

## CHAPTER 19

### LAND SUBDIVISION RESOLUTION

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## ARTICLE I. GLOSSARY OF TERMS

### Sec. 19.1 Terms and Definitions

Unless otherwise expressly stated, the following words shall, for the purpose of this Chapter, have the meaning herein indicated. Any pertinent word or term not a part of this listing but vital to the interpretation of this Chapter shall be construed to have its usual legal definition.

The present tense includes the future tense, and vice versa.

The masculine gender includes the feminine and neuter.

The singular includes the plural, and vice versa.

The word “shall” is always mandatory; and the word “may” is always permissive.

The word “person” includes a partnership, association, firm, trust, club, institution, company, limited liability company, or corporation as well as the individual.

- a. *Access*: The way over which traffic moves to and/or from the property abutting a street or alley and the way over which traffic moves to and/or from a major street to a minor street or from a street to an alley.
- b. *Alley*: A permanent service right-of-way which affords only a secondary means of access from such right-of-way to abutting property and is not intended for general traffic circulation.
- c. *Area, Lot*: The total area within the lot lines.
- d. *Block*: Property abutting on one side of a street and lying between the two nearest intersecting or intercepting streets or between the nearest intersecting or intercepting street and railroad right-of-way, waterway, unsubdivided area, or other definite boundary.
- e. *Building*: An enclosed structure having a roof supported by columns, walls, arches or other devices, used for the housing, shelter or enclosure of persons, animals, or chattels.
- f. *Comprehensive Plan*: The Village of Brimfield Official Zoning Map (the Zoning Map) adopted by the Village.
- g. *Dwelling*: A building designed for residential living purposes and containing one or more dwelling units.
- h. *Dwelling Unit*: One or more rooms constituting all or part of a dwelling exclusively as living quarters for one family and not more than two roomers or boarders, and which contain cooking facilities, sink, or other kitchen facilities.

- i. *Dwelling, Single Family:* A dwelling containing one dwelling unit.
- j. *Easement:* A right or privilege held by the public, a corporation or person for the use of land of another for specified purposes.
- k. *Family:* (a) An individual; or (b) Two or more persons related by blood, marriage, or adoption; or (c) Not more than five persons not so related; together with his or their domestic servants and gratuitous guests maintaining common household in a dwelling unit.
- l. *Grade:* The ascending or descending inclination with a horizontal of a street, measured along the center line of the right-of-way, expressed by stating the vertical rise or fall as a percentage of the horizontal distance.
- m. *Lot:* A tract of land within a subdivision marked by the subdivider on the plat as a numbered, lettered, or other identified tract of land to be offered for sale, dedication, or development.
- n. *Lot Lines:* The lines bounding a lot.
- o. *Owner:* An individual, firm, association, syndicate, partnership, corporation, company, organization, trust, or other legal entity having a proprietary interest in a use, structure, lot, or tract of land.
- p. *Planned Development:* A tract of land developed as a unit under single ownership or control which includes two or more main or principal structures.
- q. *Plat:* A map, plan, or layout showing the subdivision of land into lots.
- r. *Plat Officer:* The Zoning Officer of the Village.
- s. *Property:* The general term denoting either singularly or in combination, an area, lot, parcel, tract, plot, or otherwise designated portion of land.
- t. *Right-of-Way:* The entire dedicated tract or strip of land which is to be used by the public for circulation or service.
- u. *Sanitary Sewer:* A constructed conduit for the collection and carrying of liquid and solid sewage wastes, other than storm waters, to a sewage treatment plant.
- v. *School:* A building or group of buildings and all associated structures, facilities, and grounds in or on which instruction in subjects which are fundamental and essential in general education is offered under the supervision of the Peoria County Superintendent of Schools.
- w. *Sidewalks:* That paved portion of the right-of-way which affords the principal means of access to abutting property.

- x. *Storm Sewer*: A constructed conduit for the collection and carrying of surface waters to a drainage course.
- y. *Street*: A thoroughfare within the right-of-way which affords the principal means of access to abutting property. A street may be designated as an avenue, boulevard, drive, highway, lane, parkway, place, road, thoroughfare, court, or other appropriate name. Streets are identified according to type of use, as follows:
  - (1) Major Streets:
    - (a) Major Thoroughfare, Intermediate Thoroughfare: A street so designed on the thoroughfare plan.
    - (b) Limited Access Street: A major or intermediate thoroughfare along which exit and entrance ways are provided only at controlled intersections and from which there is no direct access to abutting properties.
    - (c) Collector Street: A street planned to facilitate the collection and routing of traffic from minor streets to major street or intermediate thoroughfares.
  - (2) Minor Streets:
    - (a) Direct Access Street: A street providing direct access to and/or from streets, alleys, and abutting properties.
    - (b) Marginal Access Street: A street paralleled to a limited access street providing direct access to and/or from streets, alleys, and abutting properties, and providing ways for traffic to reach access points along a limited access street.
- z. *Structure*: Anything constructed or erected with a fixed location on the surface of the ground or underground, or affixed to something having a fixed location on the surface of the ground.
- aa. *Subdivider*: An owner who presents a subdivision plat for approval hereunder.
- bb. *Subdivision*: Any division of any lot, area, or tract of land into two or more lots for the purpose, whether immediate or future, of conveyance, transfer, improvement, or sale, with the appurtenant streets, alleys, and easements, dedicated or intended to be dedicated to public use or for the use of purchasers or subdividers within the part, lot area, or tract divided, except that divisions exempted from the provisions of an Act of the Illinois Legislature entitled, "An Act to Revise the Law in Relation to Plats, Approved March 21, 1874, as amended", as set forth in Section 1 (b) thereof are not deemed subdivisions for purpose of this resolution.
- cc. *Thoroughfare Plan*: The Village of Brimfield Official Zoning Map (the Zoning Map).

- dd. *Village*: The Village of Brimfield.
- ee. *Village Board*: The President and Trustees of the Village Board.
- ff. *Zoning Board*: The Zoning Board of Appeals of the Village of Brimfield, or any committee assigned its duties.

**Sec. 19.2 – 19.9      Reserved**

## **ARTICLE II. PROCEDURE**

### **Sec. 19.10 Preliminary Considerations**

a. Regulatory:

- (1) No land shall, after the effective date of this Code, be subdivided, the plat or plats thereof filed for record, nor any street laid out, nor any improvements made to such subdivided land, until the plat or plats of the subdivision have been certified to and approved by, action as specified herein.
- (2) Conformity with Comprehensive Plan: The layout of the subdivision shall be in conformity with the Comprehensive Plan.
- (3) No land shall be subdivided for any use unless access to the land over streets exists or will be provided by the subdivider.

b. Advisory:

In order to conserve time, effort, and expense, the subdivider may consult with the Zoning Board and the Plat Officer prior to the preparation of the tentative plan of the subdivision. Requirements for streets, school, and recreational sites; shopping centers; community facilities; sanitation, water supply and drainage; and relationship to other developments, existing and proposed, in the vicinity, shall be analyzed in advance of the preparation of the Preliminary Plat.

### **Sec. 19-11 Pre-Application Procedure**

- a. Prior to the filing of an application for conditional approval of the Preliminary Plat, the subdivider may submit to the Plat Officer a sketch plan showing the proposed layout of the entire tract in relation to existing topography, together with a copy of existing covenants, as known. This step shall not require formal application nor any fee nor the filing of a Plat with the County Recorder of Deeds.
- b. Within ten working days after receipt of the sketch plan, the Plat Officer shall inform the subdivider that the plans and data as submitted or as modified do or do not meet the requirements of this Chapter and other applicable provisions of this Code. When the plans and data do not meet such requirements, the Plat Officer shall state the reasons in writing and deliver a copy to the subdivider.

### **Sec. 19.12 Procedure for Conditional Approval of Preliminary Plat**

- a. The subdivider shall, after the above pre-application procedure, cause to be prepared a Preliminary Plat together with improvement plans and other supplementary material as

specified in Article V, Section 19.90, including an alternate layout in sketch form of the entire tract owned by the subdivider, if not submitted under Section 19.11.

- b. Sufficient copies, not less than six, of the preliminary application, the Preliminary Plat and all required supplementary material shall be filed with the Plat Officer. At the time of such filing the Subdivider shall pay to the Village a filing fee sufficient to cover the engineering fees to be incurred by the Village. Such fee shall be in an amount set from time to time by resolution of the Village Board, but shall be no less than \$500.00.
- c. The Plat Officer shall transmit one copy to the County Superintendent of Highways, one copy to the County Health Officer, and one copy to the Zoning Board.
- d. The County Superintendent of Highways, the County Health Officer and the Zoning Board shall review the plat, and each may submit a report of his findings and recommendations to the Plat Officer. Such report shall be submitted within thirty (30) days. Failure to submit a report within the specified time limit or a mutually agreed upon extension thereof shall be deemed a recommendation of approval of the plat.
- e. Following review of the Preliminary Plat and accompanying supplemental material, and review and consideration of the reports provided under Section 19.12 c., the Plat Officer shall take action approving, revising or rejecting the proposed subdivision and shall so notify the subdivider and his engineer.
- f. If action is taken approving said Preliminary Plat, the Plat Officer shall properly endorse his approval and date of approval on copies of the plat. One copy shall be returned to the subdivider, one copy to his engineer, one copy shall be furnished to the Township Highway Commissioner., and one copy shall be kept as a record by the Plat Officer. If revisions are to be made, said revisions shall be indicated on the plats prior to their endorsement. Such Preliminary Plat shall bear a certificate of approval as follows:

This Preliminary Plat has received the approval of the Plat Officer of the Village of Brimfield and the Subdivider may proceed with the preparation of the Final Plat and other documents required by the Brimfield Subdivision Code.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
PLAT OFFICER

If the Plat Officer rejects the Preliminary Plat, the subdivider shall have the right to appeal his decision to the Village Board, which may sustain the Plat Officer's decision or may modify or reverse, in whole or in part, his decision. If the Village Board approves the Preliminary Plat, then the Plat Officer shall be directed to endorse the plat.



- g. In addition, if the subdivision lies within the area of extra territorial subdivision control of a city or village, its approval shall be sought in accordance with its land subdivision ordinance.
- h. Approval of the Preliminary Plat shall be construed to be an expression of approval of the general layout submitted as a guide to the preparation of the final plat and to be assurance to the subdivider that the final plat will be approved if it conforms to the terms of the conditionally approved Preliminary Plat.

**Sec. 19.13 Procedure for Approval of Final Plat**

- a. Not later than one year after approval of the Preliminary Plat, or such additional time as the Plat Officer may allow, the subdivider may submit the original tracing of an intended final plat together with a print thereof to the Plat Officer.
- b. The final plat shall conform to the Preliminary Plat as approved and it may constitute only that portion of the approved Preliminary Plat which the subdivider proposes to record and develop at the time, provided, however, that such portion conforms to all requirements of this Chapter.
- c. Within 15 working days after receipt of plats and supplementary material, the Plat Officer shall inform the subdivider that the plans and data as submitted or as modified do or do not meet the requirements of this Chapter and applicable provisions of this Code. When the plans and data do not meet such requirements, the Plat Officer shall state the reasons in writing and deliver a copy to the subdivider.
- d. Final approval of a final plat shall be granted by the Plat Officer on the basis of its conformity with a Preliminary Plat as approved, and with all pertinent laws, rules, regulations and particularly with the technical requirements of Articles IV and V of this Chapter and with the Comprehensive Plan. The Plat Officer shall notify the subdivider and his engineer of the action taken.
- e. In the event only a portion of an approved Preliminary Plat is presented for final approval, the Plat Officer may notify the subdivider in writing whether or not the preliminary approval of the unrecorded portion has been renewed for one year. In the absence of such written notification, the subdivider may within one year after conditional approval of the Preliminary Plat apply to the Plat Officer for extension of the conditional approval of the Preliminary Plat without being required to pay additional fees.
- f. Within 60 days after approval of the final plat by the Plat Officer, said plat shall be filed by the subdivider with the Peoria County Recorder, and if not so filed, shall have no validity and shall not be recorded without recertification by the Plat Officer.
- g. For the approval of any final plat, as is hereinabove required, the subdivider shall pay a fee for such approval, the sum of Ten Dollars (\$10.00), for each lot, sub-lot or tract of land

shown upon any such plat to be so approved, and provided, further, that the said fee for the approval of any plat, hereunder, shall not be less than Fifty Dollars (\$50.00).

**Sec. 19.14                      Boundary Maps**

- a. Any parcel of land may be divided into two (2) parts, either of which part is less than five (5) acres, for the purpose of ownership transfer or building development provided no new street or easement of access is required, by recording with the County Recorder an adequate boundary map or survey made thereof by registered Illinois Land Surveyor. Such boundary map or survey shall bear a certification of the County Clerk that there are no delinquent or unpaid general taxes against the lands described on the boundary map or survey.

Such boundary map or survey shall bear a certificate of approval, signed by the Plat Officer, as follows:

County of Peoria        )  
State of Illinois        ) ss.  
Village of Brimfield    )

I, the Plat officer of the Village of Brimfield, do hereby approve this boundary map or survey in accordance with the provisions of the ordinances of the Village of Brimfield, Peoria County, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
PLAT OFFICER

No such boundary map or survey shall be entitled to record or have validity until it has been signed by the Plat Officer. The Plat Officer shall keep a record and a copy of such boundary maps.

- b. Any survey plat of a parcel of land, which parcel is not part of a subdivision as defined for the purposes of this Chapter shall be entitled to recording provided it shall have endorsed thereon the following certification, signed and sealed by the registered land surveyor preparing the plat: "I do hereby certify that this parcel of land is not part of a subdivision requiring approval under the ordinances of the Village of Brimfield, Peoria County, Illinois."

\_\_\_\_\_, (Date) \_\_\_\_\_, (Signed) \_\_\_\_\_, Illinois  
Registration # \_\_\_\_\_.

**Sec. 19.15 – 19.39      Reserved**

### ARTICLE III. DESIGN STANDARDS

#### Sec. 19.40                    General

The design of the subdivision shall be in harmony with and shall conform with the Comprehensive Plan and shall be in accordance with good subdivision design principles not otherwise set forth herein.

Natural features such as distinctive trees or vegetation, streams, ponds, hilltops, bluffs, creek bottoms and outlook views shall be preserved and enhanced whenever possible. In laying out a subdivision due consideration shall be given to such aesthetic features existing within the tract being subdivided and which may add to aesthetic quality of existing nearby subdivisions.

#### Sec. 19.41                    Streets

The course, width, grade and location of all streets shall conform to the Comprehensive Plan and shall be considered in their relation to existing and planned streets, to topographic conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets and shall conform to the following Design Standards:

- a.        Where not shown on the Comprehensive Plan, the arrangement of streets in a subdivision shall either:
  - (1)      Provide for the continuation or projection of existing principal streets in surrounding area; or
  - (2)      Conform to the thoroughfare plan where applicable; or
  - (3)      Conform to topographic or other conditions where continuance or projection of existing streets is impracticable or undesirable from the community viewpoint.
- b.        Minor streets shall be so laid out that their use by through traffic will be discouraged.
- c.        All new subdivisions along State and County Highways shall be arranged to provide access to such highways at intervals not less than 1,320 feet, except where impractical or impossible due to existing property divisions or topography or due to undue traffic concentration at points of access. Also, roads and streets within such subdivision shall be arranged to permit access to adjacent future subdivisions without encroachment upon this regulation.
- d.        No street grade shall be less than one-half of one percent. No street grade on major streets shall be more than 5%, and on minor streets shall not exceed 9%.
- e.        Street Intersections:

- (1) Streets shall be laid out to intersect as nearly as possible at right angles and no street shall intersect any other street at less than 70 degrees.
  - (2) Street intersections with centerline offsets of less than 125 feet are prohibited.
- b. Horizontal deflection of street lines:
- (1) Where connecting street lines deflect from each other more than ten degrees, they shall be connected with a curve with a radius adequate to assure sight distance.
  - (2) A tangent at least 100 feet long shall be introduced between reverse curves on major and collector streets where the curve radius is less than 500 feet.
- c. Alleys shall not be permitted in residential districts.
- d. Right-of-Way:
- (1) Street right-of-way widths not shown in the Comprehensive Plan shall not be less than as follows:
 

Collector Streets	80 feet
Minor (Direct Access Streets)	60 feet
Marginal Access Streets	40 feet
Alleys	25 feet
  - (2) In a subdivision that adjoins or includes an existing street that does not conform to the right-of-way width required above, one-half of the additional width shall be provided along each side of such street for the entire frontage included within the land being subdivided, or as the Plat Officer may determine is proper.
  - (3) Dead-end streets, designed to be so permanently, shall not be longer than 600 feet, unless limitation of the sight by reason of topography or existing development make impractical development except with a longer length. They shall be provided with a circular turn-around having an outside surface diameter of at least 80 feet and right-of-way line diameter of at least 100 feet. The center of the turn-around shall be located between the center line of the street and its left right-of-way line, facing into the turn-around.
  - (4) ALL streets shall be public.
  - (5) Reserved strips controlling access to street rights-of-way shall not be permitted.
- e. Street names and numbers:

- (1) The continuation of an existing street shall have the same name. The name of a new street, shall not duplicate the name of an existing street within the area served by the same post office or fire department.
- (2) Each plat for a new subdivision in areas where surveys have been made to establish a street numbering grid shall contain the Block Number for each Four Hundred Forty (440) feet of street or road frontage, together with designation of whether North, South, East or West of the base line, and shall further show at sixty (60) foot intervals along the street frontage the last two numbers of the house number assigned to such point. Said house numbering shall be on the basis of one number for each thirty (30) feet of frontage, but only every other number be required to be shown. Where inconsistent, the provisions of Article III (Street Numbering), Chapter 10 shall control.

**Sec. 19.42                    Easements**

There shall be dedicated easements of not less than ten (10) feet in width for poles and wires and not less than twenty (20) feet in width for underground conduits, storm and sanitary sewers, gas, water or other utility pipes or lines. Such easements shall be established along the rear of each Lot and along all side Lot lines to provide proper continuity for such utilities from Lot to Lot and from Block to Block. Such easements may be centered on Lot lines. No structure shall be constructed upon the easements. A ten (10) foot utility easement shall also be provided adjacent to all Right-of-way.

**Sec. 19.43                    Blocks**

- a. The length, width and shape of blocks shall be determined with regard to:
  - (1) Provision of adequate building sites for the special type of use contemplated.
  - (2) Requirements as to lot size and dimensions.
  - (3) Needs for convenient access circulation, control and safety of street traffic.
  - (4) Limitations and opportunities of topography.
- b. In cases where the block length exceeds 600 feet and where deemed essential by the Plat Officer to provide pedestrian circulation to schools, playgrounds, shopping centers and other community facilities, a right-of-way dedicated to the public for a crosswalk not less than ten feet wide shall be provided.

**Sec. 19.44                    Lots**

- a. All provisions of the Village zoning and other ordinances concerning lots shall apply including lot area, width, and depth. No parcel, remainder, gore, outlot or remnant of land which is part of the tract being subdivided shall be created which, by reason of lot width, depth, area, frontage, topography or lack of access thereto, (i) cannot be used as a zoning lot,

or (ii) be subject to further subdivision. Any remaining parcel or outlot which cannot be made to comply with the foregoing shall be eliminated by combining the area thereof with one more adjoining lots which do comply, or by conveying same for appropriate public use to a public body, subject to its acceptance of same.

- b. The lot shape and orientation shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
- c. Double frontage and reverse frontage lots shall be avoided except where essential to provide separation of residential development from major streets or to overcome specific disadvantages of topography and orientation.
- d. Side lot lines shall be substantially at right angles or radial to street lines except where topography or drainage conditions warrant angling lot lines.

**Sec. 19.45                      Public Sites and Open Spaces**

When a proposed park, playground or school is shown in the Comprehensive Plan, or in the opinion of the Plat Officer is necessary for the public welfare, the Plat Officer may refer the question to the Village Board which may then require the reservation of the appropriate area, not to exceed 15 percent of the area within the subdivision. Upon the approval of a final plat containing a reservation for such public use, the corporate authorities having jurisdiction of such use, be it a school board, park board, or other authority, shall acquire the land so designated by purchase, or commence proceedings to acquire such land by condemnation, within one year from the date of the filing of such plat; and if it does not do so, the land so designated may then be used by the subdivider in any other manner consistent with this resolution and the Comprehensive Plan.

**Sec. 19.46                      Storm Water**

Developments which are large, complex, or extra sensitive to drainage consideration may require sophisticated analysis and may be referred to the Village Engineer for review and recommendation. The fees of such review shall be paid by the Subdivider. The Village maintains the sole right to determine adequacy of storm water detention.

In most cases storm water detention shall be determined in accordance with the following:

Rational Method of Calculating Run-off:  $Q = CIA$

Q = flow (cu.ft./sec.)

C = coefficient of run-off

.95 – paved or roof

.40 – R-1 subdivision

.30 – grass

.25 – agriculturally cropped

I = intensity of storm (10 yr. frequency, 30 min. duration,  $I = 3$ )

A = area (acres)

Philosophy: Run-off rate (Q) is no greater after development than before development; storage is required for a 10 yr., 30 min. storm.

Example #1: 1 Ac. farm ground to 1 Ac. pavement and/or roof

$$Q_{\text{before}} = .25 \times 3 \times 1 = .75 \text{ cfs}$$

$$Q_{\text{after}} = .95 \times 3 \times 1 = 2.85 \text{ cfs}$$

$$\text{Storage} = 2.85 - .75 = 2.1 \text{ cfs} \times 60 \text{ sec./min.} \times 30 \text{ min.} = 3780 \text{ cu.ft.}$$

$$\text{Release Rate} = Q_{\text{before}} = .75 \text{ cfs}$$

Example #2: 10 Ac. farm ground to subdivision

$$Q_{\text{before}} = .25 \times 3 \times 10 = 7.5 \text{ cfs}$$

$$Q_{\text{after}} = .40 \times 3 \times 10 = 12.0 \text{ cfs}$$

$$\text{Storage} = 12 - 7.5 = 4.5 \text{ cfs} \times 60 \text{ sec./min.} \times 30 \text{ min.} = 8100 \text{ cu.ft.}$$

$$\text{Release Rate} = Q_{\text{before}} = 7.5 \text{ cfs}$$

**Sec. 19.47 – 19.59    Reserved**





## **ARTICLE IV. REQUIRED IMPROVEMENTS**

### **Sec. 19.60                    General**

- a. No grading, tree removal, site work or installation of any required improvements should be commenced until the Preliminary Plat has been approved.
- b. All grading, site work or installation of any required improvements shall be done in such manner as to prevent flooding, washing, erosion, silting, or other impairment of adjacent properties, storm drainage channels, bodies of water or adjoining streets.
- c. No trees, tree stumps, brush or similar material shall be buried or used as fill in any area of a subdivision to be traversed by a road, or which is likely to be in or adjacent to an individual sewage disposal system or similar use.

### **Sec. 19.61                    Monuments**

Monuments shall be placed under the direction of an Illinois professional land surveyor. Iron rods shall be placed at all Lot corners with at least two (2) concrete monuments at opposite corners of the Subdivision. The monuments shall be of such material, size and length as may be approved by the Plat Officer.

### **Sec. 19.62                    Streets**

- a. Street improvement plans for streets (and alleys where provided) shall be prepared by the subdivider's professional engineer and shall be submitted to the Village Engineer for approval. Upon approval of the street improvement plans by the Village Engineer or Superintendent of Public Works, the street and alleys shall be constructed by the subdividers in accordance therewith, under the supervision of the subdivider's registered professional engineer, who shall certify the completion in accordance with the approved plans to the Village.
- b. All utilities under the paved area of the streets shall be provided or installed before the surfacing of the streets except where they may be installed without disturbing the street surface.
- c. After the Subdivider's registered professional engineer has certified the completion of the streets, the Village engineer or Superintendent of Public Works shall inspect the same, accompanied by the subdivider's engineer. Thereupon the Village engineer or Superintendent of Public Works shall submit a written report to the Village Board, stating whether or not the streets are complete and ready for acceptance by the Village.
- d. The subdivider shall provide the subdivision with street signs at the intersection of all streets.

e. Street improvements:

- (1) Street improvements shall be provided in each new subdivision in accordance with standards and requirements described in the following schedule.
- (2) Schedule of Minimum Requirements For Street Improvement. (See chart on following page)
- (3) Notwithstanding the requirements set forth above, no additional paved width, curb, gutter, base course or surface shall be required on an existing improved street which is a part of the state, county or township road system, where the land being subdivided abuts said street. A sidewalk, however, shall be required for the full frontage of the subdivision on a collector street.

**Sec. 19.63**

**Sanitary Sewers**

- a. When a subdivision is reasonably accessible to a municipal sanitary sewer system, the subdivider shall provide the subdivision with a complete sanitary sewer system to be connected to the municipal sanitary sewer system, if feasible.
- b. When no sanitary sewer system is available or is not reasonably accessible to the subdivision, the subdivider shall provide the subdivision with a complete sanitary sewer system, which shall connect with a sanitary sewer outlet approved by the appropriate State agency, except that when such approved outlet is not available one of the following methods of sewage disposal shall be used.
  - (1) A complete sanitary sewer system to convey the sewage to a treatment plant, to be provided by the subdivider in accordance with minimum requirements of the appropriate State agency and adequate provision for the maintenance of such plant.
  - (2) Upon completion of the sanitary sewer system installation, a registered professional engineer and the Village engineer shall certify that the sanitary sewer system complies with all the standards required by the appropriate State agency. Certified copies of the plans for such sanitary sewer system as built shall be filed with the Plat Officer.
  - (3) Storm sewers, footing drains and downspouts shall not be connected to sanitary sewers.
- c. The Village, at its option, may require a lift station in lieu of the separate treatment system or plant.

**Sec. 19.62 e. (2)**  
**Schedule of Minimum Requirements for Street Improvements**

<b>Classification</b>	<b>R.O.W. Width</b>	<b>Paved Width</b>	<b>Curb and Gutter (3)</b>	<b>Base (3)</b>	<b>Surface (3)</b>	<b>Sidewalks</b>
Collector: Residential or Commercial	80'	44' (1)	Yes (2)	9"	2 ½" Class I	2 Req'd; 5' wide, 4" P.C.C. at least 5' from curb line.
Minor: Residential or Commercial	60'	34' (1)	Yes (2)	8"	2 ½" Class I	Not req'd; if built 4' wide, 4" P.C.C. may be curb line.
Marginal Access: Residential or Commercial	40'	28' (1)	Yes (2)	8"	2 ½" Class I	Not req'd; if built 4' wide, 4" P.C.C. may be curb line.
Minor: Residential (Min. ½ acre lots, 150' width)	60'	30' graded 22' surfaced	No (4)	8"	A3	No
Marginal Access: Residential (Min. ½ acre lots, 150' width)	40'	30' graded 22' surfaced	No (4)	8"	A3	No
Collector: Industrial	80'	44' (1)	Yes (2)	No	8" P.C.C.	No
Minor: Industrial	60'	30' (1)	Yes (2)	No	8" P.C.C.	No

- Note:
1. Measured face to face of curb.
  2. Combination curb and gutters shall be Portland cement concrete.
  3. Shall be aggregate base course, Type B and conform to State of Illinois Department of Transportation's booklet entitled *Standard Specifications for Road and Bridge Construction* dated January 1, 1997, and all subsequent revisions thereto.
  4. A minimum two (2) foot wide 8" thick aggregate shoulder shall be provided on each side.

**Sec. 19.64                    Water**

- a.     The subdivider shall provide the subdivision with a complete water main supply system which shall be connected to the Village water supply with satisfactory provision for the maintenance thereof.
- b.     The plans for the installation of a water main supply system shall be prepared by the subdivider and approved by the Village engineer. Upon completion of the water supply installation, copies of the plans for such a system shall be filed with the Village.

**Sec. 19.65                    Storm Drainage**

The subdivider shall provide the subdivision with an adequate storm sewer system. Such systems shall be designed and sealed by a registered professional engineer with the approval of the Village engineer. It shall be shown on plans in conjunction with the street improvement plans. Such storm drainage plans shall be reviewed by the Village engineer.

A storm sewer system shall be provided wherever curbs are installed, and where the evidence available to the Plat Officer indicates that the natural surface drainage is inadequate.

Where the surface drainage is deemed adequate, easements for such surface drainage may be required.

**Sec. 19.66                    Modification**

Where the subdivider can show that the strict application of a provision of this Article would cause unnecessary hardship because of unusual topographical or other physical conditions peculiar to the site, the Village Board may authorize such minor modification in the application of such provisions as, in its opinion and for reasons set forth in its minutes, will not materially impair the intent thereof.

**Sec. 19.67                    Fees**

The subdivider shall reimburse the Village for fees charged the Village by its engineer in the performance of his/her obligation, including review of Plans, etc., under this Chapter.

**Sec. 19.68 – 19.89        Reserved**

## **ARTICLE V. PLATS AND DATA**

### **Sec. 19.90                    Plats and Data for Conditional Approval of Preliminary Plat**

A Preliminary Plat of the subdivision shall be accurately drawn to a scale of not less than one hundred feet to one inch.

- a.     Topographic Data
  - (1)    Approximate boundary lines and lot lines.
  - (2)    Existing Easements: location, width and purpose.
  - (3)    Existing Streets: on and adjacent to the tract by name, right-of-way width, location, type, width and elevation of surfacing, curbs, gutters, culverts and sidewalks.
  - (4)    Existing Utilities: on and adjacent to the tract, location size and invert elevation of sanitary sewers, storm sewers, and where existing, location and size of water mains; location of gas lines, fire hydrants, electric and telephone poles, and street lights; if any of the above are not available at site, indicate direction and distance to the nearest ones and furnish statement of availability.
  - (5)    Other Existing Conditions: water courses, marshes, wooded areas, dwellings, building, and other significant features.
  - (6)    Ground Elevations: On tract based on U.S.G.S. datum, show contours at vertical intervals as follows:
    - Slope of 6% or less – 2 foot interval
    - Slope of over 6% but less than 15% – 5 foot interval
    - Slope of over 15% – 10 foot interval.
  - (7)    Title and Certificates: present tract designation; title under which subdivision is to be recorded; names and addresses of owners; acreage, scale, north point, datum, benchmarks, certification of registered land surveyor and date of survey.
- (b)    The Preliminary Plat shall show all existing conditions required above in topography data and show all proposals, including, but not necessarily limited to, the following:
  - (1)    Streets: Names, right-of-way widths, approximate grades and gradients.
  - (2)    Lots: Lot lines, numbers and block numbers.
  - (3)    Sites (Public): If any, to be dedicated or reserved for parks, playgrounds or other public uses, showing approximate acreage of each site.

- (4) Sites (Non-Public): If any, for shopping centers, churches, industry, multi-family dwellings or any other non-public use including indication of proposed use, showing approximate acreage of each site.
- (5) Setback Lines: Give location of minimum setback lines.
- (6) Other Preliminary Plans: When required by the Village Superintendent of Public Works, the Preliminary Plat shall be accompanied by profiles showing existing ground surface and proposed street Grades; typical cross-sections of the streets and sidewalks.
- (7) Zoning: Show zoning classification of the subdivision and adjacent areas.

**Sec. 19.91                    Plats and Data for Final Approval**

The final Plat shall meet with the following specifications:

- a. The final Plat may include all or only a part of the area of the Preliminary Plat as proposed in the application.
- b. The original drawing of the Final Plat of the subdivision shall be 18 inches by 24 inches, or larger in six inch multiples. It shall be drawn at a scale of 100 feet to the inch. Four black or blue line prints shall be submitted with the original Final Plat.
- c. The following information shall be shown:
  - (1) Land. reference concurs in accordance with State Plat Act, to which all dimensions, angles, bearing, and similar data on the Final Plat shall be referred.
  - (2) Tract boundary lines, right-of-way lines of streets, easements and other right-of-ways, and property lines of residential lots and other sites; with accurate dimensions, bearing or deflection angles, and radii arcs, and central angle of all curves.
  - (3) Name of each street or other rights-of-way.
  - (4) Location and right-of-way widths of existing and/or platted streets adjacent to the tract.
  - (5) Location and dimensions of all easements.
  - (6) Consecutive numbers for each lot or site within all subdivisions having the same name.
  - (7) Purpose for which sites, other than residential lots, are dedicated or reserved.
  - (8) Minimum setback line on all lots and other sites.

- (9) Location and description of monuments.
  - (10) Reference to recorded subdivision plats of adjoining platted lands.
  - (11) Certification by Illinois registered land surveyor as to accuracy of survey and plat.
  - (12) Statement by subdivider dedicating streets, or rights-of-way and reserving easements and any sites for public uses.
  - (13) Title, scale, north arrow and date.
  - (14) Other data: Such other certificates, affidavits, endorsements, or dedications as may be required by applicable codes, ordinances and/or statutes pertaining to zoning, dedicated streets, and drainage facilities.
- d. A certificate certifying that the subdivider has posted a good and sufficient bond with the Village Clerk in a penal sum sufficient to cover the estimate by the Village engineer of the probable expenditures necessary to enable the subdivider to conform with the standards of construction established pursuant to the provisions of this resolution. The bond shall be conditioned upon faithful adherence to the rules and regulations contained in this resolution.
  - e. Certificates by the Owners (notarized), County Clerk, Surveyor, Plat Officer, Flood Hazard, Superintendent of Public Works, and School District (if required) shall be provided.
  - f. Protective Covenants in form of recording.
  - g. Street and Utility Improvement Plans shall be submitted and approved before the final plat is approved.

**Sec. 19.92 – 19.99 Reserved**





## **ARTICLE VI. MODIFICATION**

### **Sec. 19.100           General**

- a.     Where, on appeal, the Zoning Board finds that extraordinary hardships may result from strict compliance with this resolution, it may recommend to the Village Board a modification of the regulations so that substantial justice may be done and the public interest secured; provided that such modification will not have the effect of nullifying the purpose of the Comprehensive Plan or this Chapter.
  
- b.     The standards and requirements of this Chapter may be modified by the recommendation of the Zoning Board with the approval of the Village Board in the case of a plan or a program for a Planned Development for a community, or a neighborhood unit, which in the judgment of the Village Board shall exceed the minimum requirements for adequate public space and improvements for circulation, recreation, light, air and service needs of the tract when fully developed and populated and which also provides such covenants or other legal provisions as will assure conformity to the purposes of the Comprehensive Plan.

### **Sec. 19.101           Action by Village Board**

In recommending modifications wherever provided for in this Chapter, the Zoning Board may prescribe such conditions, as will, in its judgment, secure substantially the objectives of the standards or requirements so modified. The recommendation of a modification by the Zoning Board shall be conditional and subject to the final approval of the Village Board.

### **Sec. 19.102           Appeal**

Whenever a subdivider is aggrieved by the decision of the Plat Officer with regard to a final plat, the subdivider may file an appeal to the Village Board from such decision within ten days of the date thereof, such appeal to be filed with the Village Clerk and by him/her forwarded to the Zoning Board for its recommendation for action by the Village Board. The Village Board may affirm or reverse, in whole or in part, the decision of the Plat Officer, and in that instance shall have all the powers and duties of a Plat Officer.

### **Sec. 19.103 – 19.109 Reserved**



## **ARTICLE VII. ENFORCEMENT AND PENALTIES**

### **Sec. 19.110            Validity**

- a.    If any court of competent jurisdiction shall declare invalid the application of any provision of this Chapter to a particular property or land, such ruling shall not effect the application of said provision to any other property or land not specifically included in said ruling.
- b.    Should any section, clause, or provision of this Chapter be declared invalid by any court of competent jurisdiction, the same shall not affect the validity of this Chapter as a whole, or any part thereof, other than the part so declared to be invalid.

### **Sec. 19.111            Penalties**

- a.    No map, plat or subdivision shall be entitled to be filed with the Recorded of Deeds or have validity until it has been approved by the Village Board in accordance with this resolution.
- b.    Any person, firm or corporation, or agent, employee, or contractor of such, who violates, disobeys, omits, neglects, or refuses to comply with, or who resists enforcement of any of the provisions of this Chapter, shall be subject to a fine of not less than Twenty-five Dollars (\$25.00) and not more than Five Hundred Dollars (\$500.00) for each offense, and said person, firm or corporation shall pay all costs and expenses involved in the case. Each day a violation continues shall constitute a separate offense. Nothing herein contained shall prevent the Village from taking such lawful action as is necessary to prevent or remedy any violation.

### **Sec. 19.112 – 19.119 Reserved**



## **ARTICLE VIII. SEVERABILITY AND REPEAL OF CONFLICTING RESOLUTIONS**

### **Sec. 19.120 Severability Provisions**

The provisions of this Chapter are hereby declared to be severable, and if any of its provisions should be held to be invalid or unconstitutional or otherwise void for any reason, such decision shall not affect or impair any of the remaining provisions hereof, and it is hereby declared to be the intent of the Village that this Chapter would have been adopted if such invalid, unconstitutional or otherwise void provisions had not been included herein.