEMENT REQUIRED.**

(A) Any person, firm, corporation or other entity proposing to construct buildings or develop land within the jurisdiction of the Village shall prepare, for review by the Village Engineer, a Storm Water Pollution Prevention Plan that describes the manner in which erosion, sediment and runoff resulting from the development will be controlled and managed. The provisions of this Section shall be applicable to the following developments:

(1) Any residential development having a gross aggregate of **five (5) acres** or more; or

(2) Any residential development of less than **five (5) acres** but with at least **fifty percent (50%)** impervious surface including roads, building, utility right-of-way and other improvements; or

(3) Any commercial, industrial, institutional or utility development that has a gross aggregate area of **one-half (1/2) acre** or more.

(B) No building or construction permits or plat approval shall be issued by the Village until the Storm Water Pollution Prevention Plan has been reviewed by the Village Engineer as meeting the requirements of this Code, or the requirement for such Storm Water Pollution Prevention Plan has been waived by the Village Engineer.

(C) Downstream property owners, watercourses, channels, or conduits shall not receive storm water runoff from proposed upstream developments at a higher peak flow rate than would have resulted from the same storm event occurring over the site of the proposed development with the land in its natural, undeveloped conditions, nor shall storm water runoff exceed the capacity of the natural drainage system.

(D) Storm water runoff resulting from a proposed development shall be detained on-site:

(1) By wet or dry bottom reservoirs;

(2) By underground reservoirs;

(3) On flat roofs, parking lots, or streets; or

(4) By other detention methods reviewed by the Village Engineer.

(E) For purposes of designing adequate on-site detention facilities, the Illinois State Water Survey Bulletin 70 rainfall data for this region shall be used.

(F) **Detention Basins.** Detention basins may be constructed to temporarily detain the storm water runoff so that the rate at which it is released is the same rate as before development. The following features shall be incorporated into the design of any detention basin:

(1) The volume of storage provided shall be sufficient to store flows both during and immediately after the maximum storm event which can be expected to occur once every **two (2)** and **one hundred (100) years**.

(2) Outlet works shall be designated to limit peak outflow rates from detention storage areas to or below peak flow rates that would have occurred prior to the proposed development. Due to the potential for maintenance problems associated with small diameter outfall pipes from detention facilities, no outfall pipe smaller than **four (4) inches** in diameter shall be used.

(3) Outlet works shall not include any mechanical components or devices and shall function without requiring attendance or control during operation.

(4) Emergency spillways shall be provided to permit the safe passage of runoff generated from a 100 year storm.

(5) The maximum planned depth of storm water stored shall not normally exceed **four (4) feet**.

(6) The maximum side slopes for grassed basins shall not exceed **one (1) foot** vertical for **three (3) feet** horizontal (3:1 slope).

(7) In no case shall the limits of maximum ponding be closer than **thirty (30) feet** horizontally from any building and less than **two (2) feet** vertically below the lowest sill elevation.

(8) The basin bottom should be designed to drain expeditiously. If the bottom is to be grass, it should have a minimum slope of **one percent (1%)**.

(9) Small flows through the detention basin should be handled by paved ditches from inflow structures to outflow structures to minimize erosion.

(10) If the detention basin is to have other uses, the design of the basin bottom should include under drains to expedite drying of the bottom between runoff events.

(11) Designs should result in aesthetically pleasing configurations that will enhance public acceptability.

(12) Outfall storm sewer structures for detention ponds and basins shall be piped through lots.

(G) **Retention Ponds.** Retention ponds (those designed to permanently hold water) may also be used to temporarily detain the differential runoff from the development. In addition to the general design features for detention basins as listed above, the following should also be incorporated into the design of any retention pond. **(Ord. No. 18-01; 01-09-18)**

(1) In order to minimize weed growth, the normal pool depth should be **four (4) feet** minimum.

(2) If fish are to be kept in the pond, at least **one-quarter (1/4)** of the area of the permanent pool should have a minimum depth of **ten (10) feet**.

(3) In order to ease cleaning of the pond or shoreline maintenance, the pond design should include provisions for emptying the pond.

(4) The design of any pond may include a low flow by-pass channel or pipeline to divert runoff that can be accommodated by downstream drainageways.

(5) In order to minimize the effects of waves or ice, some type of bank stabilization such as rip rap or concrete should be placed along the normal pool shoreline.

(6) The side slopes below the normal pool elevation may exceed the maximum side slope permitted above normal pool. The design shall, however, include provisions for a safety ledge having a depth of water not greater than **three (3) feet** immediately adjacent to the shoreline.

(7) Outfall storm sewer structures for detention ponds and basins shall be piped through lots.

(H) **Rooftop Storage.** Detention storage may be met in total or in part by detention on roofs. Details of such design, which shall be included in the Building Permit Application, shall include the depth and volume of storage, details of outlet devices and down drains, elevations of overflow scuppers, design loadings for the roof structure and emergency overflow provisions. Direct connection of roof drains to sanitary sewers is prohibited.

(I) **Other Detention Methods.** All or a portion of the detention storage may also be provided in underground or surface detention facilities, to include basins, tanks, or swales.

(J) **Safety Features.** The design of detention facilities shall incorporate safety features, particularly at outlets, on steep slopes, and at any attractive nuisances to include, as necessary, fencing, handrails, lighting, steps, grills, signs and other protective or warning devices so as to restrict access during critical periods and to afford some measure of safety to both authorized and unauthorized persons.

(K) The storm water detention facilities must be built in conjunction with the storm sewer installation and be fully operational after the clearing of vegetation.

(1) Silt and debris connected with early construction shall be removed - periodically from the detention area to maintain full storage capacity.

(2) The maintenance responsibility of the detention area shall remain with the developer and/or contractor until final inspection and applicable escrows are released.

(3) Before plat approval, the developer shall submit his plan for future maintenance responsibility of the detention area.

(L) **Sump Pump Drainage.**

(1) Sump pump drainage lines shall be required for all new subdivisions.

(2) The pipe system for sump pump drainage shall consist of **six (6) inch** diameter Schedule 35 PVC at a minimum depth of **thirty-six (36) inches**. A clean out shall be located every **four hundred (400) feet** or less, at every change in direction, and at every junction of two or more lines. The piping system shall be connected to the drainage facility within the subdivision. Slope shall be a minimum **one percent (1%)**.

(3) All service lines to the main shall be privately owned and maintained and shall be a minimum of **one and one-half (1 ½) inch** diameter.

(4) All connections to the sump pump drainage system shall be a tee fitting cut into the system and inspected by the Village.

(5) The sump pump drainage lines are intended for sump pump drainage only. Surface drainage shall not be allowed into sump line.

(6) Discharges from sump pumps are prohibited on village streets, sidewalks, and alleys if these cause hazardous conditions to pedestrians, automobiles, or bicyclists. Hazardous conditions shall include, but not limited to, creating an ice hazard in freezing temperatures or creating a falling hazard due to slickness of the sidewalk during non-freezing temperatures. Discharges from sump pumps shall be relocated so that the hazard to the street or sidewalk is eliminated at the direction of the Public Works Director or Village Engineer.

(7) Sump pump drainage lines shall be connected and operable before any frame construction begins.

**(Ord. No. 18-18; 10-09-18)**

**34-3-32 STANDARDS FOR DRAINAGE AND STORM SEWERS.** In order to insure compliance with the requirement for a Storm Water Pollution Prevention Plan, every Subdivider/Developer shall provide the following:

(A) Topography plans showing all existing and proposed graces, culverts, ditches, inlets, and other storm water management features, along with:

(1) Detention calculations and a site plan detailing total drainage area and breakdown of land usages, time of concentration, existing peak discharge for each design storm, existing and proposed runoff coefficient, and total required detention; and

(2) The location of proposed detention facilities detailing limits of ponding for each design storm and total available volume, detail of outlet structure(s), and calculations showing peak discharge from outlet structure(s) for each design storm.

(B) The Village Engineer, on a case by case basins, shall have the authority to require additional information for a proper review and to grant variations from those requirements in this Section that may not apply.

(C) Any storm water design calculations reviewed and approved by the Illinois Department of Transportation shall serve as fulfilling the requirements in this Section provided that the developer submits documentation of such approval.

(D) The minimal design requirements of this Code, shall not be construed to relieve the Subdivider/Developer of any legal responsibilities for downstream/upstream storm water damages inflicted by runoff or backup from the development.

**34-3-33 GENERAL STORM WATER DESIGN CONSIDERATIONS.** The plans and specifications of every drainage and storm sewer system shall include provisions to show compliance with the drainage laws of the State and any subdivision thereof in effect at that time, provided, however, that by requiring that the Subdivider/Developer evidence planned compliance with drainage laws, the Village assumes no responsibility to land owners or others for damage caused by noncompliance with such laws.

(A) Properly sized storm sewers shall be provided to carry surface runoff from streets and curb and/or gutters and shall be of sufficient length that they transport the runoff at least **sixty (60) feet** from the street pavement and into existing natural drainageways or swales and approved drainage facilities.

(B) Natural drainage swales may be utilized to accommodate surface runoff providing they are located near lot lines and the flows induced therein do not pose a health or safety hazard for residents or occupants.

(1) In general, all drainage swales having less than **one percent (1%)** slope shall be paved with Portland Cement Concrete or shall utilize storm sewers to transport storm water flows. Ditches over **two (2) feet** from grade to flow line shall utilize storm sewer to carry storm water flows.

(C) Drainage facilities shall be adequate to accommodate potential runoff from the entire drainage area upstream of the proposed subdivision.

(1) Potential runoff shall be determined on the basis of maximum land use of the upstream area that is consistent with current zoning or adjacent land use trends.

(D) In order to protect downstream property from potential damages by increased flows or greater velocities, and where such facilities are deemed necessary in the interest of public safety and welfare, the Village shall require the Subdivider/Developer to install drainage detention or retention facilities.

(1) Drainage detention facilities shall be designed to accommodate the excess runoff, due to the proposed development, from the one hundred year design storm.

**34-3-34 SPECIFIC STORM WATER DESIGN REQUIREMENTS.** Storm sewers/pipes hydrologic/hydraulic design shall be undertaken by utilization of either the Rational Method, as discussed in the IDOT Drainage Manual, using Illinois State Water Survey Bulletin - 70, or by the Soil Conservation Service TR-55 or TR-20 methodology as applicable. Detention facilities shall be designed by the methodology discussed in the IDOT Drainage Manual Detention Storage Section, or designed by utilizing the Corps of Engineers HEC-1 program or the WSPRO (Water Surface Profiles Program).

(A) Storm sewers/pipes shall be designed and installed by the Subdivider/ Developer to satisfactorily accommodate the surface runoff incident to the **twenty-five (25) year** design storm.

(B) Design calculations showing velocity of the storm sewers, discharge velocity, and design of any rip rap in accordance with the Corps of Engineers HEC-1 program, shall be submitted to the Village for all storm sewer pipes. The Subdivider/Developer's engineer shall also submit the Engineer's Hydraulic/Hydrologic Drainage Summary and Certification form, included herein as Exhibit 3-E7.

(C) The minimum diameter of storm sewers shall be **twelve (12) inches** and the minimum diameter of pipe culverts shall be **fifteen (15) inches**.

(D) Storm sewers located under paved surfaces and right-of-way shall be of reinforced concrete pipe with rubber gasket joints and sufficient wall thickness and reinforcement to carry the intended loading, meeting the requirements of ASTM C-76 and ASTM C-443.

(E) Storm sewers/pipes located outside paved surfaces and right-of-way may be of any of the following materials:

(1) Reinforced concrete pipe with sufficient wall thickness and reinforcement to carry the intended loading, and meeting the requirements of ASTM C-76.

(2) Pre-coated galvanized corrugated steel culvert pipe and pre-coated galvanized corrugated steel pipe arch fabricated from pre-coated steel sheets, and conforming to ASSHTO M 246M (M246), Grade 10/3. The pre-coated culvert pipe and pipe arch shall conform to the requirements of AASHTO M 245M (M245), except that the sheet thickness for the respective diameters of pipe and fill heights shall be as specified in Tables 1B and IIA of Article 542.03 of the IDOT Standard Specifications. Pre-coating of the connecting bands will not be required.

(3) Bituminous coated corrugated steel culvert pipe and bituminous coated steel pipe arch conforming to the requirements of AASHTO M 190, Type A. Any bituminous coating damaged in shipment, during installation, or prior to final acceptance shall be repaired by the Subdivider/Developer to the satisfaction of the Village Engineer. Bituminous coating for the connecting bands will not be required.

(4) Polyethylene pipe conforming to AASHTO M294-94. This pipe shall have a smooth wall interior fitted with elastomeric gaskets conforming to ASTM F477-93.

(F) The Subdivider/Developer shall be responsible for providing the proper plate gauges for the particular loading situation encountered, and for increasing minimum plate gauges as the final loading dictates.

(G) All trenches for pipe/storm sewers that are located under paved surfaces shall be properly backfilled and properly compacted to a density not less than **ninety percent (90%)** of maximum standard lab dry density as prescribed by AASHTO T-99.

(H) Storm sewer manholes, designed in accordance with the Standard Specification Plan Sheets, shall be installed at all changes in vertical grade or horizontal alignment of storm sewers, if at locations other than inlets/catch basins.

(I) The spacing for inlets/catch basins shall be calculated so that the runoff from the design storm shall not encroach upon the pavement by more than **four (4) feet**; provided, however, that under no circumstances shall such spacing exceed **five hundred (500) feet**.

(1) Inlets/catch basins shall be constructed in accordance with the standards depicted on the Standard Specification Plan Sheets.

(2) No open throat inlet shall have an opening greater than **five (5) inches** high unless said opening is protected by a cross bar intended to prevent the entry of persons into the throat of the inlet.

(3) Vaned inlets shall be used within the curb and gutter on streets where the slope exceeds **five percent (5%)**, in order to prevent the by-pass of storm water flows.

(J) The minimum and maximum gradients of pipes/storm sewers shall conform to the following criteria:

(1) Minimum grade shall be **three-tenths percent (.3%)**.

(2) There is no maximum grade; provided, however, that rip rap and/or energy dissipaters shall be utilized at discharge points, as needed, to minimize erosion.

(K) The minimum and maximum gradients of earth drainage ways and/or swales shall conform to the following criteria:

(1) Minimum grade shall be **one percent (1%)**, which may be reduced to **thirty-five hundredths percent (.35%)** if paved with concrete.

(2) Maximum grade shall be **three percent (3%)** with no protection other than sod, or **twelve percent (12%)** with paving, rip rap, and/or energy dissipaters.

**34-3-35 GENERAL STANDARDS FOR UTILITIES.** All utility lines, including gas, electric power, telephone, and CATV lines, shall be located underground in proper easements throughout every subdivision. Underground service connections to the property line of each platted lot shall be installed at the developer's expense; provided, however, that the Village Board may waive the requirement for service connections to each lot if adjoining lots are to be retained in single ownership.

**34-3-36 SPECIFIC STANDARDS FOR WATER SERVICES.** It is the responsibility of the Subdivider/Developer to install, or have installed, all water mains necessary to serve the proposed development. In addition, the Subdivider/Developer shall connect the water mains within said subdivision to the public water system, under the direction and supervision of the Village, but at no cost to the Village.

(A) **Construction Plans.** The Subdivider/Developer's engineer shall first prepare detailed construction plans, determine a complete bill of materials, and complete all forms and submissions required for a permit from the Illinois Environmental Protection Agency (IEPA).

(1) Said plans shall be reviewed by the Village Engineer and/or administrator of waterline maintenance prior to submittal to the IEPA. It is the Subdivider/Developer's responsibility to secure IEPA approval.

(2) Design and construction shall be in accordance with the applicable portions of the current edition of the "Standard Specifications for Water and Sewer Main Construction in Illinois".

(3) Plans for, and actual installation of, all water mains shall assure at least a **five (5) foot** separation from all other utilities.

(B) **Main Requirements.** Every water main extension installed by a Subdivider/Developer, either inside or outside the limits of his subdivision, shall be a minimum of **six (6) inches** in diameter.

(1) If a water main extension will ultimately serve future developments, the Village may require the main to be larger than the minimum size.

(2) If the water main will supply industrial or commercial developments, it shall be a minimum of **twelve (12) inches** in diameter.

(3) All water mains shall be constructed of either ductile iron meeting the requirements of AWWA C-151, or Class 200 PVC water main meeting the requirements of ASTM D-2241 and having slip-on-joints with rubber gaskets meeting the requirements of ASTM D-3139.

(4) Gate valves shall be Underwriter's Lab approved resilient seat gate valves AWWA C-509 and shall be installed in valve boxes as specified by the Village.

(5) All bends and fittings shall be mechanical joints conforming to AWWA C111 and C600.

(6) The Subdivider/Developer shall install THWN soft drawn solid No. 12 copper tracer wire with all water mains, and connected to all valves and hydrants, in order to facilitate future underground location. For proper hookup, said wire shall be made available at intervals no greater than **five hundred (500) feet**.

(7) Where the trench for any water main or service line crosses the location of a street or right-of-way, it shall be backfilled with crushed stone or grade "8" rock.

(8) Water mains shall be extended around the full circumference of all cul-de-sacs.

(C) **Fire Hydrants.** The Subdivider/Developer shall submit a plan to the Village for review of fire hydrant locations within the development.

(1) The spacing between fire hydrants shall not exceed **five hundred (500) feet** in single-family residential areas, or **three hundred (300) feet** in all other zoning districts.

(2) Upon approval of said plan, the Subdivider/Developer shall install hydrants at the designated locations.

(3) Without substitution, hydrants shall be three-way Mueller Centurion Model A-423 with a **five and one-fourth (5 ¼) inch** barrel, a **four (4) foot** bury, **two (2) two and one-half (2 ½) inch** discharges, a **four and one-half (4 ½) inch** steamer connection, and National Standard threads.

(D) **Water Service Lines.** Water service lines shall be a minimum **one (1) inch** diameter Type K copper.

(E) **Testing.** The Subdivider/Developer shall be required to provide air testing and sampling as required by the IEPA, in order for the Village to obtain an Operating Permit.

(F) **IPEA Approval.** No water service taps shall be made until such time as the Village has received an Operating Permit from the IEPA.

**34-3-37 SPECIFIC STANDARDS FOR PUBLIC SANITARY SEWERS.** It is the sole responsibility of the Subdivider/Developer to provide a sanitary sewage disposal system for every subdivision or development, which complies with the regulations of the Illinois Department of Public Health ("Private Sewage Disposal Licensing Act and Code"), the Illinois Environmental Protection Agency, and/or the Madison

County On-Site Sewage Disposal. In addition, the Subdivider/Developer shall connect the sanitary sewer mains within said subdivision or development to the public sewer system, under the direction and supervision of the Village, but at no cost to the Village.

(A) **Requirements for Extension of Existing Mains.** If the public sanitary sewer system is within **six hundred (600) feet** of the proposed subdivision or development, and said system has the available capacity, the Subdivider/Developer shall extend the existing system and sewer to his entire proposed development at his own expense.

(1) Should the public sanitary sewer system be more than **six hundred (600) feet** away from the proposed subdivision or development, the Village may negotiate with the Subdivider/ Developer to share the cost of extending the existing system and sewer if there is significant and quantifiable public interest.

(B) **Construction Plans.** The Subdivider/Developer shall employ a Licensed Professional Engineer registered in the State to first prepare detailed construction plans, including the extension of any existing public sewer main, determine a complete bill of materials, and complete all forms and submissions required for a permit from the Illinois Environmental Protection Agency (IEPA).

(1) Said plans shall be reviewed by the Village Engineer and/or Administrator prior to submittal to the IEPA. It is the Subdivider/ Developer's responsibility to secure IPEA approval.

(2) Design and construction shall be in accordance with the applicable portions of the current edition of the "Standard Specifications for Water and Sewer main Construction in Illinois".

(3) As part of said plans, the Subdivider/Developer shall locate every sanitary sewer main within the area between the pavement edge and the right-of-way line of the street, or within an easement parallel to the right-of-way.

(4) The Village shall retain the right to disapprove the proposed location of any sewer main.

(C) **Sewer Mains.** Pipes used for sewer mains shall either be polyvinyl chloride (PVC) sewer pipe conforming to ASTM D 3034, type PSM for sizes 8"-15" and ASTM F-679-89 for sizes 18"-36", or Ductile Iron Pipe conforming to ANSI A 21.51 (AWWA C-151), class thickness 52 designed per ANSI A21.50 (AWWA C-150).

(1) For PVC pipe, the Standard Dimension Ratio (SDR) shall be a minimum of **thirty-five (35)**.

(2) The PVC plastic pipe shall have a minimum cell classification of 12454-C, and shall have a minimum pipe stiffness of **forty-six (46) pounds** per inch (317 kPa).

(3) Joints for PVC sewer pipe shall conform to ASTM D-3212.

(4) FA-6, CA-16, or CM-16 conforming to the requirements of the Illinois Department of Transportation and manufactured from crushed limestone, installed to a minimum depth of **four (4) inches**, shall be used as bedding for all PVC sewer mains.

(5) Ductile Iron Pipe shall be tar (seal) coated and/or cement lined per ANSI A 21.4 (AWWA C-104), with mechanical or rubber ring (slip seal or push on) joints.

(6) Mechanical joints and push-on joints for Ductile Iron Pipe shall conform to AWWA C111 and AWWA C600.

(7) The minimum allowable size for sewer mains shall be **eight (8) inches** in diameter.

(8) Both PVC and ductile iron pipe shall be installed and backfilled with CA-6 aggregate in conformance with the Standard Specifications for Water and Sewer Main Construction in Illinois and the Standard Specification Plan Sheets.

(9) Where a sewer main crosses under the location of a street, drainage structure, right-of-way or other paved areas, the trench shall be backfilled

with limestone screenings, sand, or other approved granular material and satisfactorily compacted to the Standard Specification Plan Sheets.

(D) **Service Connections.** The Subdivider/Developer shall provide a **six (6) inch** service connection for each residential lot, accomplished by way of a "Y" fitting matching the diameter of the sewer main and the service lateral, made from the same material as said pipes, and installed in the sanitary sewer main in order to provide for connection of said laterals to the sewer main.

(1) The "Y" fitting shall be installed in said sewer main in such a manner so that the centerline of the service riser will be **forty-five (45) degrees** above a horizontal plane through the center of the main.

(2) Material joining the "Y" fitting to the pipes shall be free from cracks and shall adhere tightly to each joining surface.

(3) A log, locating all "Y" fittings by indicating accurate measurements for the distance from the downstream manhole and the depth of the connection at the main, shall be established by the Contractor and maintained during installation as a permanent record of said locations and shall be provided to the Village prior to the issuance of any occupancy permit.

(4) Sewer service lines must be connected to the sewer main at the time of digging footings or basement walls.

(5) The sewer service tap-on fee must be paid in full before a building permit can be issued for the property.

**(Ord. No. 18-18; 10-09-18)**

(E) **Service Laterals.** The Subdivider/Developer shall provide a **six (6) inch** service connection at the "Y" for each residential lot, the lateral of which, shall be extended at least **ten (10) feet** into the lot, as measured from the lot line, and at least **three (3) feet** beyond any dedicated easement so as to avoid conflict with other utilities, and then extended vertical to a minimum of **three (3) feet** above the finished grade level where it shall be terminated with a glued cap capable of withstanding pressures.

(1) All sewer lines shall be installed using a laser to align the sewer to the correct vertical grade and horizontal alignment.

(2) Any transition in said lateral from the "Y" fitting to the vertical shall be made by the use of a series of **forty-five (45) degree** elbows or through the use of a **six (6) inch ninety (90) degree** "long sweep".

(3) The end of the sewer lateral as it extends above grade shall be sealed with a **six (6) inch** cap securely glued into place so as to withstand air test procedures.

(4) Pipes used for service laterals shall be **six (6) inch** polyvinyl chloride (PVC) conforming to ASTM D 3034, type PSM for service lines.

(5) For said PVC pipe, the Standard Dimension Ratio (SDR) shall be a minimum of **thirty-five (35)**.

(6) The PVC pipe shall have a minimum cell classification of 12454-C, and shall have a minimum pipe stiffness of **forty-six (46) pounds** per inch (317 kPa).

(7) Joints for PVC sewer pipe shall conform to ASTM D-3212.

(8) The minimum allowable grade is **one percent (1%)**.

(9) Service lines shall be installed and trenches backfilled with CA-6 aggregate in conformance with the Standard Specifications for Water and Sewer Construction in Illinois.

(10) CA-6 granular aggregate to a minimum depth of **four (4) inches** shall be used as bedding for all PVC sewer laterals.

(11) Where a sewer lateral crosses under the location of a street, drainage structure, right-of-way or other paved areas, the trench shall be backfilled with limestone screenings, sand, or other approved granular material and satisfactorily compacted.

(12) In order to facilitate future location of service laterals, the Subdivider/Developer shall assure that an "X" is cut into the top back of curb at the point under which the lateral passes.

(F) **Manholes.** The Subdivider/Developer shall provide sanitary sewer manholes within the proposed subdivision or development as part of the sewer system design, and at locations necessitated by said design.

(1) Said manholes shall be constructed of precast Portland Cement Concrete in conformance with ASTM C-478, and shall be constructed in such a way so as to prevent the leakage of sewage from the manhole, or the infiltration of ground water into the manhole.

(2) Minimum wall thickness for manholes shall be **five (5) inches**.

(3) Cones and sections shall be substantially free from fractures, large or deep cracks and surface roughness.

(4) Slabs shall be sound and free of gravel pockets.

(5) Manhole steps shall be furnished and installed and shall be either gray cast iron conforming to ASTM A 48 or polypropylene coated steel reinforcing rods with load and pullout ratings conforming to OSHA requirements.

(6) Precast inverts shall be provided in the base sections to accommodate pipe openings with side channel walls extending to roughly the center of the sanitary sewer pipe.

(7) Special care shall be taken to see that the openings through which pipes enter the structure shall be provided with flexible watertight connections with ASTM C 923, "Standard Specifications for Resilient Connectors Between Reinforced Concrete Manhole Structures and Pipes."

(G) **Manhole Frames and Lids.** Castings shall conform to ASTM A 48 and shall be Neenah R-1772 or equivalent cast iron frame and lids with concealed pick holes and self-sealing gaskets in the lid.

(1) Sanitary sewer manhole frame and grates shall be capable of handling H-20 loadings.

(2) In areas that are subject to surface water ponding, frames with stainless steel bolt down gasketed lids and concealed pick holes, which are Neenah R-1915 or equivalent, may be required to prevent ground water infiltration.

(3) The word "SANITARY" shall be cast in the lids of all sanitary sewer manholes.

(4) Lids and frames shall be properly sealed at the time they are adjusted to finished grade.

(H) **Sanitary Sewer Lift Stations.** The design of lift stations shall conform to Title 35: Environmental Protection; Subtitle C: Water Pollution; Chapter II: Environmental Protection Agency; Part 370: Illinois Recommended Standards for Sewage Works; Subpart D: Sewage Pumping Stations; of the State of Illinois Rules and Regulations, and I) the Standard Specifications for Water and Sewer Main Construction in Illinois, latest edition.

(1) Every lift station shall be located off the traffic way of streets and alleys and shall be enclosed by a fence which has been approved in advance by the Village, provided, however, that within Subdivisions with restrictions of record, said fence shall conform to such restrictions except that the height of the fence may be varied if required to adequately conceal the lift station components. Areas inside the fence shall be rocked with **six (6) inches** of CA-6 aggregate.

(2) The Subdivider/Developer shall provide a permanent road surface of either asphalt or concrete for access to any lift station so that lift stations are readily accessible by maintenance vehicles during all weather conditions.

(3) Sewage lift station structures and mechanical equipment shall be protected from physical damage and designed to remain operational during a 100-year flood event.

(4) Sewage lift station pumps and appurtenances shall be either GS Hydromatic or Flygt pumps.

(5) Electrical systems and components shall comply with the National Electrical Code requirements for Class 1, Group D, Division 1 locations.

(6) Electrical panel and controls shall be manufactured by either USEMCO or Consolidated Electric.

(7) The Subdivider/Developer shall also equip the lift station with an emergency generator connection compatible with the Village's generator system.

(8) The lift station shall be equipped with a high water alarm light and a Verbatim or Raco emergency telemetering system in accordance with the requirements of the Village.

(9) Under no circumstances shall the wet well inlet be less than **four (4) feet** above the pumps.

(10) Sanitary sewer force main shall be pressure tested and installed with THWN No. 12 tracer wire.

(11) All lift station components, design criteria, and IEPA Permit Application shall be reviewed by the Village Engineer prior to approval for construction.

(I) **Inspection and Testing.** All sections of all sanitary systems, including sewer mains and laterals, shall be air and mandrel tested by a qualified testing agency or firm hired by the Subdivider/Developer, who bears all cost for said testing.

(1) Testing of sewer mains and laterals shall be performed within **sixty (60) days** after completion of installation.

(2) As a minimum, a testing agency or firm shall not be considered as qualified unless they are independent of the contractor installing the sanitary sewer system, demonstrate competency in the performance of air and mandrel tests, follow standard safety practices for performing testing in confined spaces, and are insured, including for errors and omissions. As such, the Village has the right to approve or not approve any such agency or firm.

(3) When air testing, all sanitary sewer mains and laterals which are **eight (8) inches** or less in diameter, shall be pressurized to at least 4 psi above the surrounding ground water pressure. A section of pipe shall be considered to have "passed" air testing if said pressure does not drop below 3 psi for a minimum duration of **five (5) minutes**.

(4) Sewer mains over **eight (8) inches** in diameter shall be tested as required by the Village Engineer.

(5) The testing agency or firm shall notify both the Subdivider/ Developer and the Village, in writing, of the results of all tests, as soon as possible after said tests are performed.

(6) Should any test fail, the Subdivider/Developer shall make repairs, and arrange for the test to be performed again, and shall continue to make repairs and perform testing until each section of pipe has passed said tests.

(J) **Maintenance.** The Subdivider/Developer shall be responsible for all maintenance of sewer mains, manholes, lift stations, service connections, and service laterals until such time as the paving of the streets and the grading adjacent to the sewer is complete, and said improvements are officially accepted by the Village Engineer and/or Administrator.

(K) **Warranty.** The Subdivider/Developer shall notify the Village in writing when initiating the operation of any new sanitary sewer system, and shall thereafter be responsible for any and all defects in said system, including sewer mains, manholes, lift stations, service connections, and backfill settlement for a period of **two (2) years**.

## 34-3-38 SPECIFIC STANDARDS FOR PRIVATE SANITARY SEWERS.

(A) In areas where the Village Board has determined that the public sanitary sewerage system is not reasonably accessible, but where plans for the installation of said system have been approved by the Illinois Environmental Protection Agency (IEPA), the developer shall provide sanitary sewers in accordance with such plans and temporarily cap them.

(B) Except as provided in **Section 34-3-37(A)**, whenever connection to the public sewerage system is not reasonably accessible and plans for extending the system have not been approved

by the IEPA, the developer shall provide for the installation of private aeration systems for each lot, provided that said plans are reviewed and approved by the Village Engineer.

(1) If private aeration systems are permitted, they shall be designed and installed in accordance with the applicable provisions of the requirements and regulations of the Madison County On-Site Sewage Disposal Code, and/or the "Private Sewage Disposal Licensing Act and Code" of the Illinois Department of Public Health.

(2) The Village may require that the minimum lot size be increased above the usual zoning district requirements to provide adequate area for system operation.

(3) The Subdivider/Developer shall still provide easements for future sanitary sewers.

**34-3-39 SPECIFIC STANDARDS FOR OTHER UTILITIES.** It shall be the responsibility of the Subdivider/Developer to forward plans for the subdivision/development to the respective providers of electric, natural gas, telephone, and cable television services.

(A) Said utility companies shall develop and submit to the Subdivider/ Developer, proposed layouts for their facilities so that the Subdivider/Developer may approve said layouts and forward them to the Village for review as part of the Village's approval process.

(B) Underground service connections for said utilities shall be provided at the property line of each platted lot.

(C) All conduits or cables for said utilities shall be located within easements or public rights-of-way in such a manner that they do not interfere with other underground services or utilities.

(D) No underground utilities shall be constructed until their physical location is reviewed in writing by the Village Engineer and/or Administrator.

(E) The Subdivider/Developer shall also secure recommendations from the electric company for street lighting in any new subdivision and shall present plans for said street lighting to the Village for approval prior to installation.

(1) The cost of purchasing and installing street light is to be borne entirely by the subdivider/developer.

(2) The standard for street light poles is Class B or better.

**34-3-40 SAFETY PROVISIONS.** It shall be the responsibility of the Subdivider/ Developer to provide all necessary and appropriate safety features within any subdivision or development, including but not limited to, guard rails, retaining walls, curbing, and revised grading, at hazardous or potentially hazardous locations. Hazardous locations might include where water is impounded next to roadway, in areas of high fills, along large culverts, and near steep embankments.

**34-3-41 STANDARDS FOR EASEMENTS.** In designing any subdivision, the Subdivider/Developer shall provide easements for drainage and storm sewers, and for all utilities, including sanitary sewers; gas mains; water mains; and underground electric, telephone, and cable television lines.

(A) **Utility Easements.** Unless utilities are to be installed in the public rights-of-way, utility easements, not less than **twenty (20) feet** wide for sanitary sewers and not less than **fifteen (15) feet** wide for gas mains, water mains, and underground electric, telephone, and cable television lines, shall be provided along all rear lot lines, and along those side lot lines where necessary.

(1) As a common practice, in the case of abutting lots, said easements shall be designed to that they are apportioned evenly on either side of said lot lines.

(2) Preliminary Plats shall be submitted to the appropriate utility companies for their input regarding the location of utility easements.

(3) Water mains and sewer mains should normally be installed in easements on opposite sides of a street and located as near to the center of said easements as possible.

(4) Easements of greater width may be required along or across lots when necessary for the extension of sewer mains or other utilities, or where both water and sewer lines must be located in the same easement.

(5) The final location and minimum widths of all easements shall be at the discretion of the Village Engineer and/or Administrator.

(B) **Drainage Easements.** 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.

(1) In no case shall said easements be less than **fifteen (15) feet** in width.

(2) Easements for drainage retention and detention facilities shall also be provided as necessary.

(3) Plans depicting drainage easements shall indicate the direction of water flow by the use of arrows.

(C) **Restrictions.** No person shall erect any structure, fence, swimming pool, pool deck or equipment, or irrigation systems or plant any tree or shrub in any easement or within any street or alley right-of-way, except at the owner's risk with respect to all costs for demolition, removal or reconstruction thereof. **(Ord. No. 18-01; 01-09-18)**

(1) Utilities, public and private, in order to have access for repair or to have alternate access through the owner's property, shall have the right to destroy any such improvements within an easement, with the responsibility to restore the area only by grading and seeding. It shall be unlawful for any person to deny access to such easements to authorized officials upon display of proper identification.

**34-3-42 PROVISION OF GREEN SPACE.**

(A) **General Green Space Requirements.**

(1) Proposed subdivisions shall contain active and passive green space. Such green space shall be owned (either in fee simple or by perpetual easement), supervised, managed, and maintained by the developer, subdivision property owner(s) or homeowner's association. The green space shall consist of active and passive green space, whether developed for recreational uses or not, but shall not include water retention, water detention, or other storm water management areas; however, ponds, lakes or natural wetlands that are part of the storm water management system shall be considered as green space. Green space must be accessible to all lots via rights-of-way or easements to preclude having to cross private land. Creative uses of green space will be encouraged.

(2) The subdivision's covenants and restrictions shall include language to the effect that, if the property owner(s) fail to maintain the green space, the Village has the authority to maintain the green space and impose a lien on each lot in the subdivision for its share of the maintenance costs. The developer shall have the duty to maintain the green space until such time as **seventy percent (70%)** of the lots have been sold or individual property owners control the association. However, the developer shall be responsible for construction details and construction quality of green space areas for a **two (2) year** period.

(3) As part of developer's site plan approval responsibilities, developers shall be responsible for the improvements to the development for active and passive green space purposes including, but not limited to finished grade and ground cover for all green spaces within their development.

(4) In a phased subdivision the developer must provide the required green space for the subdivision in proportional amounts for each phase of the development. The amount of green space exceeding the requirements in a completed phase may be applied toward any future phase of the subdivision.

(B) **Minimum Green Space Requirements.** The amount of green space to be contained in subdivisions shall be as follows:

(1) **Single Family Residential Districts (SR-1, SR-2). Ten percent (10%)** of the total area of the subdivision, which shall consist of **four percent (4%)** of the total area as passive green space and **six percent (6%)** of the total area as active green space.

(2) **Multiple Family Dwelling District (MR-1, MR-2). Twenty percent (20%)** of the total area of the subdivision, which shall consist of **eight percent (8%)** of the total area as passive green space and **twelve percent (12%)** of the total area as active green space.

(3) **All Other Districts. Four percent (4%)** of the total area of the subdivision, which shall consist of passive green or active green space all of which shall be provided within the subdivision.

(C) **Compliance with Green Space Requirements.** In providing for the required areas of green space within the subdivision, the required amount of passive green space must be provided within the boundaries of the proposed subdivision. The required amount of active green space may be provided in the following ways:

(1) Construction/reserve of the active/passive green space within the development;

(2) A cash contribution in lieu of constructing/reserving active/passive green space may be made by the developer to the Park Improvement Fund. The amount to be paid to the fund shall be determined pursuant to a formula established by the Village, which formula multiplies the acreage amount of green space required in the subdivision or development multiplied by **Sixteen Thousand Dollars ($16,000.00)** per acre; **(Ord. No. 18-01; 01-09-18)**

(3) A combination of subparagraph (1) and (2) above as approved by the Board of Trustees; or

(4) By separate written agreement between the Village and the owner/developer in which the owner/developer agrees to pay the Park Improvement Fund the sum of **Five Hundred Dollars ($500.00)** per lot to be developed in a SR-1 or SR-2 District or **Two Hundred Fifty Dollars ($250.00)** per dwelling unit in a MR-1 or MR-2 District. However, if at least **three percent (3%)** of the required active green space in a SR-1 or SR-2 District is provided in the subdivision, the payment of the sum of **Three Hundred Dollars ($300.00)** per lot shall be paid; or if at least **six percent (6%)** of the required active green space in a MR-1 or MR-2 District is provided in the subdivision, the sum of **One Hundred Fifty Dollars ($150.00)** per dwelling unit shall be paid. **One-half (1/2)** of said amounts shall be paid at the time of approval of the final plat of the subdivision. The remaining amount due shall be paid within **one (1) year** of the date of the approval of the final plat. If either payment is not made the Village shall have the right to proceed against the acceptable form of assurance of compliance referred to in **Section 34-4-24** of this Code.

(D) **Protection of Green Space.** Green space shall be protected from development through platting, deed restrictions or restrictive covenants which will ensure its perpetual use as a green space as defined in the Code and which further provided that no changes in use may be made without the express written consent of the Village.

(E) **Creation of the Park Improvement Fund.** There is hereby established a new fund to be known as the Park Improvement Fund. The monies of this Fund shall be used solely for acquisition of new ground for parks and/or capital improvement of existing parks as authorized and allocated by the Board of Trustees.

**34-3-43 LOW IMPACT DEVELOPMENT.** Low impact development tries to insure that development is designed in a way to minimize its impact on water and wetlands through stormwater management practices. This and other conservation subdivision design concepts require approval under the Planned Development Procedure (PDP) of the Zoning Code.

## ARTICLE IV - ADMINISTRATION AND ENFORCEMENT

### 34-4-1 PENALTIES.

(A) Any person who violates, disobeys, omits, neglects, refuses to comply with, or who resists enforcement of any provision of this Code, shall be guilty of a civil offense punishable by a fine only of not less than **One Hundred Dollars ($100.00)**, nor more than **Seven Hundred Fifty Dollars ($750.00)**, plus costs, for each offense.

(B) Each day that a violation continues after notification is given thereof, shall be considered a separate offense.

(C) Notification shall be by regular mail from the Village to the last known mailing address of the violator.

(D) Nothing contained in this Section shall prevent the Village from taking any other lawful action that may be necessary to secure compliance with this Code.

### 34-4-2 SCHEDULE OF FEES.

(A) The following schedule establishes fees for the various procedures listed in this Article, which are intended to defray the administrative costs connected with such procedures, and as such do not constitute a tax or other revenue-raising device:

**TABLE 41**

**FEES**

| | |
|---|---|
| Filing of Preliminary Plat | $100.00 plus $5.00 per lot |
| Filing of Improvement Plan | $40.00 plus $10.00 per lot |
| Filing of Final Plat | $40.00 plus $1.00 per lot |
| Inspection of improvements | No charge for same subdivision |
| Filing of Final Plat Minor Subdivision | $40.00 |
| Application for Variation | $100.00 |
| Application for Amendment to the Test of the Subdivision Code | $100.00 |

*Fees shall be deemed waived for any application filed by Village Official, the Planning Commission or the Code Administrator when acting in an official capacity and on behalf of the Village.*

(B) Until such fees have been paid, no request for any of the above shall be deemed to have been filed and no procedure shall be initiated.

### 34-4-3 AUTHORITY.

(A) The primary authority for administration and the enforcement of the provisions of this Code shall be vested in the following:

(1) Code Administrator;
(2) Village Engineer;
(3) Planning Commission;
(4) Village Board.

(B) In addition to the above, other officials, appointees, or employees of the Village may be required and authorized to perform functions authorized in this Code.

**34-4-4 CODE ADMINISTRATOR.** There is hereby created the position of Code Administrator who is hereby authorized and empowered to administer and enforce provisions of this Code as listed in **Section 34-4-6**.

(A) The Code Administrator shall be appointed by the Mayor with the advice and consent of the Village Board, and shall serve until his successor has been appointed and is qualified.

(B) The Code Administrator, in administering and enforcing the provisions of this Code, shall be responsible for, but not limited to, the following specific duties:

(1) To review and forward Preliminary and Final Plats to the Planning Commission;

(2) To transmit improvement plans to the Utility Superintendent and Village Engineer to review;

(3) To issue stop orders as necessary when the Village Engineer determines that approved improvements are being constructed violation of this Code;

(4) To pursue actions authorized in **Section 34-4-29** when a Subdivider/Developer fails to complete required improvements;

(5) To evaluate and make decisions concerning proposed minor changes in approved Final Plats;

(6) To review and forward applications for variations to the Planning Commission;

(7) To periodically review the provisions of this Code to determine whether revisions are needed, and to make recommendations on such matters to the Planning Commission as necessary;

(8) 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, variations, and amendments;

(9) To provide information to Subdivider/Developers and developers and to the general public on matters related to this Code.

**34-4-5 VILLAGE ENGINEER.** The Village Engineer, as appointed by the Mayor with the advice and consent of the Village Board, is hereby authorized and empowered to administer and enforce all applicable provisions of this Code, and shall be responsible for, but not necessarily limited to, the duties specified in the various Sections of this Code.

**34-4-6 PLANNING COMMISSION.** The Planning Commission, established by **Chapter 4**, shall hereby be authorized and empowered to administer and enforce all applicable provisions of this Code as listed herein.

(A) For the purposes of this Code, **four (4) members** of the Planning Commission shall constitute a quorum, and no meeting or public hearing shall be conducted by the commission without a quorum being present.

(B) The concurring vote of **four (4) members** of the Planning Commission shall be necessary to decide in favor of the applicant, any matter upon which it is required to pass.

(C) The Planning Commission, in administering and enforcing the provisions of this Code, shall be responsible for the following specific duties:

(1) To review Preliminary Plats, and report their findings and recommendations to the Village Board;

(2) To hear and review applications for variations to the Subdivision Code, and report their findings and recommendations to the Village Board; **(Ord. No. 18-01; 01-09-18)**

(3) To hear and review applications for amendments to the text of this Code, and report their findings and recommendations to the Village Board;

(4) To conduct, in accordance with law, meetings and public hearings at the call of the Planning Commission Chairman, Zoning Board of Appeal

Chairperson, Mayor, Village Board, Village Clerk or at such other times as the Planning Commission may determine.

(5) To compel, by action of the Chairman, the attendance of witnesses at such meetings and hearings, to allow the testimony of such witnesses or any other person or their designated agent or attorney, and to administer oaths to those who so testify;

(6) To keep records of its hearings and other official actions, and minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact; and

(7) To file immediately in the office of the Village Clerk, a copy of every rule, regulation, order, requirement, decision, or determination of the Planning Commission, the contents of which shall be public record.

**34-4-7 COMPLAINTS.** Whenever any person alleges that a violation of the provisions of this Code has occurred, that person shall file a written complaint on forms provided by the Code Administrator. The Code Administrator shall record such complaints, promptly investigate, and, if necessary, institute appropriate corrective action.

**34-4-8 CORRECTIVE ACTION ORDERS.** Whenever the Code Administrator finds, by complaint, inspection or otherwise, any development is in violation of this Code, he shall so notify the responsible party, and shall order appropriate corrective action.

**34-4-9 CONTENTS OF ORDER.**

(A) Every order to take corrective action shall be issued in writing and shall at least include:

(1) A description of the premises sufficient for identification;

(2) A statement indicating the nature of the violation;

(3) A statement of the corrective action necessary to effect compliance;

(4) The date by which the violation must be corrected;

(5) A statement that the alleged violator is entitled to a conference with the Code Administrator and/or the Village Engineer if he so desires;

(6) The date by which an appeal of the corrective action order must be filed, and a statement of the procedure for so filing; and

(7) A statement that failure to obey a corrective action order may result in the imposition of fines.

**34-4-10 SERVICE OF ORDER.**

(A) A corrective action order shall be deemed properly served upon the owner, Subdivider/Developer, or developer, if it is:

(1) served upon him personally;

(2) sent by certified mail to his last known address; or

(3) posted in a conspicuous place on or about the affected premises.

**34-4-11 STOP WORK ORDERS.** Whenever any work is being done in violation of any provision of this Code, the Code Administrator's corrective action order may state that the violation must cease immediately, in which case, the corrective action order is equivalent to a stop work order.

**34-4-12 EMERGENCY MEASURES.** Notwithstanding any other provisions of this Code, whenever the Code Administrator determines that any violation of this Code poses an imminent peril to life or property, he may institute, without notice or hearing, any necessary proceedings to alleviate the perilous condition.

**34-4-13 SUBDIVISION PROCESS.** It is the intent of this Code to standardize and codify the process and requirements to be followed by all Subdivider/Developers of land within the Village's jurisdiction.

(A) To that end, the list below outlines the typical chronological process to be followed and plans and documents to be submitted in seeking approval for the development of a subdivision. Failure to follow this prescribed process may result in either untimely delays or denial to the Subdivider/Developer.

(1) Schedule Pre-Application Conference with Village and provide sketch plan:
  (a) Field inspection of proposed developed area.
(2) Submit Preliminary Plat for review and approval:
  (a) Provide plat overlay for proposed road, drainage and existing contours;
  (b) Provide plat overlay for proposed water mains and sewer mains;
  (c) Provide Preliminary Plat checklist.
(3) Submit detailed Improvement Plans with substantiating computations:
  (a) Field inspection of proposed developed area;
  (b) Submit roadway and drainage plans, including drainage computations;
  (c) Submit water main and sanitary sewer plans;
  (d) Submit IEPA permit applications;
  (e) Submit Improvement Plans checklist.
(4) Construct improvements.
(5) Submit Final Plat for review and approval:
  (a) Submit Final Plat checklist;
  (b) Submit Letter of Credit.
(6) Final Inspection of Improvements.
(7) Submit "as-built" plans sealed by the Subdivider/Developer's engineer for the:
  (a) Roads, storm sewers, and catch basins;
  (b) Sanitary sewers;
  (c) Water mains (if installed by Subdivider/Developer).

(B) Every person who proposes to subdivide any land within the Village's subdivision jurisdiction shall comply with the procedural process outlined above and with the substantive provisions of the sections following hereinafter, except that "Minor" subdivisions shall not be required to comply with the provisions as noted below in **Section 34-4-15**.

(C) At the discretion of the Subdivider/Developer, the submission of a Final Plat may proceed the construction of all improvements, provided that the eventual construction of said improvements is guaranteed in accordance with the provision of **Sections 34-4-24** through **34-4-27** herein.

**34-4-14 PRE-APPLICATION CONFERENCE.**

(A) As the initial phase of the subdivision process, Subdivider/Developer shall contact the Code Administrator and inform the Administrator of his intentions to create a subdivision within the jurisdiction of the Village.

(1) The Code Administrator shall contact the appropriate Village Officials and schedule a meeting between those officials and the Subdivider/Developer.
(2) Said meeting shall be set within **fourteen (14) calendar days** following contact from the Subdivider/Developer.

(3) The purpose of said meeting shall be to initiate pre-planning activities, obtain information, identify variances (if any), and provide guidance before the Subdivider/Developer enters into binding commitments or incurs substantial expense in the form of detailed plans, surveys, and other services. **(Ord. No. 18-01; 01-09-18)**

(B) The Subdivider/Developer shall bring to said meeting, a sketch plan of his proposed development superimposed upon a quarter section map or aerial map with property lines for the appropriate tract of land.

(C) At said meeting the Village shall review the sketch plan and make a preliminary declaration of the classification for all roads proposed within the subdivision.

**34-4-15 PRELIMINARY PLATS.**

(A) Except as specifically provided otherwise below, every person who proposes to subdivide any land located within the subdivision jurisdiction of the Village shall file **six (6) copies** of a Preliminary Plat of said subdivision with the Building Department, along with **six (6) copies** of all supporting documentation.

(B) The Subdivider/Developer shall also file **one (1) copy** of the Preliminary Plat and all supporting data with the appropriate Soil and Water Conservation District.

(1) Said district shall have not more than **thirty (30) days** to submit any comments to make to the Planning Commission **(70 ILCS 405/22)**. **(Ord. No. 18-01; 01-09-18)**

(C) The Subdivider/Developer shall also file **two (2) copies** of the Preliminary Plat with the respective utility companies providing natural gas, electric, telecommunications, and cable television in the area of the proposed development, for use by those utilities in planning service within the proposed subdivision.

(1) Each utility company shall acknowledge in writing to the Village the receipt of said Preliminary Plat within **ten (10) days** of such receipt.

(2) At the time of acknowledgement, the utility shall also make any recommendations for changes or modifications that it deems necessary, and shall thereafter work with the developer to jointly resolve said differences.

(D) The Subdivider/Developer shall also file **one (1) copy** of the Preliminary Plat with the Madison County 911 Coordinator who shall review said plat in relation to street names and provide addresses for all lots.

(E) Whenever a Subdivider/Developer proposes to develop a large tract of land in stages and only a portion of that tract is to be initially submitted for Preliminary or Final Plat approval, the developer shall first submit a "site design" of the entire tract proposed for eventual development.

(1) Said site design shall indicate the general location of proposed streets and utilities, proposed densities, location of wooded areas (aerial photos are acceptable), and the topography of the tract, (USGS data is acceptable).

(F) All Preliminary Plats shall be reviewed and acted upon in accordance with **65 ILCS 5/11-12-8**, and the provisions of the subsections below; provided, however, that the provisions of this Section shall not apply to:

(1) Minor subdivisions as defined in **Section 40-2-2**; or

(2) Land that is specifically exempted from the Illinois Plats Act **(765 ILCS 205/11(b))**.

**34-4-16 REQUIREMENTS FOR FILING.**

(A) **Required Submittals.** Considering the information and decisions provided by the Village at the Pre-Application Conference, the Subdivider/Developer shall determine if he intends to proceed with the proposed development and if so, shall submit a Preliminary Plat and all associated documents to the Building Department, including, but not necessarily limited to:

(1) A cover letter requesting review and approval of said Preliminary Plat and including a legal description of the entire tract of land to be subdivided;
(2) A Preliminary Plat of the proposed subdivision showing all boundary property lines, street rights-of-way, lot lines, building setback lines, and proposed easements;
(3) A project or project phase development schedule indicating:
  (a) Approximate date when construction of the project can be expected to begin.
  (b) The stages in which the project will be built, with identifying land use stage map and the approximate date when construction of **each stage** can be expected to begin.
  (c) The approximate completion date of each and every step, and
  (d) The area and location of common or public open space that will be provided at each stage.
(4) A plat overlay displaying existing contour lines, proposed roads, and the proposed drainage plan, including catch basins, storm sewer, open drainageways, and retention areas;
(5) A plat overlay indicating existing water and sanitary sewer mains adjacent to or within the property proposed for development, as well as all proposed water and sanitary sewer mains;
(6) A completed "Preliminary Plat Checklist", (Exhibit 4-E1) signed by both the developer and his engineer who prepared the Preliminary Plat and overlays;
(7) A check made payable to the Village in the amount stipulated for Filing of a Preliminary Plat, as set forth in **Section 34-4-2**.

**(Ord. No. 18-01; 01-09-18)**

(B) **Preliminary Plat.** Every Preliminary Plat shall be prepared by a land surveyor registered in the State of Illinois at any scale necessary for clarity, preferably **one (1) inch** equals **fifty (50) feet**, but no smaller than **one (1) inch** equals **one hundred (100) feet**, provided the resultant drawing does not exceed **thirty (30) inches** by **thirty-six (36) inches**. Said Preliminary Plat, together with supporting data, shall provide at least the following information:

(1) Identification as a "Preliminary Plat" and name of the proposed subdivision;
(2) The names and addresses of the owner, Subdivider/Developer (if not the owner), and registered land surveyor who prepared the plat;
(3) Identification of the section and quarter section or claim and survey, township, range, and county within which the proposed subdivision is located;
(4) North arrow, graphic scale, and date;
(5) Small-key map showing the relation of the proposed subdivision to section or U.S. Survey lines and to platted subdivisions and dedicated roads within **three hundred (300) feet** of the proposed subdivision;
(6) Dimensions of boundary lines adjacent to and abutting the subdivision;
(7) The gross and net acreage area of the proposed subdivision; the acreage of street rights-of-way; the acreage of any areas reserved for the common use of the property owners within the subdivision and/or for public use; and the gross acreage reserved for green space;
(8) Zoning District classification of the tract to be subdivided and of the adjacent land;
(9) Locations of features such as bodies of water, ponding areas, natural drainage ways, wooded areas, railroads, cemeteries, bridges, parks, and schools, within or adjacent to the tract to be developed;
(10) Locations and right-of-way widths of all existing and proposed streets and alleys showing the names and including street right-of-way and paving widths; approximate gradients; types and widths of pavement, curbs,

sidewalks, crosswalks, planting strips and other pertinent data, including classification of all existing or proposed streets as to function as collector, major, minor or county road;

(11) Locations, widths, and purposes of all existing and proposed easements;

(12) Location and size of existing and proposed sanitary and storm sewers;

(13) Locations, dimensions, and areas of any parcels to be reserved for parks, playgrounds, or other public purposes; and

(14) Locations, dimensions, and areas in square feet of all existing or proposed lots within the subdivision, identified by lot number.

(15) A copy of the description of all proposed deed restrictions and covenants.

(16) Building setback or front yard lines and dimensions.

(17) Any proposed alteration, adjustment or change in the elevation, topography or existing vegetation of any area. Where the topography has a significant bearing upon street grades, the plan of public utilities and drainageways or facilities in the proposed subdivision, elevation contour lines at intervals not greater than **five (5) foot** intervals shall be shown. Contour lines shall be shown for all hillside areas and all other areas of significant slope. Contour lines shall also be shown for surrounding undeveloped areas immediately adjoining the proposed development.

(18) Whenever a large tract is intended to be developed in stages, and a part of that tract is proposed for platting, a preliminary plat for the future subdivision of the entire tract shall be submitted, or if approved by the Plan Commission, a final land use plan may be substituted for that area of the tract not yet ready to be platted.

(19) Final land use plan for the entire project area.

(20) A plot plan for each building site, showing building envelops with the approximate location of all buildings, structures, and improvements and indicating the open spaces around buildings and structures. Building envelop locations shall be consistent with the underlying zoning setback requirements within which the preliminary plat is located.

(21) Signed statements from the Madison County "9-1-1" Coordinator, the U.S. Post Master, the Hamel Police Department, and the Hamel Fire Protection District approving the street names.

(22) Evidence that:

(a) Cultural resources sign-off has been requested from the State of Illinois Department of Historic Sites; and

(b) Endangered species sign-off has been requested from the Department of Natural Resources.

(23) Opinion of probable cost of public improvements prepared by a licensed engineer; and

(24) Locations, dimensions, and areas of all parcels to be reserved or used for Green Space and its intended use.

**(Ord. No. 18-01; 01-09-18)**

(C) **Drainage and Roads Overlay.** An overlay plat identical in size to the Preliminary Plat and including the proposed boundary and lot layout, shall be prepared by the Subdivider/Developer, identified by subdivision name and the title *"Plat Overlay for Contours, Roads, and Drainage"*, and illustrate the following information:

(1) North arrow, graphic scale, and date;

(2) Topography of the tract to be subdivided, and a minimum of **fifty (50) feet** outside the tract, as indicated by **one (1) foot** contours for land having slopes of **zero to four percent (0-4%)**; **two (2) foot** contours for land having slopes of **four to twelve percent (4-12%)**; and **five (5) foot** contours for land having slopes of greater than **twelve percent (12%)**;

(3) Locations and directions of flow of existing major waterways, natural drainageways and ponding areas;
(4) Proposed and existing catch basins, storm sewers, drainageways, and drainage retention or detention basins, with arrows indicating the proposed direction of drainage flow;
(5) Proposed and existing drainage easement, locations and widths;
(6) Approximate lengths and sizes of storm sewer;
(7) Proposed and existing road right-of-way and widths, proposed and existing pavement lines and widths, roadway intersection angles, and centerline radii.
(8) A copy of the results of any tests made to ascertain subsurface rock and soil conditions and the water table, and a report addressing soil types referencing the "Soil Survey of Madison County" (prepared by Soil Conservation Service).
(9) All open drainage ditches shall be identified with flow line elevations indicated at every proposed property line or at 100-foot intervals, whichever is closest.
(10) Drainage map showing extent of existing watersheds and outlets; proposed sub-watersheds and their outlets; contours, A-zones, existing and proposed drainage structures drainage areas, existing and proposed land use, and detention storage basins, facilities, with indications of future responsibility for maintenance of the basins and structures.

**(Ord. No. 18-01; 01-09-18)**

(D) **Water and Sewer Main Overlay.** An overlay plat identical in size to the Preliminary Plat and including the proposed boundary and lot layout, shall e prepared by the Subdivider/Developer, identified by subdivision name and the title *"Plat Overlay for Water Mains and Sewer Mains"*, and illustrate the following information:

(1) North arrow, graphic scale, and date;
(2) A preliminary plat of the proposed subdivision showing all boundary property lines, street rights-of-way, lot lines, building setback lines, and proposed easements;
(3) Proposed and existing road right-of-way and pavements;
(4) Location and size of existing and proposed water mains including hydrants and valves (with accompanying static pressure and flow test data);
(5) Location and size of existing and proposed sanitary sewer mains including manholes;
(6) Location, type, and width of existing and proposed easements for water and sewer mains.

**(Ord. No. 18-01; 01-09-18)**

(E) The developer or subdivider shall submit the Preliminary Plat and overlays to the Code Administrator at least **thirty (30) days** prior to the next regularly scheduled meeting of the Planning Commission, in order to be considered for the agenda of said meeting. **(Ord. No. 18-01; 01-09-18)**

(F) The Building Department shall promptly notify the Chairman and members of the Planning Commission of the submission, and make copies of the Preliminary Plat available for their review prior to the scheduled meeting.

### 34-4-17 ACTION BY THE PLANNING COMMISSION.

(A) At their next regularly scheduled meeting, the Planning Commission shall review the Preliminary Plat for compliance with the provisions of this Code.

(B) Should a Subdivider/Developer request a special meeting of the Planning Commission, he shall first remit payment of **Three Hundred Dollars ($300.00)** to help offset costs associated with said special meeting.

(C) Within **thirty (30) days** from the date of submission of the Preliminary Plat or the filing of the last item of required supporting data, whichever date is later, the Planning Commission shall either approve or disapprove the Application for Preliminary Plat Approval, unless the Planning Commission and the Subdivider/Developer mutually agree to extend this time limit.

(1) If the Planning Commission disapproves the Preliminary Plat, they shall furnish to the applicant, within the **thirty (30) day** period, a written statement specifying the aspects in which the proposed plat fails to conform to this Code and/or the Official Map.

(2) If the Planning Commission approves the Preliminary Plat, they shall promptly so inform the Village Board, the Building Department, and the applicant.

(3) If the Planning Commission fails to act on a Preliminary Plat within the prescribed time limits, said failure to act shall be considered a positive recommendation.

(D) No plat that provides access to a State Highway shall be approved by the Planning Commission until the same has been reviewed by and comments received from the Illinois Department of Transportation.

**34-4-18 ACTION BY THE VILLAGE BOARD.**

(A) If the Planning Commission has approved a Preliminary Plat, the Village Board, by Resolution, shall either accept or reject said plat within **thirty (30) days** after their next regularly scheduled meeting following the Planning Commission's action.

(1) If the Village Board rejects the Preliminary Plat, their Resolution shall specify the aspects in which the plat fails to comply with this Code and/or the Official Map.

(B) The Village Clerk shall attach a certified copy of the Board's Resolution of approval or disapproval to the Preliminary Plat.

(1) **One (1) copy** of the Resolution and plat shall be retained by the Clerk, **one (1)** shall be filed with the Code Administrator, and **one (1) copy** shall be given to the Subdivider/Developer.

(2) Board approval shall not qualify a Preliminary Plat for recording.

(C) Approval by the Village Board shall be valid for a period of **one (1) year** from the date of the Resolution, during which time, the Subdivider/Developer shall submit detailed improvement plans, followed by a Final Plat for review and approval by the Village.

(D) If the Subdivider/Developer is unable to meet the deadline stipulated above, the Preliminary Plat may be resubmitted to the Planning Commission after the expiration date, and reapproved by them for another **one (1) year** period without assessing additional fees, provided that:

(1) No changes have been made in the Preliminary Plat;

(2) No changes affecting said development have been made in these subdivision regulations.

**34-4-19 IMPROVEMENT PLANS.**

(A) Following approval of any Preliminary Plat by the Village Board, but prior to submission of the Final Plat, the Subdivider/Developer shall submit plans to the Code Administrator for review by the Village Engineer, for those improvements to be installed within or in conjunction with the proposed subdivision.

(1) The Subdivider/Developer shall submit **four (4) copies** of said plans, specifications and any other supporting documentation.

(2) Said plans and specifications shall be signed and sealed by the Professional Engineer, registered in the State of Illinois, who was responsible for their preparation.

(B) Until the Village Engineer certifies in writing that to the best of his knowledge the proposed improvements conform to the standards imposed in this Code:

(1) The Code Administrator shall not issue any permit to allow construction of said improvements; and

(2) The Village Board shall not act upon the application for Final Plat approval.

**34-4-20 REQUIREMENTS FOR FILING.**

(A) Plans and specifications for improvements shall consist of black or blue line prints not larger than **thirty (30) inches** by **thirty-six (36) inches**. Said plans, together with related specifications shall provide all of the information listed herein.

(B) **Street and Drainage Plan.** The Subdivider/Developer shall submit as part of his Improvement Plans, street and drainage plans prepared in accordance with generally accepted engineering standards and all relevant requirements in these regulations, and including, but not be limited to, the following items:

(1) A title page containing the name of the subdivision, a location map, with scale and north arrow, a title block for the name of the developer and engineer, and the engineer's seal, as well as:
   (a) A list of standards and specifications or standard drawings, which as an option, may be shown on a separate sheet;
   (b) A summary of quantities, which as an option, may be shown on another sheet.

(2) Street plan and profile sheets to a horizontal scale of **one (1) inch** equals **twenty (20) feet** or **one (1) inch** equals **fifty (50) feet** and a vertical scale of **one (1) inch** equals **two (2) feet**, or **one (1) inch** equals **five (5) feet**, or **one (1) inch** equals **ten (10) feet**, and including, but not limited to, the following items:
   (a) Title block with subdivision name, identification of information on sheet, vertical and horizontal scale, and sheet number;
   (b) North arrow;
   (c) **One (1)** or more benchmarks;
   (d) Existing and proposed survey monuments;
   (e) Profiles of existing ground and proposed centerline of pavement;
   (f) Locations, sizes, and invert elevations of all existing and proposed storm sewer manholes, storm sewers, and catch basins showing connections to any existing or proposed storm sewer systems;
   (g) Plans of existing utilities, proposed lots, street right-of-way, pavements, curb and/or gutter, catch basins, storm sewer (including size), drainage arrows, etc.;
   (h) All percent grades and curve data;
   (i) Elevations for existing ground and proposed pavement grade, storm sewer inverts, inverts and tops for catch basins, and retention basins;
   (j) Locations and typical cross-section of sidewalks;
   (k) Radii of all curves and lengths of tangents on all streets;
   (l) locations of street signs.

(3) Street cross-section sheets showing existing and proposed grades to a scale of **one (1) inch** equals **ten (10) feet**, or **one (1) inch** equals **five (5) feet** with sufficient sections to indicate the typical finished section of each street, as well as curbs/gutters and catch basins.

(4) Drainage calculations which validate storm sewer sizes and catch basin spacing, along with an illustration of the various drainage areas and/or watersheds, and which are to be reviewed by the Village Engineer.

(C) **Erosion Control Plan.** The Subdivider/Developer shall submit as part of his Improvement Plans, an Erosion Control Plan as required in **Section 34-3-10**, and which shall include, but not be limited to, the following items:

(1) A title page containing the name of the subdivision, a location map, with scale and north arrow, the boundary and approximate acreage of the site, the existing zoning, a title block for the name of the developer and engineer and the engineer's seal, as well as a list of standards and specifications or standard drawings, which as an option, may be shown on a separate sheet.

(2) A development plan sheet illustrating:

(a) Existing topography of the subdivision or development site, including adjacent land within approximately **one hundred (100) feet** of the site boundaries, drawn at no greater than **two (2) foot** contour intervals and clearly portraying the conformation and drainage pattern of the area.

(b) The location of existing buildings, structures, utilities, water bodies, flood plains, drainage facilities, vegetative cover, paved areas and other significant natural or man-made features on the site and any adjacent land within approximately **one hundred (100) feet** of the site boundaries.

(c) A general description of the predominant soil types on the site, their location, and their limitations for the proposed use.

(d) Proposed use of the site, including present development and planned utilization; areas of excavation, grading, and filling; proposed contours, finished grades, and street profiles; provisions for storm drainage, including the control of accelerated runoff, with a drainage area map and computation; kinds and locations or utilities; and areas and acreage's proposed to be paved, covered sodded or seeded, stabilized with vegetation, or left undisturbed.

(3) An erosion and sedimentation control plan sheet showing:

(a) An illustration of all erosion and sedimentation control measures necessary to meet the objectives of this Code throughout all phases of construction and permanently after completion of development of the site.

(b) Seeding mixtures and rates, types of soil, method of seed bed preparation, expected seeding dates, type and rate of lime and fertilizer application, and kind and quantity of mulching the temporary and permanent vegetative control measures.

(c) Provisions for maintenance of control facilities, including easements and estimates of the cost of maintenance.

(d) Identification of the person(s) or entity who will have legal responsibility for maintenance of erosion control structures and measures after development is completed. (The Village maintains only those storm sewers that convey water from a public way, and then only to a point of natural discharge. The Subdivider/Developer, a homeowner's association, or individual property owners retain maintenance responsibility for storm water drainage facilities located within subdivided lots and common land areas.)

(4) A proposed schedule for phasing of stripping, clearing, rough grading, construction, final grading and landscaping identifying:

(a) The expected date on which clearing will begin and an estimation of how long cleared areas will be exposed; and

(b) The sequence of clearing, installation of temporary sediment control measures, installation of storm drainage, paving streets and parking areas, and establishment of permanent vegetation cover.

(D) **Water Mains and Sanitary Sewer Plan.** The Subdivider/Developer shall also submit plans for the proposed extension of water and sewer mains throughout the subdivision, which have been prepared by a Professional Engineer registered in the State of Illinois in accordance with the requirements of the Illinois Environmental Protection Agency (IEPA) and all relevant requirements in these regulations. Said plans shall include, but are not limited to, the following items:

(1) A title page containing the name of the subdivision, a location map, with scale and north arrow, a title block for the name of the developer and engineer, and the engineer's seal, as well as:
   (a) A list of standards and specifications or standard drawings, which as an option may be shown on a separate sheet;
   (b) A summary of quantities, which as an option, may be shown on another street.

(2) Water and sanitary sewer system plan and profile sheets to a horizontal scale of **one (1) inch** equals **twenty (20) feet** or **one (1) inch** equals **fifty (50) feet** and a vertical scale of **one (1) inch** equals **two (2) feet**, or **one (1) inch** equals **five (5) feet**, or **one (1)** equals **ten (10) feet**, and including, but not be limited to, the following items:
   (a) Title block with subdivision name, identification of information on sheet, vertical and horizontal scale, and sheet number;
   (b) North arrow;
   (c) **One (1)** or more benchmarks;
   (d) Plans of existing and proposed sewer and water mains including valves, hydrants, bends, manholes, and main sizes;
   (e) Locations of existing and proposed natural gas, electric, telephone and other utilities;
   (f) Profiles of existing grade, proposed grade, water mains, manholes, and sewer main;
   (g) Elevations of manhole inverts and tops of frame;
   (h) Locations and limits of trench backfill;
   (i) Locations of force mains and lift stations, along with detail sheet for any such lift stations.

(E) **Other Features.** The Subdivider/Deverloper shall also submit plans or illustrations of the following features:

(1) Any flood-prone areas, detailed on a topographical map, at the same scale as required in the Preliminary Plat, illustrating that all lots and improvements will be above the regulatory flood evaluation;
(2) High water elevations of all lakes and streams adjoining or within the tract;
(3) Locations of all wooded areas;
(4) All proposed measures to control erosion and sedimentation; and
(5) Any other information as the Village Engineer may reasonably require to perform his duties under this Section.

(F) **EPA Permit Applications.** The appropriate permit forms, as required by the Illinois Environmental Protection Agency (IEPA), shall be completed by the Subdivider/ Developer's engineer and submitted in conjunction with the water main and sanitary sewer plans for the Village's review and subsequent signature.

(G) **Improvements Checklist.** A completed "Improvement Plan Checklist", (Exhibit 4-E2) signed by both the Subdivider/Developer and his engineer who prepared the improvement plans.

**34-4-21 REQUIREMENTS FOR APPROVAL.** No improvements shall be constructed by the Subdivider/Developer until all required Improvement Plans and applicable permit forms have been received by the Village, reviewed, found acceptable as submitted, and approved in writing.

(A) Should plans not be found acceptable, written approval may be issued based upon a requirement that corrections set forth by the Village are made, incorporated into the plans by the developer's engineer, and **three (3) sets** of said plans are resubmitted to the village for review and certification.

(B) Approval is also contingent upon the Village receiving copies of IEPA Water and Sewer Permits and IDOT Entrance and Right-of-Way Permits, all indicating approval by those agencies.

**34-4-22 CONSTRUCTION AND INSPECTION OF IMPROVEMENTS.**

(A) The Village shall not be obligated to accept ownership and/or maintenance of any proposed improvements unless said improvements have been inspected during construction and accepted by the Village.

(B) Following submittal and acceptance of the improvement plans, the Subdivider/Developer shall call a Pre-Construction Meeting at the job site with the Village Engineer, the Subdivider/Developer, his engineer, representatives of the utilities involved, and the contractor(s) in attendance.

(C) During the course of construction, the Subdivider/Developer, or his duly authorized representative, shall notify the Building Department at least **forty-eight (48) hours** in advance, of the need for the following inspections, which shall be considered the minimum requirement:

(1) **Required Earthwork Inspections.**
- (a) Subsequent to stripping and clearing but prior to excavating or placing fill material;
- (b) Upon completion of rough grading;
- (c) Prior to fine sub-grading;
- (d) At the time compaction density tests are performed on sub-grade (reviewed by Building Inspector or Village Engineer); and
- (e) Upon completion of the final grading.

(2) **Required Pavement Inspections.**
- (a) Immediately prior to placement of curbs and/or gutters;
- (b) Subsequent to fine sub-grading and prior to placement of the lower pavement course;
- (c) Prior to placement of each succeeding course of pavement, (base, surface, etc.)

(3) **Required Drainage Inspections.**
- (a) Prior to placement of storm sewer backfill;
- (b) Prior to construction of gutter outlets into catch basins.

(4) **Required Sewer and Water Inspections.**
- (a) Prior to backfilling the connection to the existing main;
- (b) Daily during the construction of sanitary sewers and water mains if the latter are installed by the Subdivider/ Developer's contractor.

(D) The Village Engineer or a designated Village employee shall inspect said improvements while they are under construction, and at the milestones indicated herein.

(1) If said inspections determine that improvements are being built in violation of this Code or the approved plans, the inspector shall promptly notify the Code Administrator who, in turn, shall issue a stop work order.

(2) Proceeding in violation of a stop work order is a violation of this Code.

(E) The Village Engineer and/or Code Administrator, and accompanied by the Subdivider/Developer or his engineer, shall also inspect improvements upon their completion.

(1) The Village shall not accept any completed improvements until the Village Engineer has verified to the best of his ability that each complies with the provisions of this Code.

(2) The Subdivider/Developer shall be notified in writing of all improvements which are not acceptable, and shall thereafter correct or replace said improvements until they meet the Village's requirements.

(3) All monuments and pins delineating the subdivision shall have been set prior to said final inspection.

(F) If field changes are necessary or problems arise during construction, the developer shall immediately contact the Village Building Department.

(1) Notes on the field changes shall be kept in the Village's project file and forwarded to the developer's engineer for future reference.

**34-4-23 REQUIREMENTS FOR "AS-BUILT" RECORDS.**

(A) Within **thirty (30) days** after the completion and acceptance of all improvements; the engineer for the Subdivider/Developer, developer shall prepare, certify, seal and deliver record drawings ("as-built" plans) in the form of **four (4)** blue line prints and **one (1)** reproducible mylar for each of the improvements constructed.

(1) The sanitary sewer record drawings shall include the location and approximate depth of all service laterals; the size, location and flow line elevations of all sewer mains; the top and flow line elevations of all manholes; and any other pertinent information.

(2) The water system record drawings shall include the location and approximate depth of all service lines; the size, location, depth and length of all water mains; locations of all valves and hydrants, and any other pertinent information.

(3) No Building Permits shall be issued for any lots within a subdivision until said record drawings have been provided to the Village.

**34-4-24 REQUIREMENTS FOR ASSURANCE OF COMPLETION.** The Village Board shall not approve any Final Plat of subdivision, and, therefore, said Final Plat shall not be entitled to recording, until:

(A) All improvements required in the approved improvement plan have been completed by the Subdivider/Developer at his expense, inspected by the Village Engineer, and dedicated to and accepted by the Village or other appropriate entity; or

(B) At the discretion of the Village Board, and in accordance with the provisions below, the Subdivider/Developer has provided the Village with legal assurance to guarantee the satisfactory completion and dedication of all required improvements.

**34-4-25 ACCEPTABLE FORMS OF ASSURANCE.** At the direction of the Village Board, the required legal assurance shall be in the form of an escrow deposit, an irrevocable Letter of Credit, or Performance and Payment Bonds with approved surety.

(A) Any funds to be held in escrow shall be deposited with the Village Treasurer.

(B) Every escrow deposit shall be in the form of:

(1) cash; or

(2) an irrevocable Letter of Credit or commitment from a lending institution guaranteeing to the Village the availability of the escrow funds from time to time upon demand; or

(3) certificate of deposit, treasury bills, or other readily negotiable instruments approved by the Village Treasurer, and made payable to the Village.

(C) The amount of an irrevocable Letter of Credit or Performance and Payment Bonds (whichever shall be approved) shall be equal to **one and one-half (1 ½) times** the Village Engineer's estimate of the cost of constructing the unfinished portion of the required improvements, plus all required

inspection fees. Said estimate shall initially be prepared by the Subdivider/Developer's engineer and subsequently reviewed and adjusted by the Village Engineer, as he deems appropriate.

(D) For any improvements that will be dedicated to some other governmental entity, assurance shall be posted with the official designated by said entity.

**34-4-26 ELIGIBLE SURETIES.**

(A) No person shall be eligible to act as surety unless he has been approved by the Village Treasurer.

(B) The Treasurer shall conduct or cause to be conducted spot audits of all sureties.

(C) Any surety who fails to perform shall be ineligible for **two (2) years** thereafter to act as surety for any subdivision improvement within the Village's jurisdiction.

**34-4-27 TERM OF ASSURANCE, EXTENSION.** The initial term of any escrow agreement shall not exceed **one (1) year**. If all the required improvements have not been completed by the end of the **one (1) year** period, the Code Administrator, with the advice and consent of the Village Board, may either extend said escrow agreement for **one (1) year** only, or may proceed as per **Section 34-4-29**.

**34-4-28 RELEASE OF BOND, ESCROW DEPOSIT.**

(A) The Village Clerk or Treasurer may release up to **seventy-five percent (75%)** of the amount of the escrow deposit upon receipt of written authorization from the Village Engineer.

(1) The amount, which the Village Engineer authorizes to be released, shall be equal to the value of improvements actually completed in accordance with approved plans.

(2) If escrow was provided in the form of an irrevocable letter of credit, the Village Engineer may designate a portion of the reserved credit to be released and no longer obligated to the Village.

(B) The balance of the amount of the escrow deposit shall not be released until:

(1) The Village Engineer has notified the Code Administrator, in writing, that all required improvements have been satisfactorily completed; and

(2) Said improvements have been dedicated to and accepted by the Village or other appropriate entity; and

(3) The Subdivider/Developer has posted the maintenance bond required by **Section 34-4-37**.

**34-4-29 FAILURE TO COMPLETE IMPROVEMENTS.** If all required improvements have not been completed by the end of the **one (1) year** period [or **two (2) year** period in the case of an extension], the Code Administrator, with the assistance of the Village Attorney may:

(A) Require the surety to perform on the bond, and to pay to the Village an amount equal to the cost of completing the required improvements, as estimated by the Village Engineer, or the amount of the bond not therefore released, whichever is less; or

(B) Order the Village Treasurer to retain all escrow funds needed to complete the required improvements and to return the balance, if any, of such funds to the Subdivider/ Developer; or

(C) Require the Subdivider/Developer to submit a new escrow deposit in an amount sufficient to cover any increase in the cost of constructing the required improvements.

**34-4-30 FINAL PLATS.** Every person who seeks final approval for the proposed subdivision of any land located within the subdivision jurisdiction of the Village shall file **six (6) copies** of a Final Plat of said subdivision with the Code Administrator, along with **six (6) copies** of all supporting documentation.

(A) The County Recorder of Deeds shall not record any Final Plat of a subdivision located within the subdivision jurisdiction of the Village until said Final Plat has been approved by the Village Board.

(B) The Village Board shall not approve any Final Plat unless they determine that said plat is in compliance with all pertinent requirements of this Code including those set forth below.

(1) The Subdivider/Developer of every subdivision, whether major or minor, but excluding land specifically exempted from the Illinois Plat Act as now or hereafter amended **(765 ILCS 205/1(b))**, who desires Final Plat approval, shall file **six (6) copies** of the Final Plat and supporting data with the Code Administrator not later than **one (1) year** after Preliminary Plat approval has been granted; provided, however, that with the consent of the Village Board, the Subdivider/Developer may delay application for final approval of part(s) of the tract shown on the Preliminary Plat, for successive **one (1) year** periods.

(2) The Subdivider/Developer posts the maintenance bond as required by **Section 34-4-37** of this Code.

**34-4-31 REQUIREMENTS FOR FILING.**

(A) Every Final Plat shall be prepared by a land surveyor registered in the State of Illinois and drawn with waterproof black ink on new mylar or other material of similar durability.

(B) Said plat shall be at any scale necessary for clarity, preferably **one (1) inch** equals **fifty (50) feet**, but no smaller than **one (1) inch** equals **one hundred (100) feet**, provided the resultant drawing does not exceed **thirty (30) inch** by **thirty-six (36) inches**, and shall provide all of the following information: **(Ord. No. 18-01; 01-09-18)**

(1) Identification as a "Final Plat" and name the proposed subdivision;

(2) North arrow, graphic scale, and data;

(3) The names, addresses and phone umbers of the Subdivider/ Developer, owner, and land surveyor who prepared the plat;

(4) Accurate metes and bounds or other adequate legal description of the tract;

(5) Accurate boundary lines, with dimension and bearing or angles which provide a survey of the tract, closing with an error of closure of not more than **one (1) foot** in **ten thousand (10,000) feet**;

(6) Locations of all monuments with accurate distances and directions to the nearest established official monument. Reference corners shall be accurately described on the final plat along with reference to known and permanent monuments and benchmarks from which future surveys may be made, together with elevations of any benchmarks; and the surveyor must, at the time of making his survey, establish permanent monuments (set in such a manner that they will not be moved by frost) which mark the external boundaries of the tract to be divided or subdivided and must designated upon the plat the locations where they may be found; **(Ord. No. 18-01; 01-09-18)**

(7) Reference to recorded plats of adjoining platted land by record name, plat book a page number;

(8) Accurate locations and names of all existing streets intersecting the boundaries of the subdivision;

(9) Right-of-way lines of all streets, other right-of-way, easements, and lot lines with accurate dimensions, angles, or bearing and curve data, including, radii, arcs or chords, points of tangency, and central angles;

(10) Name and right-of-way width of every proposed street;

(11) Location, dimensions and purpose of any existing or proposed easements;

(12) Number of each lot, lot dimensions, and area in square feet. All dimensions shall be shown in feet and decimals of a foot; **(Ord. No. 18-01; 01-09-18)**

(13) Addresses for each lot as approved by the 911 Coordinator and illustrated within an oval, provided that on any corner or through lot, each possible address shall be illustrated at the appropriate street frontage;

(14) Building or setback lines with accurate dimensions;

(15) Location(s) and purpose(s) for any sites, other than private lots, that are reserved, including Parkland/greenspace dedication shown within an easement for that purpose; **(Ord. No. 18-01; 01-09-18)**

(16) The following easement statements shall be placed on the final plat:

(a) A permanent non-exclusive easement is hereby reserved for and granted to the Village of Hamel, Madison County, Illinois, and to those public utility companies operating in the Village, in, upon, across, over, under, and through the areas shown by dashed lines and labeled "UTILITY EASEMENT" on this Plat of Subdivision for the purpose of installing, constructing, inspecting, operating, replacing, renewing, altering, enlarging, removing, repairing, cleaning, and maintaining sanitary sewers, storm sewers, water mains, electrical, gas, telephone, cable TV, or other utility lines or appurtenances, all manholes, hydrants, pipes, connections, catch basins, wire, conduit, and without limitation, such other installations as may be required to furnish public utility service to or through the attached area, and such other appurtenances and additions thereto as said Village and Utilities may deem necessary, together with the right of access across the lots and real estate included in the attached document for the necessary personnel and equipment to do any or all of the above work. The right is also hereby granted to said Village and Utilities to cut down, trim, or remove any trees, shrubs, or other plants that interfere with the operation of or access to said sewers or, without limitation, utility installations in, on, upon, or across, under, or through said "UTILITY EASEMENT". No permanent buildings, swimming pools, retaining walls, fences, surfaces, earth fill, or landscaping (including trees and shrubs) shall be placed on said "UTILITY EASEMENT" that then or in the future interfere with the aforesaid uses and rights. Where a "UTILITY EASEMENT" is used for water, storm, or sanitary sewers, other utility installations shall be subject to the prior approval of the said Village so as not to interfere with or cause damage to these systems. Maintenance of said easements shall remain the responsibility of the property owners. Property owners shall be responsible for the costs associated with removing unauthorized obstacles from the "UTILITY EASEMENT".

(b) A permanent, non-exclusive easement is hereby reserved for and granted to the Village of Hamel, Madison County, Illinois, in, upon, across, over, under, and through the areas shown by dashed lines and labeled "DRAINAGE EASEMENT" on this Plat of Subdivision for the purpose of installing, constructing, inspecting, replacing, renewing, altering, enlarging, removing, repairing, cleaning, and maintaining, ditches, swales, catch basins, culverts, piping, and without limitation such other installations as may be required to provide for drainage of surface water from, to, or through the attached area, and such other appurtenances and additions thereto as said Village may deem necessary, together with the

right or access across the lots and real estate included in the attached document for the necessary personnel and equipment to do any or all of the above work. The right is also hereby granted to said Village to cut down, trim, or remove any soil, silt, trees, shrubs, other plants or appurtenances or structures that interfere with the operation of or access to said drainage ways, in, on, upon, or across, under, or through said "DRAINAGE EASEMENT". No permanent buildings, swimming pools, retaining walls, fences, surfaces, earth fill, or landscaping (including trees and shrubs) shall be placed on said "DRAINAGE EASEMENT" that then or in the future interfere with the aforesaid uses and rights. Maintenance of said easements shall remain the responsibility of the property owners. Property owners shall be responsible for the costs associated with removing unauthorized obstacles from the "DRAINAGE EASEMENT".

**(Ord. No. 18-01; 01-09-18)**

(17) Locations of all existing and proposed utilities; and

(18) An index, should two or more sheets be used.

(19) Payment in lieu of parkland/greenspace in the amount of $XXXX per acres of park land or greenspace which would have been dedicated. **(Ord. No. 18-01; 01-09-18)**

(20) Any and all variances associated with and approved for the plat as may have occurred at the preliminary plat stage. **(Ord. No. 18-01; 01-09-18)**

(C) As a separate supporting document, the Subdivider/Developer shall submit written restrictions of all types, which will run with the land and become covenants in the deeds of lots. Covenants and restrictions may not be amended or changed without the written approval of the Board of Trustees.

(D) As a separate supporting document, the Subdivider/Developer shall also submit a completed "Final Plat Checklist", (Exhibit 4-E3) signed by both the developer and the engineer or surveyor who prepared the plat.

(E) As another separate supporting document, the Subdivider/Developer shall submit a completed "Certification of Agency Approval" form (Exhibit 4-E4); signed by a professional engineer or land surveyor, registered in the State of Illinois, and certifying that the following agencies were properly notified of the subdivision/development, as required, and that each has provided a "sign-off" for the development to proceed:

(1) The Illinois Historic Preservation Agency (HPA - Archeological);

(2) The Illinois Department of Natural Resources (IDNR - Endangered Species);

(3) The Illinois Department of Natural Resources Division of Water Resources (IDNR DWR - Stream Hydraulics);

(4) The Soil Conservation Service (SCS - Land Use);

(5) The U.S. Army Corps of Engineers (USACE - Clean Water Act/ Stream Hydraulics).

**34-4-32 REQUIRED CERTIFICATES.** As required in part by State law **(765 ILCS 205/2)**, and by the County of Madison and Village of Hamel, the following certificates shall be executed on all Final Plats:

(A) **OWNER'S CERTIFICATE**

We, _____, the Owners of _____(description)_____, 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 herein are hereby dedicated to the use of the public forever.

Dated this _____ day of _____, 20____.

_____ (Seal)

_____ (Seal)

(B) **NOTARY PUBLIC'S CERTIFICATE**

State of Illinois )
) SS
County of Madison )

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

Given under my hand and Notarial Seal this _____ day of _____, 20____.

_____ (Notary Signature)

**(NOTARY SEAL)**

(C) **SURVEYOR'S CERTIFICATE**

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

_____ (Seal)
Illinois Land Surveyor

_____
Illinois Registration Number

_____
Date

(D) **COUNTY CLERK'S CERTIFICATE**

I, _____, County Clerk of Madison County, Illinois, do hereby certify that I find no unpaid or forfeited taxes against any of the real estate included within this plat.

_____ (Seal)
County Clerk

_____
Date

(E) **911 COORDINATOR'S CERTIFICATE**

I, the undersigned, 911 Coordinator of Madison County, Illinois, do hereby approve this plat as to street names and addresses.

_____ (Seal)
911 Coordinator
Madison County, Illinois

_____
Date

(F) **MAPPING AND PLATTING APPROVAL**

Approved by Mapping and Platting this __ day of _____, 20____.

_____
Signature

(G) **CERTIFICATE OF VILLAGE BOARD**

I, _____, Mayor of the Village, do hereby certify that the plat shown herein was duly presented to the Village Board, and approved at a meeting of same held on _____ _____(date)_____.

_____
Mayor

_____ (Seal)
Village Clerk

(H) **FLOOD HAZARD CERTIFICATE**

We, the undersigned, do hereby certify that [no part of this plat to be recorded] [part of this plat to be recorded, as illustrated,] is situated within a Special Flood Hazard Area as identified by the Federal Emergency Management Agency.

By: _____
Owner
By: _____
Owner
By: _____ (Seal)
Illinois Land Surveyor

_____
Registration Number

_____
Date

(I) **SURFACE WATER DRAINAGE CERTIFICATE**

We, the undersigned, do hereby certify that to the best of our knowledge and belief, the drainage of surface waters will not be changed by the construction of this subdivision or any part thereof, or if such surface water drainage will be changed, reasonable provisions have been made for the collection and diversion of

said surface waters into public areas or drainage facilities which the subdivision has a right to use, and that management of said surface waters has been planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to any adjoining property as a result of construction of this subdivision.

By: _____
Owner
By: _____
Owner
By: _____ (Seal)
Illinois Professional Engineer

_____
Registration Number

_____
Date

(J) **UNDERMINING CERTIFICATE**

We, the undersigned, do hereby certify that we have reviewed the Mined Out Coal Area Map No. available from the Illinois State Geological Survey in Urbana, Illinois, and that it appears [part] [none] of the subdivided property shown hereon lies within a mined out area.

By: _____ (Seal)
Illinois Professional Land Surveyor

_____
Registration Number

_____
Date

(K) **ILLINOIS DEPARTMENT OF TRANSPORTATION CERTIFICATION** *(For those subdivisions that provide access to a State Highway, the following certification shall also be required and executed on the final plat.)*

This plat has been approved by the Illinois Department of Transportation with respect to roadway access pursuant to **765 ILCS 205/2**. However, if a highway permit for access is required by the owner of the property, a plan that meets the requirements contained in the Department's "Policy on Permits for Access Driveways to State Highways" will be required by the Department.

By: _____
District Engineer

_____
Date

(L) **LOCAL HIGHWAY DEPARTMENT CERTIFICATION** *(For those subdivisions that provide access to a County or Township highway, the following certification shall also be required and executed on the final plat.)*

This plat has been approved by the _____ with respect to roadway access pursuant to **765 ILCS 205/2**.

By: _____

_____
Date

**34-4-33 ADMINISTRATIVE REVIEW PROCEDURES.**

(A) Within **three (3) business days** from the date the Final Plat and all supporting documentation has been filed with the Village, the Code Administrator shall notify the President of the School Board of each public school district in which any of the subdivided land is located that said plat has been submitted for approval and is available for inspection.

(1) Said notice shall also give the date, time and location of the meeting at which it is anticipated that said plat will be considered by the Village Board for approval or disapproval.

(B) Within **thirty (30) days** from the date of submission of an Application for Final Plat Approval, or the filing of the last item of required supporting data, whichever is later, the Code Administrator shall review said Final Plat, and supporting data, and shall advise the Village Board in writing whether it substantially conforms to the approved Preliminary Plat.

(1) A copy of the Code Administrator's advisory report shall be forwarded to the Planning Commission, who may prepare an addendum to said report if they so desire, and forward same to the Village Board.

**34-4-34 ACTION BY THE VILLAGE BOARD.**

(A) Within **sixty (60) days** from the date of submission of an Application for Final Plat Approval, or the filing of the last item of required supporting data, whichever date is later, the Village Board shall either approve or disapprove said application by Resolution unless the Board and the Subdivider/Developer mutually agree to extend this time limit.

(1) Failure to act within the prescribed time limits shall be deemed approval.

(B) The Village Board shall not approve any Final Plat unless:

(1) The Final Plat substantially conforms to the approved Preliminary Plat; and

(2) The Final Plat manifests substantial compliance with the Official Map and with the design and improvement standards of this Code; and

(3) To the Board's knowledge and belief, the Final Plat complies with all pertinent requirements of State law; and

(4) Either of the following has been met:

(a) All required improvements have been completed, inspected, dedicated, and accepted; or

(b) The Subdivider/Developer an acceptable form of assurance as provided herein to guarantee the satisfactory completion and dedication of all required improvements.

(5) The Subdivider/Developer has deposited the maintenance bond or other assurance required by **Section 34-4-37** of this Code.

(C) If the Village Board disapproves the Final Plat, their Resolution shall specify the aspects in which the plat fails to meet the above conditions for approval.

(D) The Village Clerk shall attach a certified copy of the Board's Resolution of approval or disapproval to the Final Plat. **One (1) copy** of the Resolution and plat shall be retained by the Clerk, **one (1) copy** shall be filed with the Administrator, and **one (1) copy** shall be given to the Subdivider/Developer.

(E) The Village Clerk shall also return the original mylar of the Final Plat to the Subdivider/Developer, with appropriate signatures of Village Officials.

(1) Within **sixty (60) days** following approval by the Village, the Subdivider/Developer shall secure all remaining required signatures and

cause said Final Plat to be filed and recorded with the County Recorder of Deeds.

(2) The Subdivider/Developer shall thereafter provide the Building Department with **three (3) prints** and **one (1)** mylar reproducible of the recorded plat.

**34-4-35 CHANGES IN APPROVED FINAL PLATS.** Once a Final Plat is approved by the Village Board, it shall not thereafter be modified; provided, however, that minor changes may be made upon written application to the Code Administrator. Major changes shall require the filing of a new Final Plat and complete review as provided for herein.

**34-4-36 MAINTENANCE OF IMPROVEMENTS.** Subsequent to completion of the improvements within the development by the Subdivider/Developer, the Village Engineer and Code Administrator shall make an inspection of said improvements to ascertain the acceptability of the structural condition, earth slopes, and drainage structures, and that all other requirements of this Code have been met.

(A) If said inspection indicates no deficient items and, all "as built" drawings have been filed with the Code Administrator, and the Subdivider/Developer has posted an appropriate Maintenance Bond, as hereinafter set forth, the Village Board shall take formal action to dedicate the completed improvements for maintenance.

(B) Should any improvement require correction or repair, the Subdivider/ Developer shall be notified, in writing, of each deficiency.

(1) No street(s) will be accepted in a subdivision until all streets comply with the requirements of this Code to the satisfaction of the Village Engineer and Code Administrator.

(C) Should the Subdivider/Developer fail to properly correct any of the noted deficiencies, he shall be responsible for all maintenance, other than snow and ice control, until such time as the streets are completely acceptable to the Village.

(1) Under this situation, the Subdivider/Developer's maintenance responsibility shall be construed to include, but not be limited to, regular mowing of the parkways; periodic cleaning of debris from the pavement and gutters; and periodic cleaning of storm sewers and catch basins.

(2) Should the Subdivider/Developer fail to discharge any of these responsibilities, he will be notified to rectify the situation by the Building Department.

**34-4-37 DURATION OF GUARANTEE.**

(A) All improvements within a development shall be guaranteed by the developer to be in satisfactory condition and in compliance with this Code for a period of **two (2) years** from the date of acceptance by the Village.

(B) Prior to dedication and acceptance, the Subdivider/Developer shall post a Maintenance Bond with the Village Clerk in a form approved by the Village Attorney.

(1) Said bond shall be in an amount determined by the Village Engineer to be sufficient to guarantee the satisfactory condition of the required improvements for a period of at least **two (2) years**, generally **twenty-five percent (25%)** of the estimated construction costs.

(C) If at any time during the guarantee period any improvements are found to be defective, they shall be repaired or replaced at the Subdivider/Developer's expense.

(1) If the Subdivider/Developer fails or refuses to pay such costs within **thirty (30) days** after demand is made upon him by the Code Administrator, the

Village shall use the Maintenance Bond to make the necessary repairs/replacement.

(2) If the cost of repairs/replacement exceeds the bond amount, the Subdivider/Developer shall be liable for the excess.

(D) At the end of the **two (2) year** guarantee period, the Subdivider/ Developer shall request a final inspection of all subdivision improvements, by sending written notice to the Village at least **thirty (30) days** prior to the end of said period.

(1) The Village Engineer shall verify to the best of his ability that each improvement complies with the provisions of this Code.

(2) The Subdivider/Developer shall be notified in writing of any improvements that are found to be defective, and shall repair or replace said deficiencies at his expense.

(3) When all improvements pass the final inspection, the Village shall issue a letter releasing the Subdivider/Developer from any further responsibility for said improvements.

(4) Should the Subdivider/Developer fail to request a final inspection in writing at least **thirty (30) days** prior to the end of the guarantee period, said guarantee period shall be extended until **thirty (30) days** after such time as a request is received and the improvements are inspected and determined to be acceptable to the Village.

**34-4-38 VARIATIONS.**

(A) Any Subdivider/Developer desiring a variation from the requirements of this Code shall file a written application therefor with the Code Administration Officer at the same time that he files his Preliminary Plat, utilizing the form provided herein as Exhibit 4-5.

(1) The application shall fully explain the grounds for the variance request, and specify the Section(s) of this Code that, if strictly applied, would cause great practical difficulties or hardship.

(2) The Code Administrator shall prepare an Advisory Report on every application for variation and submit it, together with the completed application, to the Planning Commission.

(3) Any variation proposed herein by the developer, which is in effect a variation of the provisions of the Code of Ordinances adopted by the Village, or any Ordinances adopted since the adoption of such Code, shall only be allowed and granted in compliance with the procedures outlined in said Code and/or Ordinances. Nothing contained herein shall be construed as to allow a variation of lot size, setbacks, or any other regulation of the Zoning Code.

**34-4-39 REVIEW BY THE PLANNING COMMISSION.**

(A) The Planning Commission shall review the application for variation and the Code Administrator's comments, and submit their advisory report to the Village Board, together with their recommendation on Preliminary Plat approval.

(B) The Planning Commission's Advisory Report shall be responsive to all of the following variance standards:

(1) The proposed variation 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 variation request are not applicable to other tracts and, therefore, that a variation would be a more appropriate remedy than an amendment; and

(6) The variation if granted, will not substantially impair implementation of the Community Plan, including the Official Map.

**34-4-40 ACTION BY THE VILLAGE BOARD.**

(A) At the same meeting at which they take action on the Application for Preliminary Plat Approval, the Village Board shall decide by Resolution whether to grant or deny the requested subdivision variation.

(B) A copy of their decision, clearly stating their reasons therefore and the exact terms of any variation granted, shall be attached to both the Preliminary and Final Plats.

**34-4-41 AMENDMENTS.** Any party in interest, including the Code Administrator, or any member of the Village Board or Planning Commission desiring an amendment to the text of the Subdivision Code shall file a written application therefor with the Code Administration Officer, utilizing the form provided herein as Exhibit 4-6.

(A) Said application shall fully explain the grounds for the requested amendment, and specify the Section(s) of this Code that, if strictly applied, would cause great practical difficulties or hardship.

(B) The Code Administrator shall prepare an Advisory Report on every application for amendment and submit it, together with the completed application, to the Planning Commission.

**34-4-42 PUBLIC HEARING, NOTICE.**

(A) Within **sixty (60) days** of application for an amendment to the text of the Subdivision Code, the Planning Commission shall hold a public hearing.

(B) Notice indicating the time, date, and place of said hearing, and the nature of the proposed amendment shall be given by publication in a newspaper of general circulation within the Village, not more than **thirty (30) days**, nor less than **fifteen (15) days** before the hearing date.

(C) At the same time, a copy of said notice shall be sent by first class mail to the applicant.

(D) At said hearing, any interested party may appear and testify, either in person or by duly authorized agent or attorney.

(E) The Planning Commission shall prepare an Advisory Report, responsive to the following standards:

(1) The proposed amendment is consistent with the general purposes of this Code; and

(2) The peculiar circumstances engendering the amendment request are applicable to many tracts and, therefore, that a variation would not be a more appropriate remedy than an amendment; and

(3) The amendment, if granted, will not substantially impair implementation of the Community Plan, including the Official Map.

(F) Said Advisory Report shall be submitted to the Village Board within **thirty (30) days** following the conclusion of the public hearing.

**34-4-43 ACTION BY THE VILLAGE BOARD.**

(A) At their next regularly scheduled meeting following receipt of the Advisory Report from the Planning Commission, the Village Board shall act on the request for amendment.

(1) Without another public hearing, the Village Board may vote to either pass or reject the proposed amendment, may pass a modified version of said amendment, or may refer it back to the Planning Commission for further consideration.

(2) If the Village Board votes to pass the amendment or a modified version thereof, they shall do so by Ordinance at their next regularly scheduled meeting.

**(Unless Otherwise Noted Ord. No. 07-010; 05-01-07)**