

## CHAPTER 153: SUBDIVISION CONTROL

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***GENERAL PROVISIONS***

**§ 153.001 TITLE.**

This Chapter shall be known and cited as the Subdivision Control Ordinance of the Village.  
(Ord. 9-4-A, passed 10-15-2008)

**§ 153.002 PURPOSE.**

(A) This Chapter regulating the subdivision of land and the overall development of property is hereby made a part of the requirements for the development of all property contained in the Official Map of Lake and McHenry Counties, Illinois.

(B) It is intended to provide for:

- (1) The harmonious development and redevelopment of the Village and its contiguous areas;
- (2) The coordination of streets within new subdivisions with other existing or planned streets;

- (3) The dedication and acceptance of land required for public uses; and
- (4) The preparation of subdivision plats and the procedure for their submittal and recording in and about the Village in accordance with the authority vested in the municipality under the provisions of the Illinois Municipal Code.

(Ord. 9-4-A, passed 10-15-2008)

**§ 153.003 INTERPRETATION; CONFLICT.**

- (A) In their interpretation and application, the provisions of this Chapter shall be held to be the minimum requirements for the promotion of the public health, safety, and welfare.
- (B) Except as specified hereinafter, these regulations are not intended to interfere with, abrogate, or annul any other regulation, covenant, or restriction relating to the subdivision or development of land.
- (C) Whenever this Chapter imposes requirements or specifications different from those imposed by any other regulation, covenant, standard, reference, or restriction, whichever imposes more restrictive or higher standards shall apply.

(Ord. 9-4-A, passed 10-15-2008)

**§ 153.004 ENFORCEMENT.**

The Plan Commission shall be the enforcing officer of this Chapter.

(Ord. 9-4-A, passed 10-15-2008)

**§ 153.005 EFFECT ON EXISTING BUILDING PERMITS AND ZONING CERTIFICATES.**

Nothing in this Chapter shall be deemed to require any change in the plans, construction, or designated use of any land or structure in the event that:

- (A) Final plat or plan approval for the subdivision or development was lawfully issued prior to the effective date of this Chapter, or the effective date of any amendment thereof;
- (B) The approval has not by its own terms expired prior to the effective date;
- (C) The approval was issued on the basis of an application showing complete plans for proposed construction;
- (D) There has been a substantial expenditure or incurrence of substantial obligations by the applicant in reliance on the approval;
- (E) The expenditure or incurrence of obligations were made prior to published or actual notice of a proposed amendment to this Chapter, which amendment would have made illegal the issuance of the approval; and

- (F) Construction pursuant to the approval is complete prior to the expiration of the approval.

(Ord. 9-4-A, passed 10-15-2008)

**§ 153.006 SCOPE OF DEVELOPMENT REGULATIONS.**

- (A) All developments shall be constructed in accordance with the standards set forth in this Chapter.
- (B) No person shall commence or cause to be commenced any of the following developments within the corporate limits of the Village unless a development plan has been approved by the Plan Commission.
  - (1) Any residential development of any parcel of land involving construction of more than one single-family dwelling, or two multi-family dwelling units;
  - (2) Any nonresidential development of any parcel of land involving the construction of any new building(s) or structure(s) having a total floor area in excess of 500 square feet;
  - (3) Any development involving expansion by more than 25% of an existing structure to which this section would apply if constructed new after the effective date hereof;
  - (4) Any development of any parcel of land that will require more than two parking spaces in any residential zoning district, or one parking space in any business or industrial zoning district; and/or
  - (5) Any development of any parcel of land involving the construction of any public or private school, library, hospital, church, or any place of public assembly.

(Ord. 9-4-A, passed 10-15-2008) Penalty, see § 153.999

**§ 153.007 SCOPE OF SUBDIVISION REGULATIONS.**

No person shall subdivide or re-subdivide any parcel of land located within the corporate limits of the Village, or within one and one-half miles of the corporate limits but not within the corporate limits of any other municipality nor within the jurisdiction of another municipality acting pursuant to the Illinois Revised Statutes, unless a subdivision plat has been reviewed by the Plan Commission, the recommendation of the Plan Commission has been forwarded to the Village Board, and the plat has been reviewed and approved by the President and Board of Trustees of the Village as required by this Chapter; provided that the following shall be exempt from this Chapter:

- (A) The division of land into parcels each greater than five acres in size and which does not involve any new streets or easements of access;
- (B) The division of a lot of less than one acre in a recorded subdivision which does not involve any new street or easement of access or any required public improvement, provided that the division complies with the regulations of the Zoning Ordinance;
- (C) The sale or exchange of parcels of land between owners of contiguous and adjoining lands;
- (D) The conveyance of parcels of land or interest therein for use a right-of-way for railways or other public utility facility which does not involve any new streets or easements of access;
- (E) The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use; and/or
- (F) Conveyances made to correct descriptions in prior conveyances.

(Ord. 9-4-A, passed 10-15-2008) Penalty, see § 153.999

### **§ 153.008 PROHIBITION OF SALE.**

No sale of any parcel of land creating or constituting a subdivision as defined in this Chapter shall be consummated until a subdivision plat, together with required data, has been reviewed by the Plan Commission, the recommendation of the Plan Commission has been forwarded to the Village Board, and the plat has been reviewed and approved by the President and Board of Trustees of the Village as required by this Chapter.

(Ord. 9-4-A, passed 10-15-2008) Penalty, see § 153.999

### **§ 153.009 PERMITS AND CERTIFICATES OF OCCUPANCY.**

(A) No building permit shall be issued for the construction of any building, structure, or improvement on any parcel if the parcel is not a properly created lot of record, nor until a final subdivision plat and/or development plan, made necessary by the terms of this Chapter, shall have been approved.

(B) No certificate of occupancy shall be granted for the use of any building or structure on a lot subject to this Chapter until:

- (1) Required sanitary sewer and water service has been installed and made ready for servicing the parcel;
- (2) Sidewalks, parkway trees, and sod are completed for the parcel; and, if a subdivision;
- (3) Lots in a subdivision rough graded;
- (4) Storm water runoff provided for; and
- (5) Roadways and/or fire lanes providing access to the lot and subdivision have been paved with the binder course of asphalt, as set out herein.

(C) No certificate of occupancy shall be issued for any structure or building unless the Plan Commission certifies that the public and private improvements required by this Chapter for the parcel have been installed in conformity with approved plans and specifications.

(D) (1) In the event that weather conditions prevent completion of all improvements, a cash escrow payment equal to the amount of all uncompleted improvements shall be filed with the Village to ensure that improvements will be completed within 30 days of the onset of the next building season.

(2) The filing of this cash escrow and written guarantee shall allow for the issuance of a temporary certificate of occupancy, and in no other instance.

(E) All public improvements within a subdivision shall be completed within two years of construction beginning or when 75% of the lots in the subdivision are completed, whichever occurs first unless otherwise provided for in this Chapter.

(Ord. 9-4-A, passed 10-15-2008)

### **§ 153.010 RECORDING.**

No plat of subdivision shall be recorded in the office of the Recorder of Deeds of McHenry and Lake Counties, Illinois, or in the office of the Registrar of Titles of McHenry and Lake Counties, Illinois, or have any validity, until it shall have been approved in the manner prescribed by this Chapter.

(Ord. 9-4-A, passed 10-15-2008)

### § 153.011 MODIFICATIONS.

Upon finding that severe hardship, caused by conditions uniquely attributable to the land under consideration, would be imposed upon an applicant by compliance with these regulations and upon a finding that there are alternate feasible means of fulfilling the purpose and spirit of the regulations to protect the public health, safety, and welfare, the Plan Commission may recommend, and the President and Board of Trustees may, by Ordinance, grant, modifications from the regulations of this Chapter.

(Ord. 9-4-A, passed 10-15-2008)

### § 153.012 RULES OF CONSTRUCTION.

(A) *Generally.* The following rules of construction apply to the rest of this Chapter.

(B) *Specifically.*

- (1) Words used in the present tense shall include the future, and the words used in the singular number shall include the plural number, and the plural the singular.
- (2) The word **SHALL** is mandatory and not discretionary.
- (3) The word **MAY** is permissive.
- (4) The masculine gender includes the feminine and the neuter.
- (5) The word **PERSON** includes an individual, partnership, firm, corporation, association, or other legal entity.
- (6) In the case of any difference of meaning or implication between the text of this Chapter and any caption or illustration, the text shall control.
- (7) Terms not herein defined shall have the meaning customarily assigned to them.

(Ord. 9-4-A, passed 10-15-2008)

### § 153.013 DEFINITIONS.

For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**APPLICANT.** The person proposing that a parcel of land be subdivided or developed, or his or her authorized representative.

**APRON.**

- (1) An extension of a driveway lying between the right-of-way line and the curb and gutter (or the pavement edge if there is no curb or gutter) of the street.
- (2) The maintenance responsibility for this facility normally being with the owner of the driveway so extended.

**BENCHMARK.** A permanent or semi-permanent physical mark of known elevation referenced to a recognized datum.

**BLOCK.** A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, or boundary lines of municipalities.

**BUILDING.** Any structure permanently affixed to the ground with a permanent roof, separated on all sides from adjacent open space by exterior or party walls; built for the support, shelter, or enclosure of persons, animals, chattel, or movable property of any kind.

**CERTIFICATE OF OCCUPANCY** or **OCCUPANCY PERMIT.** The certificate issued by the Village which permits the use of a building in accordance with the approved plans and specifications and which certifies compliance with the provisions of law for the use of occupancy of the building together with any special stipulations or conditions of the building permit.

**COMPREHENSIVE PLAN.** The plan for the long range growth and development of the Village, including graphic and written proposals and supporting or implementing documents, as are adopted and amended from time to time.

**DETENTION (DRY STORAGE).** The temporary on-site storage of storm water runoff, which does not include any permanent water surface.

**DEVELOPMENT.** Any improvement or alteration to a parcel of land, including, but not limited to, grading, paving, and construction.

**DEVELOPMENT PLAN.** The documentation, both written and diagrammatic, which sets forth the improvements proposed for any given lot or tract.

**DIRECTOR OF COMMUNITY DEVELOPMENT.** The Director of Community Development of the Village of Port Barrington, Illinois, is and shall be the Village Administrator or such other person as may be designated from time to time by the Village President, with the advice and consent of the Board of Trustees.

**EASEMENT.** An authorization or grant by a property owner for the use by another, and for a specific purpose, of any designated part of the owner's property.

**FRONTAGE.** The portion of a lot or parcel which abuts a public street.

**GRADE.** The elevation above mean sea level used for the establishing the following:

- (1) **BASE (ESTABLISHED) GRADE.** The point at the top of the established curb or, where no curb is established, the centerline of the road.
- (2) **FINISHED GRADE.** The elevations or contours resulting from excavation or filling as approved by the Village.
- (3) **NATURAL GRADE.** The normal contour of the land prior to alteration or improvement.

**GUARANTEE.** A form of security, including cash escrow or letter of credit accepted by the Village to assure that required improvements are completed, operating properly, or adequately maintained.

**IMPROVEMENTS.** Any building, structure, object, or change to the natural state of the land on which they are situated which increases its utility, value, or habitability.

- (1) **IMPROVEMENT, PRIVATE.** Any improvement for which the responsibility of ownership and maintenance will be retained by the property owner, lessee, or association of owners.
- (2) **IMPROVEMENT, PUBLIC.** Any improvement for which the responsibility of ownership and maintenance will be assumed by the Village, another governmental unit, or a public utility, or which is constructed for general public use or benefit.

**LOT.** A designated parcel of land identifiable as a single separate tract which is part of a subdivision, the plat of which has been recorded or registered with the appropriate county office, or the deed to which has been recorded or registered with the appropriate county office pursuant to the Plat Act, being ILCS Ch. 765, Act 205, §§ 1 *et seq.*, and which is intended to be used, developed, or built upon as a unit.

- (1) **LOT, CORNER.** A lot abutting upon two or more streets at their intersection or junction.
- (2) **LOT, INTERIOR.** A lot other than a corner lot.
- (3) **LOT, THROUGH.** Any interior lot which has a pair of lot lines along two substantially parallel streets.

**OWNER.** Any individual(s), firm, corporation, trust, or other legal entity having legal title to land sought to be developed or subdivided under these regulations.

**PARKWAY.** The part of the public street right-of-way not occupied by the street pavement and located between the back of the curb and the sidewalk, or the right-of-way line if no sidewalk exists, as well as the raised dividing strip of a roadway.

**PLAN COMMISSION.** The Commission of appointed officials authorized by the Village Board to review subdivision plats.

**PLANNED UNIT DEVELOPMENT.** A parcel of land, or contiguous parcels of land, of a size sufficient to create its own character which is planned and developed as a single entity, containing two or more principle structures or uses, with appurtenant common areas and which is under single ownership or control.

**PLAT.** A map or chart of a parcel(s) of land.

- (1) **FINAL PLAT.** A map of all or part of a subdivision or resubdivision and any supporting documentation, providing substantial conformance with the preliminary plat.
- (2) **PLAT OF SURVEY.** A map of a parcel or lot depicting boundaries of the property, and the location of all building, structures, and improvements with precise dimensions indicated.
- (3) **PRELIMINARY PLAT.** A tentative map indicating the proposed layout and showing all required details of a subdivision.

**PUBLIC UTILITY.** Any person(s), firm, corporation, municipality or other public authority providing natural gas, electricity, water, telephone, telegraph, storm sewer, sanitary sewer, cable television, transportation, or other services of a similar nature.

**RESUBDIVISION.** The division or consolidation of a previously divided lot or parcel; including alteration of public rights-of-way included in a subdivision.



**RETENTION (WET BOTTOM).** The permanent on-site storage of storm water runoff.

**RIGHT-OF-WAY.** A strip of land acquired by or dedicated to the public and occupied or intended to be occupied by a street, walkway, railroad, utility, or other similar use.

**SIGHT TRIANGLE.** A triangular area established at the intersection of two streets or a street and a driveway in which nothing is erected, planted, placed, or allowed to grow so as to limit or obstruct the sight distance of motorists.

**SITE PLAN.** A map or diagram of a parcel or lot depicting the boundaries of the property and the location of all existing and proposed buildings and site improvements including parking and landscaping, with approximate dimensions indicated.

**STATE.** The State of Illinois.

**STREET.** An area which provides for vehicular and pedestrian access to abutting land or two other streets. A **STREET** includes the entire right-of-way and any improvements which may be located within the right-of-way.

- (1) **ARTERIAL.** A street intended for continuity to carry traffic beyond the Village boundaries with principal emphasis on access control and maximum volume capacity.
- (2) **COLLECTOR.** A secondary street intended to carry traffic from local streets and abutting land to arterials.
- (3) **CUL-DE-SAC.** A local street which is designed with one end permanently terminated by a vehicular turnaround within which vehicles may reverse their direction without backing up.
- (4) **FREEWAY.** A controlled access roadway designated by the federal government as an interstate highway designed to carry large volumes of traffic throughout the metropolitan area.
- (5) **FRONTAGE ROAD.** A street parallel and adjacent to an arterial designed to provide direct access to abutting properties or local streets and with controlled access to the arterial.
- (6) **LOCAL.** A street intended to provide direct access to abutting properties.
- (7) **PRIVATE STREET.** An undedicated street which is privately owned and maintained.
- (8) **PUBLIC STREET.** A street which has been formally dedicated to and accepted by a public body.

**SUBDIVIDER.** An individual(s), firm, corporation, trust, or other legal entity having an interest in land that is the subject of a subdivision or resubdivision.

**SUBDIVISION.** The division or proposed division of a lot, tract, or parcel of land into two or more lots, tracts, parcels, sites, or other units for the purpose of sale, lease, or development.

**VILLAGE.** The Village of Port Barrington, McHenry and Lake Counties, Illinois.

**VILLAGE ENGINEER.** The Village Engineer of the Village of Port Barrington, Illinois, or his or her designated authorized agent(s).

**ZONING ORDINANCE.** The Village of Port Barrington, Illinois, Zoning Ordinance, as amended.

(Ord. 9-4-A, passed 10-15-2008)

**PROCEDURES**

**§ 153.025 PRE-APPLICATION CONFERENCE.**

- (A) Prior to the filing of an application for the approval of a preliminary or final plat of subdivision or any development plan, the subdivider may consult with the Village's Department of Community Development in order to discuss the general purpose of the development in the context of established policies and practices of the Village and to ensure that required data is properly prepared and presented.
  - (B) This may be accomplished through presentation, by the subdivider to the Department of Community Development staff, of a concept plan of the proposed subdivision showing the road system and general land use categories, and layout of lots, with other information as needed for the particular site.
  - (C) The applicant shall be responsible to pay and/or reimburse the Village for any and all fees and/or expenses incurred by the Village in the pre-application process, and a cash deposit may be required in advance by the Village for this purpose.
- (Ord. 9-4-A, passed 10-15-2008)

**§ 153.026 DEVELOPMENT PLAN.**

Any person proposing to develop any property within the corporate limits of the Village shall file with the Department of Community Development a development plan, in a quantity and form as required, as follows. Such person shall be responsible to pay and/or reimburse the Village for any and all fees and/or expenses incurred by the Village in the review of any submittals provided to the Village, and a cash deposit may be required in advance by the Village for this purpose.

(A) *Content.*

- (1) *General information.* The following general information, where applicable, shall be shown on the development plan:
  - (a) Date of preparation, north point, and scale of drawing, which shall be no less than one inch equals 100 feet;
  - (b) Legal description of the parcel;
  - (c) The name and address of the owner of record, the applicant, and the surveyor, licensed professional engineer, architect, or planner who prepared the plan;
  - (d) Zoning classifications of the parcel and of adjacent property;
  - (e) Present uses of the parcel and of adjacent land; and
  - (f) The following form for the approval of the Plan Commission: see Appendix A.
- (2) *Existing conditions.* The following conditions, if found to exist on the parcel, shall be shown on the plan, as needed for the particular site:
  - (a) The location, width, and names of all streets within or adjacent to the parcel, together with easements, public utility and railroad rights-of-way, and other important features such as municipal boundary lines, lot corners, and monuments;

- (b)
    - 1. All easements denoted by fine intermittent lines, clearly identified, and if already of record, the recorded references as to use and location of the easements, the width of the easement, its length and bearing, and sufficient ties to locate it definitely with respect to the plan.
    - 2. If an easement is not precisely located of record, a description of the easement should be included.
  
  - (c) Contour lines of the parcel and all adjacent land within 100 feet of the boundaries of the parcel showing intervals no greater than:
    - 1. Two-foot contour intervals for ground slopes less than or equal to 10%; and
    - 2. Five-foot contour intervals for ground slopes exceeding 10%.
  
  - (d) The location and direction of all watercourses and the location of all areas subject to flooding, including:
    - 1. The flowlines of streams and channels showing their normal shorelines, floodway limits, and the 100-year flood fringe; and
    - 2. Lakes, ponds, swamps, marshes, and any detention basins showing their normal shorelines and floodway limits and lines of inflow and outflow, if any.
  
  - (e) Natural features such as wooded areas and preservable trees;
  
  - (f) The location of all existing structures and their elevations, showing those structures that will be removed and those that will remain on the parcel after the development is completed; and
  
  - (g) The location and size of existing sanitary and storm sewers, water mains, culverts, drain pipes, catch basins, manholes, hydrants, and electrical and gas lines within the parcel and in adjacent streets or rights-of-way.
- (3) *Proposed improvements.* The following improvements, if proposed or required, shall be shown on the plan or in supporting documents:
- (a) Streets and rights-of-way, showing the location, widths, and names. The plan shall show the relationship between existing and proposed streets;
  
  - (b) Easements showing width and purpose;
  
  - (c) Engineering utility plan showing size and location of sanitary and storm sewers, water mains, culverts, and electric and gas lines;
  
  - (d) Sites to be dedicated for school, park, playground, or other public purposes, together with appropriate acreage of each; accurately outlined with dimensions, and with the purpose indicated thereon;
  
  - (e) Location of any area, with dimensions, to be reserved by deed covenant for common use of all property owners or tenants;
  
  - (f) The proposed uses of the parcel, including the number and type of residential units and gross floor area by use;

- (g) Proposed grading plan of the parcel with contour lines meeting the requirements of Paragraph (A)(2)(c) above;
  - (h) Location and dimensions of on-site pedestrian and vehicular access ways, design of vehicular ingress and on the site, and curb and sidewalk lines, including sidewalk ramps for the handicapped in accordance with Illinois Department of Transportation standards;
  - (i) All off-street parking, loading spaces, and walkways, indicating type of surfacing, size, angle of stalls, width of aisles, and a specific schedule showing the number of parking spaces provided;
  - (j) Location and intensity of outdoor lighting system; and
  - (k) Location of trash receptacle enclosures.
- (4) *Supporting data.* The following supporting data shall be submitted in separate statements and/or maps accompanying the development plan, or, if practical, the data may be shown on the development plan:
- (a) Proof of ownership of the parcel, disclosure of beneficial interest if a trust, and applicant's interest therein including authority on behalf of the property owner to develop the property;
  - (b) Existing or proposed annexation agreements, if any, which pertain to the parcel;
  - (c) Estimated cost of the development;
  - (d) Estimated construction schedule;
  - (e) Building types with architectural elevations;
  - (f) If adverse conditions exist, a statement of how the applicant plans to handle these conditions;
  - (g) Existing soil conditions based upon borings prescribed by the Village Engineer in light of the proposed use of the parcel;
  - (h) Landscape plan showing quantity, location, type, spacing, and approximate size of plantings;
  - (i) Development data showing number of floors, gross floor area, height and location of each building and proposed general use for each building and the floor area ratio for the entire development. If a multi-family residential building, the number, size, and type of dwelling units;
  - (j) A final drainage plan providing for the adequate disposition of natural and storm water in accordance with the design criteria and standards of this Chapter, indicating location, sizes, types, and grades of ditches, catch basins, and pipes and connections to existing drainage system;

(k) A soil erosion control plan providing for the adequate control of erosion and sedimentation, indicating the proposed temporary and permanent control practices and measures which will be implemented during all phases of clearing, grading, and construction;

(l) Plans and specifications for the required public improvements; and

(m) Calculations showing the percentage of lot covered by impervious surface.

(5) *Guarantees.*

(a) Any person proposing to develop any property within the corporate limits of the Village shall provide to the Village those financial guarantees as required by this Chapter in order to ensure completion of all required improvements, to ensure repair and/or replacement of any defective improvements, to ensure maintenance of all required improvements, and to provide for abatement of nuisances occurring during construction.

(b) The guarantees shall be of a type and amount as required in §§ 153.085 through 153.094.

(B) *Standards for review.* The Director of Community Development, or his or her designee, shall review a preliminary or final development plan, and submit his or her recommendations to the Village's Board of Trustees. Approval of any preliminary or final development plan may be denied by the Village Board if the Corporate Authorities of the Village make written findings as to the reasons for such denial, including, but not limited to, any of the following:

(1) The provisions for vehicular loading, unloading, parking, or circulation on the parcel or onto adjacent public rights-of-way will create hazards to safety or will cause significant burdens on transportation facilities that could be avoided by modification of the plan;

(2) The pedestrian circulation system creates hazards to safety which could be avoided by modification of the plan;

(3) The proposed plan unnecessarily and in specified particulars, destroys, damages, or detrimentally alters significant natural, topographic, or physical features of the site and development is feasible in a manner that will avoid these consequences;

(4) The proposed landscaping, screening, or lighting fails to provide adequate acoustical or visual privacy to incompatible adjacent uses which could be avoided by modification of the plan;

(5) The bulk and location of proposed buildings and structures will have significant adverse impact of adjacent property;

(6) The proposed site plan makes inadequate provision for the use and maintenance of open space and this failure may result in a burden on the public or on adjacent properties;

(7) The proposed development will impose an undue burden upon off-site public services, including sanitary sewer, water, and storm drainage. Any mains which must be oversized, as determined by the area-wide system analyses, shall be installed at private cost;

(8) The proposed development lies within the designated flood plain area; and

(9) The proposed development does not meet the requirements of the Zoning Ordinance.

(C) *Review and approval.*

(1) *Review.*

- (a) Upon the Village's receipt of the material required for the review of a development plan, as indicated in Paragraph (A) above, together with any application fee(s) and/or payments which may be due the Village to defray any costs or expenses which may be incurred by the Village relative to review thereof, the Department of Community Development shall circulate the development plan to the Village departments for their review and comment.
- (b) The Plan Commission shall review the submittals provided relative such development and, based upon the Plan Commission's findings relative thereto, shall, after the Commission receives a completed application, submit a written recommendation to the Village Board to approve or disapprove the development plan.
- (c) If the Plan Commission recommends to the Village Board denial of the plan, the report shall set forth the reasons for the recommended denial and shall specify the aspects in which the proposed plan fails to meet the requirements and standards of the applicable Village ordinances.

(2) *Statement of agreement and conditions.*

If the Village Board wishes to approve the development plan, a statement of agreement and conditions shall be completed which summarizes and includes all agreements between the developer and the Village.

(3) *Length of approval.*

- (a) Approval of a development plan by the Village's Board of Trustees shall be valid for one (1) year.
- (b) If permits for the commencement of construction of the development have not been issued by the Village within the aforesaid one (1) year period, approval of said development plan shall be deemed to have expired, and the applicant shall be required to reapply to the Village for development plan approval, unless the Village's Board of Trustees approves an extension of time for commencement of construction on the proposed development of up to an additional one (1) year period.

(Ord. 9-4-A, passed 10-15-2008)

**§ 153.027 PRELIMINARY PLAT OF SUBDIVISION.**

- (A) *Content.* Any person proposing to subdivide any parcel of land shall file with the Plan Commission a preliminary plat in a quantity and form as required by the Department of Community Development. The preliminary plat shall include or be accompanied by the payment to the Village of any fee(s) and/or deposit(s) which may be required by this Code of Ordinances, as well as by the following.

- (1) *General information.* The following general information, where applicable, shall be shown on the preliminary plat:
- (a) The proposed name of the subdivision as well as street names contained thereon, which shall not duplicate or resemble the name of any existing subdivision or any existing street within the Village and any area that is serviced by the same fire department;
  - (b) Date of preparation, north point, and scale of drawing, which shall be no less than one inch equals 100 feet;
  - (c) An identification clearly stating that the map is a preliminary subdivision plat;
  - (d) Legal description of the parcel; and
  - (e) The name and address of the owner of record, the applicant, and the registered land surveyor who prepared the plat.
- (2) *Existing conditions.* The following conditions, if found to exist on the parcel, shall be shown on the preliminary plat, an accompanying topographical map, or accompanying plat of survey as necessary:
- (a) The location, width, and names of all streets within or adjacent to the parcel, together with easements, public utility and railroad rights-of-way, and other important features such as municipal boundary lines, section lines, corners, and monuments;
  - (b) Contour lines of the parcel and all adjacent land within 100 feet of the boundaries of the parcel showing intervals no greater than:
    - 1. Two-foot contour intervals for ground slopes less than or equal to 10%; and
    - 2. Five-foot contour intervals for ground slopes exceeding 10%.
  - (c) The location and direction of all watercourses and the location of all areas subject to flooding, including:
    - 1. The flowlines of streams and channels showing their normal shorelines, floodway limits and the 100-year flood fringe; and
    - 2. Lakes, ponds, swamps, marshes, and any detention basins showing their normal shorelines, floodway limits, and lines of inflow and outflow, if any.
  - (d) Natural features such as wooded areas, and isolated preservable trees;
  - (e) The location of all existing structures and their elevations, showing those that will be removed and those that will remain on the parcel after the final plat is recorded; and
  - (f) The location and size of existing sanitary and storm sewers, water mains, culverts, drain pipes, catch basins, manholes, hydrants, and electric and gas lines within the parcel or in adjacent streets or rights-of-way.

- (3) *Proposed improvements.* The following improvements, if proposed or required, shall be shown on the plat or in supporting documents:
- (a) Streets and rights-of-way, showing the location, widths, names, and approximate grades thereof and the relationship between existing and proposed streets;
  - (b) Easements showing width and purpose;
  - (c) Lots showing approximate dimensions, lot sizes, and proposed lot and block numbers and building setback lines;
  - (d) Preliminary engineering utility plan showing size and location of sanitary and storm sewers, water mains, culverts, and electric and gas lines;
  - (e) Sites to be dedicated or reserved for public purposes, with acreage of each, and with the purpose indicated thereon; and
  - (f) Proposed grading plan of parcel with contour lines meeting the requirements of Paragraph (A)(2) above.
- (4) *Supporting data.* The following supporting data shall be submitted in separate statements and/or maps accompanying the preliminary plat, or, if practical, the data may be shown on the preliminary plat:
- (a) Proof of ownership of the parcel, disclosure of beneficial interest if a trust, and applicant's interest therein, including authority on behalf of the property owner to subdivide the property;
  - (b) Existing or proposed annexation agreements, if any, which pertain to the parcel and existing or proposed covenants;
  - (c) A statement of the manner in which construction and installation of public improvements are to be guaranteed;
  - (d) Schedule showing proposed timing or phasing of the improvements and subdivision;
  - (e) If adverse conditions exist, a statement of how the applicant plans to address and/or remediate these conditions; and
  - (f) A preliminary drainage plan, designed to safely and properly manage the storm water runoff, accompanied by maps and/or other descriptive material showing the following:
    - 1. The extent and area of each watershed tributary to the drainage channels on the parcel;
    - 2. Existing storm sewers and other storm drains to be built;
    - 3. Existing streams and floodwater runoff channels to be maintained, enlarged, altered, or eliminated; and new channels to be constructed, their locations, cross-sections, and profiles;
    - 4. Existing culverts and bridges, drainage areas, elevations and adequacy of waterway openings; and new culverts and bridges to be built; and



5. Existing detention ponds and basins to be maintained, enlarged, altered, and new ponds or basins to be built with or without dams or low retention devices.

(B) *Standards for review.* The Plan Commission shall review all submittals relative to preliminary plat approval and recommend approval or denial thereof to the President and Board of Trustees who shall thereafter either approve or deny a preliminary and/or final plat of subdivision, unless the Plan Commission makes written findings specifying the manner in which:

- (1) The design and layout of the subdivision does not conform to the provisions of this Chapter;
- (2) The applicant has not made adequate provision to install public improvements required by the Plan Commission or by the President and Board of Trustees; and/or
- (3) The plat does not conform with the Comprehensive Plan, the Official Map, this Chapter, other Village ordinances, or planning and design policies of the Village.

(C) *Review and approval.*

(1) *Plan Commission review.*

- (a) Upon receipt of all the material required for the preliminary plat under Paragraph (A) above, the plat shall then be circulated within the Village for review as required.
- (b) Any requests for preliminary plat approval shall be placed on the Plan Commission's agenda, and the Village shall advise the applicant of the time and place of the Plan Commission meeting at which the matter will be considered.
- (c) The Plan Commission shall forward its written report to the President and Board of Trustees recommending approval or disapproval of the preliminary plat or plan within 90 days from the date of the filing of a complete application.
- (d) If the Plan Commission recommends disapproval, the written report shall set forth the reasons for its disapproval and specify with particularity the aspects in which the proposed plat fails to meet the standards of Paragraph (B) above.

(2) *Board review.*

- (a) The President and Board of Trustees, by motion, shall approve or disapprove the preliminary plat within 30 days after its next regularly scheduled meeting following the date of the written report of the Plan Commission.
- (b) If the President and Board of Trustees disapproves the plat, the motion shall set forth the reasons for its disapproval and specify with particularity the aspects in which the proposed plat fails to meet the standards of Paragraph (B) above.
- (c) A copy of the motion shall be attached to the preliminary plat and shall be filed in the office of the Village Clerk.

(3) *Effect of Board approval.*

- (a) Approval of the preliminary plat by the President and Board of Trustees shall not qualify the plat or plan for recording, but shall be considered permission to prepare the final plat with detailed plans and specifications for the proposed subdivision.

(b) The preliminary approval shall be effective for no more than one year from the date of approval unless, upon application, the President and Board of Trustees grant an extension of time for an additional one year.

(4) *Sign to be posted.* For any preliminary subdivision plat, the Village shall post a sign on the property identifying the project, the date of the Village's Plan Commission initial meeting on the subject, and the time and place of such meeting.

(Ord. 9-4-A, passed 10-15-2008)

### **§ 153.028 FINAL PLAT OF SUBDIVISION.**

(A) *Content.* Within one year after receiving preliminary subdivision plat approval by the President and Board of Trustees, the applicant shall file a final plat of subdivision with the Plan Commission in a quantity and form as required by the Department of Community Development. The final plat shall include the following.

(1) *General information.* The following general information, where applicable, shall be shown on the final plat:

(a) The date of preparation, north point, and scale of drawing, which shall be no less than one inch equals 100 feet;

(b) Legal description of the parcel;

(c) The names and addresses of the owner of record, the applicant, and the State of Illinois Registered Surveyor who prepared the plat with his or her seal affixed;

(d) Reference points of existing surveys identified, related to the plat by distances and bearing, and reference to a field book or map as follows:

1. All stakes, monuments, or other evidence found on the ground and used to determine the boundaries of the parcel;
2. Adjoining corners of all adjoining parcels;
3. When the Village has established the centerline of the street adjacent to or within the proposed parcel, the location of the centerline and monuments found or reset shall be shown; and
4. All other monuments found or established in making the survey of the parcel or required to be installed by the provisions of this Chapter or by the Plat Act, being ILCS Ch. 765, Act 205, §§ 1 *et seq.*

- (e)
1. Lot and block lines with dimensions, bearings or deflection angles, and radii, arcs, points of curvature and tangent bearings;
  2. Tract boundaries and street bearings shall be shown to the nearest ten seconds with the basis of the bearings;
  3. All distance shall be shown to the nearest one-hundredth foot; and
  4. No ditto marks shall be used.

- (f)
  - 1. The width of any streets being dedicated and of any existing rights-of-way, all shown each side of the centerline; and
  - 2. For streets on a curvature, all curve data shall be based on the street centerline, and in addition to the centerline dimensions, the radii and central angles shall be indicated.
  
- (g)
  - 1. All easements shall be denoted by fine intermittent lines, clearly identified, and if already of record, the recorder's references as to use and location of the easement;
  - 2. The width of the easement, its length and bearing, and sufficient ties to locate it definitely with respect to the plat must be shown;
  - 3. If an easement is not precisely located of record, a description of the easement shall be included; and
  - 4. If the easement is being dedicated by the map, it shall be properly referenced in the owner's certificate or identification.
  
- (h) Lot numbers beginning with the number one, and numbered consecutively with each block;
  
- (i)
  - 1. Block numbers or letters beginning with the number one or letter "A" and continuing consecutively without omission or duplication throughout the subdivision;
  - 2. The figures shall be solid, of sufficient size and thickness to stand out, and so placed as not to obliterate any figure; and
  - 3. Block figures of any addition to a subdivision of the same name shall be a continuation of the numbering in the original subdivision.
  
- (j) Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purpose indicated thereon, and of any area to be reserved by deed covenant for common use of all property owners;
  
- (k) Building setback lines, accurately shown in dimension;
  
- (l) The name of the subdivision and of each street shown on the plat, pursuant to § 153.027(A)(1);
  
- (m) The following form for approval by the Plan Commission: see Appendix B;
  
- (n) The following form for the approval of the President and Board of Trustees: see Appendix C;
  
- (o) The following form for the approval of the Village Engineer: see Appendix D; and
  
- (p) The following certificates, which may be combined where appropriate:
  - 1. A certificate signed and acknowledged by all parties having any interest in the land consenting to the preparation and recording of the plat and consenting to the required easements improvements, and dedications for any public use;
  - 2. Certification by the County Clerk and Village Collector showing that all taxes and special assessments, respectively, due on the property have been paid in full; and
  - 3. Certification by all public utilities and cable TV franchisee agreeing with easements and provision of utilities.

(2) *Supporting data.* The following supporting data, where applicable, shall be supplied in separate statements or maps, or, if practical, may be shown on the final plat:

- (a) A copy of any restrictions or covenants to be created by record and any charter or bylaws of any property owners association to be created;
- (b) A copy of the paid most recent tax bill for the property;
- (c) Plans and specifications for the required public improvements; and
- (d) A schedule showing phasing of proposed improvements.

(B) *Guarantees.* Guarantees shall be provided for any development in accordance with the requirements of §§ 153.085 through 153.094.

(C) *Standards for review.* The standards for review of any final plat of subdivision shall be the same as those included in § 153.027(B) regarding preliminary plat of subdivision standards.

(D) *Review and approval.*

(1) *Review and recommendation.*

- (a) Consideration of the final plat shall be placed on the Plan Commission agenda, and the Village shall advise the applicant of the time and place of the Plan Commission meeting at which the matter will be discussed.
- (b) The Plan Commission shall forward its written report within 60 days of filing a completed application to the President and Board of Trustees recommending approval or disapproval of the final plat.
- (c) If the recommendation is to disapprove, the report shall set forth the reasons for its disapproval, specifying with particularity the manner in which the proposed plat fails to meet the standards of § 153.027(B).

(2) *Approval.*

- (a) After receiving the final recommendation of the Plan Commission, the President and Board of Trustees shall approve or disapprove the final plat within 60 days from the date the final recommendation of the Plan Commission is received unless the applicant and the President and Board of Trustees agree to extend the 60-day period.
- (b) If the final plat is disapproved, the motion shall state the reasons for the disapproval, specifying with particularity the aspects in which the final plat fails to meet the standards of § 153.027.

(E) *Recording.*

- (1) A certified copy of the motion approving or disapproving the final plat shall be filed in the office of the Village Clerk attached to the final plat.
- (2) The approved final subdivision plat together with all covenants and restrictions shall be recorded by the Village in the office of Lake and McHenry Counties Recorders of Deeds or in the office of the Registrars of Titles of Lake and McHenry Counties, Illinois, as the case may be.
- (3) All recording fees and associated costs shall be paid by the applicant.

(Ord. 9-4-A, passed 10-15-2008)

**§ 153.029 VACATIONS.**

Any vacation of public right-of-way shall require a plat to be approved pursuant to the requirements of this Chapter and Illinois statutes.

(Ord. 9-4-A, passed 10-15-2008)

**§ 153.030 CONDOMINIUM PLAT PROCEDURE.**

(A) *New construction.*

- (1) Land divided under the Illinois Condominium Act is considered a subdivision for purposes of complying with these regulations.
- (2) The applicant shall submit a final site plan, showing the intended locations of all buildings and other improvements to the property prior to any development.
- (3) Designated streets shall also be indicated on the final site plan.
- (4) The plat shall be fully dimensioned by a registered land surveyor.
- (5) Development plan review and approval procedures, contained herein, are to be followed for the final site plan.
- (6) Upon approval of the final subdivision plat by the Village Board, it shall be recorded with the applicable office of the recorder of deeds.
- (7) Individual condominium plats required under the Illinois Condominium Act shall be submitted to the Plan Commission and Village Board for review.
- (8) The Plan Commission shall review the condominium plat to verify that it is in substantial compliance with the previously approved final site plan and subdivision plat.

(9) If the plat is found to be in compliance, the Plan Commission shall recommend approval thereof by the Village Board.

(10) If the plat is found to be in compliance by the Board of Trustees, the Village President, the Village Clerk, and the Village Engineer shall sign it and allow the plat to be recorded.

(B) *Condominium conversions.*

(1) Owners of existing structures which are intending to convert to condominium ownership shall submit plats of survey required under the Illinois Condominium Act to the Plan Commission for review.

(2) The condominium plat of survey shall be forwarded to the Plan Commission for its review and recommendation to the Board of Trustees, pursuant to the requirements and procedures for final plat approval.

(3) Units may not be sold until the condominium plat of survey is approved by the Village Board.

(4) Additional requirements for condominium conversion may be provided for in this Code.

(5) For public improvements, condominium conversion shall be considered a new subdivision and shall fall under the codes and ordinances of the Village at the time of conversion.

(Ord. 9-4-A, passed 10-15-2008)

**§ 153.031 APPEALS FROM DECISIONS ON DEVELOPMENT PLAN.**

(A) The President and Board of Trustees shall review any recommendation of the Plan Commission to approve or disapprove a development plan.

(B) Consideration of the development plan and matters relevant thereto shall be placed on the agenda of a regular or special meeting of the President and Board of Trustees.

(C) (1) The President and Board of Trustees may reverse or affirm, in whole or in part, or may modify any recommendation of the Plan Commission.

(2) The President and Board of Trustees shall base their decision on the standards set forth in § 153.026(B).

(Ord. 9-4-A, passed 10-15-2008)

***CONSTRUCTION, DESIGN, AND INSTALLATION STANDARDS FOR IMPROVEMENTS***

**§ 153.045 IMPROVEMENTS SUMMARY.**

(A) Any subdivision approved under this Chapter, any development subject to this Chapter, and any development intending to construct improvements which are addressed in this subchapter, shall comply with the required improvements stated in this subchapter.

- (B) Subdividers and developers shall construct all public improvements to specifications and cause the completed improvements to be dedicated to the Village or appropriate agency or unit of government.
  - (C) All private improvements shall be completed as required and approved by the Village.
  - (D) Private improvements shall remain under the ownership of the developer and shall be continuously maintained.
- (Ord. 9-4-A, passed 10-15-2008) Penalty, see § 153.999

**§ 153.046 LOT GRADING; EROSION, SEDIMENTATION, AND DUST CONTROL.**

(A) *Lot grading.*

- (1) All developments shall provide lot grading in conformance with the Village building code and this Chapter.
- (2) (a) Grading of all lots within the Village shall be accomplished in such a manner as to prevent ponding in excess of 18 inches in the event of a complete failure of the storm sewer system.  
(b) Parking lots shall be graded so that no ponding in excess of 12 inches occurs in the event of a complete failure of the storm sewer.
- (3) (a) Grading shall be completed on each lot such that overland water flow is directed away from all sides of the foundation, all grades on lot shall be a minimum of 2% and a maximum of 10%.  
(b) If steeper slopes are approved, sodding, retaining walls, or other special treatments may be required to protect the slopes.
- (4) Driveway grades on all lots, as measured from the grade at the property line and the finished garage floor shall be a minimum of 2% and a maximum of 10%.
- (5) (a) Grading plans shall be submitted for all developments.  
(b) The grading plan shall indicate existing grades within 100 feet of the development.  
(c) Prior to final approval and acceptance of public improvements, an “as built” grading plan shall be submitted.  
(d) In cases where individual lot grading is not completed at the time of final acceptance or where public improvements are not required, grading plans for the lots shall be submitted and approved prior to building permits being issued and the “as built” grading plans shall be submitted prior to occupancy permits being issued.

(B) *Erosion and sedimentation control.*

- (1) All developments, whether public or private, shall include a plan for soil erosion and sedimentation control.
- (2) Except as provided herein, no plat of subdivision or development plan shall be approved unless the plat or plan and accompanying materials indicate that measures to be taken to control erosion and sedimentation will be adequate to assure that sediment is not transported from the site by

storm event of ten-year frequency or less, and that the following principles will be applicable to all development activities in the area to be subdivided.

- (a)
    - 1. Development should be related to the topography and soils of the site so as to create the least potential for erosion.
    - 2. Areas of steep slopes where high cuts and fills may be required should be avoided wherever possible and natural contours should be followed as closely as possible.
  - (b)
    - 1. Natural vegetation should be retained and protected wherever possible.
    - 2. Areas immediately adjacent to natural watercourses should be left undisturbed wherever possible.
  - (c) The smallest practical area of land should be exposed for the shortest practical time during development.
  - (d) Sediment basins, debris basins, desilting basins, or silt traps or filters should be installed and maintained to remove sediment from runoff waters for any land undergoing development.
  - (e) The selection of erosion and sedimentation control measures should be based on assessment of the probable frequency of climatic and other events likely to contribute to erosion and, on evaluation of the risks, costs, and benefits involved.
  - (f) In the design of erosion control facilities and practices, aesthetics and the requirements of continuing maintenance should be considered.
  - (g)
    - 1. Provision should be made to accommodate the increased runoff caused by changed soil and surface conditions during and after development.
    - 2. Drainageways should be designed so that their final gradients and the resultant velocities of discharges will not create additional erosion, and should be protected against erosion and sedimentation during development.
  - (h) Permanent vegetation and structures should be installed as soon as practical during development.
- (3) The erosion and sedimentation control plan shall include the following information:
- (a) A vicinity map, in sufficient detail to enable easy location in the field of the site for which plat approval is sought, and including the boundary line and approximate acreage of the site, and a legend and scale;
  - (b) A plan of the site showing:
    - 1. Existing topography of the site and adjacent land within approximately 100 feet of the boundaries, drawn at no greater than two-foot contour intervals and clearly portraying the conformation and drainage pattern of the area;
    - 2. The location of existing buildings, structures, utilities, water bodies, flood plains, drainage facilities, vegetative cover, paved areas, and other significant natural or human-made features on the site and adjacent land within approximately 100 feet of the boundary;



3. A general description of the predominant soil types on the site, their location, and their limitations for the proposed use; and
4. 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 computations; types and locations of utilities; and areas and acreage proposed to be paved, covered, sodded or seeded, vegetatively stabilized or left undisturbed.

(c) An erosion and sedimentation control plan showing:

1. All erosion and sedimentation control measures necessary to meet the objectives of this Chapter throughout all phases of construction and permanently after completion of development of the site;
2. Seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding dates, type and rate of lime and fertilizer application, and kind and quality of mulching for both temporary and permanent vegetative control measures;
3. Provisions for maintenance of control facilities, including easements and estimates of the cost of maintenance; and
4. Identification of the person(s) or entity which will have legal responsibility for maintenance of erosion control structures and measures after development is completed.

- (d) 1. The proposed phasing of development of the site, including stripping and clearing, rough grading and construction and final grading and landscaping.
2. Phasing should identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas; and the sequence of clearing, installation of temporary sediment control measures, installation of storm drainage, paving streets and parking areas, and establishment of permanent vegetative cover.
  3. These submissions shall be prepared in accordance with the standards and requirements contained in *Procedures and Standards for Soil Erosion and Sedimentation Control in Illinois*.
  4. The Village may waive specific requirements for the content of submissions upon finding that the information submitted is sufficient to show that the work will comply with the objectives and principles of this Chapter.

(C) *Dust control.*

- (1) The developer and contractors shall use a water wagon or other acceptable means on the project site to control dust.
- (2) All streets used by the developer, contractors, or suppliers in or adjacent to the development shall be kept free of debris, dirt, dust, and mud.
- (3) Streets shall be left in a clean condition at the end of each day's work.

(Ord. 9-4-A, passed 10-15-2008) Penalty, see § 153.999

**§ 153.047 RIGHT-OF-WAY, DEVELOPMENT, AND SUBDIVISION STANDARDS.**

Subdivisions and developments within the Village shall be designed and constructed in accordance with the following standards.

(A) *Public right-of-way.* The standards set forth in this subchapter shall be the minimum standards for streets, roads, and intersections. The arrangement, character, extent, width, grade, and location of all streets shall conform to this subchapter and to the Comprehensive Plan as adopted by the Village Board. They 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 proposed uses of the land to be served. Generally, all streets shall be dedicated to public use, and arterial streets, in all cases, shall be dedicated to public use. All public streets shall be completely improved to the full width of the right-of-way. All street improvements shall be extended to the boundaries of the subdivision or development.

(1) *General street layout and design.*

(a) The arrangement of streets shall either:

1. Provide for the continuation of existing streets in the surrounding area; or
2. Conform to a plan for the adjacent area adapted to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.

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

(c) Where a parcel abuts or contains an existing arterial or collector street, as shown on the Comprehensive Plan or Official Map, the Village may require frontage roads, double frontage lots with screen planting contained in a non-access reservation at least ten feet wide along the rear property line, or any other treatment as may be necessary for adequate protection of residential properties and to separate through and local traffic.

(d) When any parcel or part of a parcel is adjacent to only one side of an existing right-of-way, which is less than the required width required by this Chapter or the Official Map, the applicant shall dedicate additional right-of-way to meet the specifications of this subchapter.

(e) Half streets are not permitted.

(f) Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall be extended to the boundary line of the tract to make provision for the future projection of streets into adjacent areas.

(2) *Right-of-way widths.* All public streets shall be designed and developed in accordance with the standards set forth in the table in Appendix E.

(3) *Intersections and offsets.*

- (a) 1. Streets shall intersect at 90 degrees whenever possible.
2. No two streets shall intersect at an angle of less than 75 degrees.
3. An oblique street should be curved approaching an intersection and should be at right angles for a minimum of 100 feet therefrom.

- (b) No more than two streets shall intersect at any one point.
  - (c)
    - 1. Proposed intersections along one side of an existing street shall, whenever practicable, coincide with any existing intersections on the opposite side of the street.
    - 2. Street or driveway jogs with center-line offsets of less than 150 feet shall not be permitted, except where the intersected street or driveway has separate dual drives without median breaks at either intersection.
  - (d) Intersections shall have a minimum curb radius of 25 feet for minor streets, 30 feet for collector streets, and 50 feet for arterials.
  - (e) Intersections of driveways with arterials may require the installation of acceleration/deceleration lanes along the arterial to provide for vehicular safety upon entering or exiting the arterial.
- (4) *Frontage roads.*
- (a)
    - 1. Frontage roads may be required to provide access to adjacent land and adequate vehicular safety when property to be developed is adjacent to an arterial.
    - 2. Whenever a frontage road is to be dedicated to public use, it shall conform with the requirements of this subchapter regarding right-of-way and improvement specifications.
  - (b) Frontage roads shall be approximately parallel to the arterial.
  - (c) Where possible, a minimum distance of 750 feet shall be required between points of ingress and egress to the arterial.
- (5) *Cul-de-sacs.* Cul-de-sacs may be permitted in subdivisions where land availability, site planning, or traffic-control purposes determine a through street is not practicable.
- (a) The maximum length of a cul-de-sac shall be 500 feet as measured from its origin with the right-of-way of the intersection street through the center point of the bulb to the end of the right-of-way.
  - (b) The bulb of a cul-de-sac shall have a minimum right-of-way of 120 feet in diameter, or if offset, 110 feet in diameter.
  - (c) The bulb of a cul-de-sac shall have a minimum pavement radius of 50 feet as measured from the center of the cul-de-sac to the outside edge of pavement, and a minimum pavement radius of 35 feet to the inside edge of pavement when a center landscape island is provided within the bulb of the cul-de-sac.
  - (d) A maximum of five lots shall adjoin any part of the bulb of a cul-de-sac.
- (6) *State or county approvals.* Any construction within or changes to rights-of-way under the jurisdiction of the State of Illinois or Lake and McHenry Counties shall require the approval of that jurisdiction in addition to Village approval before any construction is allowed to begin.

(7) *Street names.*

- (a) Streets that are extensions of, or in alignment with, existing streets shall bear the name of the existing street.
- (b)
  - 1. The developer shall place street signs at the intersection of any two streets to identify all streets.
  - 2. Signs and poles shall be of a type, dimension, color, and height as required by the Village.

(8) *Pavement design and specifications.*

(a) *Generally.*

- 1. The arrangement character, extent, width, grade, and location of all streets to be dedicated to the public, all parking lots and all private streets shall be compatible and complimentary to existing and planned streets, to reasonable circulation of traffic within any development and adjoining lands, to topographical conditions, to runoff of storm water, to public convenience and safety, and in their relations to the proposed uses of the area to be served.
  - 2. All traffic intersections and confluences must encourage safe and efficient traffic flow.
- (b) *Design reference.* All pavements shall be designed in accordance with one or more of the following references as they apply:

- 1. *Manual for Structural Design of Portland Cement Concrete Pavement*, Illinois Department of Transportation, latest edition;
- 2. *Manual of Instruction for the Structural Design of Bituminous Pavements on Projects Involving MFT and FAS Funds*, Illinois Department of Transportation, latest edition;
- 3. *Design Manual*, Illinois Department of Transportation, latest edition; and
- 4. This Chapter.

(c) *Pavement design.*

- 1. All pavement shall be designed in accordance with the previously referenced specifications and manuals. The design thickness shall be dependent on the soil support value - Illinois Bearing Ratio (IBR) - and the projected traffic factor, however, in no case shall the structural numbers be less than those shown in Appendix F.
- 2.
  - a. All subgrade material shall have a minimum IBR of three.
  - b. The soil support IBR values selected for use by the design engineer shall represent a minimum value for the soil to be used.
  - c. Copies of the test for IBR values for each material used shall be submitted to, and reviewed and approved by, the Village Engineer.
- 3. Allowable pavement construction material, strength requirements, and minimum thickness requirements shall be as indicated in Appendix G.

(d) *Grades.* Minimum gradient on streets shall be 0.6%. Maximum gradients on streets shall be:

1. Minor streets: 7%; and
2. All other streets: 5%.

(e) *Vertical curves.*

1. Vertical curves shall be constructed at all changes in street gradient except at summits and low points where the algebraic difference in gradients is less than 1.5%.
2. At the summits or low points with gradient differences 1.5% and at all other locations of gradient changes up to 1.5%, a 100-foot vertical curve shall be constructed.
3. For each additional 1% difference in gradient over 1.5%, a 50-foot increment shall be added to the length of the vertical curve.

(f) *Horizontal curves.*

1. Horizontal curves may be permitted.
2. The minimum radius for horizontal curves shall be 200 feet for minor streets and 400 feet for all other streets.
3. Minimum 100-foot tangents shall be introduced between reverse curves on all streets.

(g) *Curb and gutter.*

1. a. Combination curb and gutter type B6:12 shall be constructed on both sides of all streets, except that in turn-arounds of residential cul-de-sacs a mountable curb and gutter type M4:12 may be allowed.  
b. Depressed curbs shall be provided at all driveways.  
c. Intersection sidewalk crossings shall be ramped for the handicapped.
2. a. Two number four reinforcing bars shall be placed continuously between expansion joints.  
b. Expansion joints shall be doweled and spaced at no more than 60 feet on center and at tangent points of all radii.  
c. Control joints shall be provided at 15 feet on center and shall consist of a saw cut minimum of 1.5% deep.

(h) *Pavement construction.*

1. All pavements shall be constructed in accordance with the *Standard Specifications for Road and Bridge Construction*, Illinois Department of Transportation, latest edition, and this Chapter.
2. At least one standard proctor density test performed in accordance with AASHTO T99, shall be taken on each type of material used for embankment or encountered in the subgrade.
3. a. Density tests performed by a qualified soils engineer in accordance with AASHTO T191 or by other methods approved by the Village Engineer shall be done at a maximum 50-foot spacing.

- b. Embankments and subgrade shall be compacted to no less than 95% of the standard laboratory density.
  - c. Copies of all density tests results shall be submitted to the Village Engineer.
4. Upon completion of the compaction of the embankment and subgrade, a roll test with a fully loaded single rear axle six-wheel truck shall be done at the direction of the Village Engineer prior to placing any type of curb and gutter or base material.
  5.
    - a. A density test on base course and surface course materials shall be performed by an approved soils and materials consultant.
    - b. The density test shall be taken at maximum 100-foot spacings.
    - c. Copies of all density test results shall be submitted to, and reviewed and approved by, the Village Engineer.
    - d. Upon completion of the compaction of the base course a roll test with a fully loaded single rear axle six-wheel truck shall be done at the direction of the Village Engineer.
  6. Class I binder course shall be constructed upon approval by the Village Engineer of the base course construction.
  7. Construction of the Class I surface course shall be delayed for one winter season after construction of the binder course.
- (i) *Materials testing.*
1. All materials shall meet the requirements of the *Standard Specifications for Road and Bridge Construction*, Illinois Department of Transportation, latest edition.
  2. Concurrent with the construction of any pavement, the developer shall furnish the Village Engineer, for his or her approval, copies of the certificates of testing from the Illinois Department of Transportation Bureau of Materials or an approved testing laboratory.
- (j) *Driveway approaches.*
1. Driveway approaches for single-family residential buildings shall be a minimum of nine feet in width for one-car driveways and a maximum of 18 feet as measured at the right-of-way line, and shall be three feet wider at the curb.
  2. Driveway approaches for single-family residential buildings shall be constructed of:
    - a. Minimum six-inch concrete with a minimum four-inch compacted aggregate base course; or
    - b. Minimum two-inch Class I bituminous surface with a minimum eight-inch compacted aggregate base course.
  3.
    - a. Multi-family, commercial, and industrial driveway approaches shall have a width equal to the approved driveway width at the property line.

- b. The driveway approach shall have a minimum 15-foot radius return at the street.
4. Driveway approaches for multi-family, commercial, and industrial buildings shall be constructed of:
  - a. Minimum six-inch concrete with a minimum four-inch compacted gravel aggregate base course; or
  - b. Minimum one-inch bituminous surface and one and one-half-inch bituminous binder with either a minimum 12-inch aggregate base course or a minimum six-inch BAM course.

(9) *Sidewalks.*

(a) *Generally.*

1. Sidewalks shall be provided within all developments.
2. Sidewalks shall be constructed along both sides of all streets and shall be five feet in width.
3. Sidewalks shall be located within the public right-of-way one foot from the right-of-way line.

(b) *Construction.*

1. Sidewalks shall conform to the requirements of § 624, *Portland Cement Concrete Sidewalk, Standard Specifications for Road and Bridge Construction*, Illinois Department of Transportation, latest edition, and this Chapter.
2. Sidewalks shall be a minimum of five inches thick, except at driveways where the thickness shall be a minimum of six inches.
3. Three number five reinforcing bars ten feet long shall be placed in the sidewalk at all trench crossing locations.
4. Construction joints shall be placed at five-foot spacings.
5. Sidewalks shall be placed on a two-inch well-compacted sand base course.

(10) *Bike paths.* Whenever constructed within the Village, bike paths shall conform to the following standards.

- (a) Bike paths shall be eight feet in width to provide for two-way traffic.
- (b) The minimum construction of any bike path shall consist of a six-inch type B aggregate base course with a two-inch bituminous surface course.
- (c) Bike paths shall have removable posts placed at all locations necessary to prevent vehicular traffic from entering the paths.
- (d) Construction of any bike path shall conform to the *Standard Specifications for Road and Bridge Construction*, Illinois Department of Transportation, latest edition, and this subchapter.

(B) *Private improvements.* All construction on private property in a subdivision or development shall conform to the requirements stated herein. No private improvements may be considered for future acceptance by the Village unless constructed in accordance with Paragraph (A) above.

(1) *Parking lots.*

- (a) All parking lots shall be designed in conformance with:
  - 1. *Transportation and Traffic Engineering Handbook*, Institute of Transportation Engineers, latest edition;
  - 2. The Zoning Ordinance; and
  - 3. This Chapter.
- (b) Parking areas shall be designed and constructed in accordance with Paragraph (A)(8) above, except as follows:
  - 1. Minimum structural number shall be two for parking stalls areas and a minimum structural number of two and one-half for aisles and firelanes;
  - 2. Minimum thickness of aggregate base courses shall be eight inches; and
  - 3. Minimum thickness of bituminous surface course shall be two inches.
- (c) Combination concrete curb and gutter type B 6:12 or concrete barrier curb Type B shall be constructed around the perimeter of all parking lots and around all islands within parking lots.
- (d)
  - 1. Striping of the pavement surface to define each parking stall is required and shall be a minimum of four inches wide for the length of the stall.
  - 2. All areas designated as fire lanes and/or "No Parking" shall be painted with yellow stripes.
- (e) Any location within parking lots, intended for storage of trash containers, shall be constructed of concrete rather than bituminous surface and shall be enclosed with an approved screen or enclosure.

(2) *Driveways.*

- (a) *Design.*
  - 1. All driveway designs shall be consistent with the projected traffic volume, type of traffic, and type of roadway, and shall be subject to the review and approval of the Village.
  - 2. All driveways shall meet the minimum standards of the Zoning Ordinance and this Chapter.
  - 3. Driveway design shall be based upon a maximum of 12 feet per lane.
  - 4. Any driveway designed for three or more lanes shall be striped or divided, as approved by the Village.
- (b) *Distance and number.*
  - 1. Driveway access to arterials shall be kept to a minimum.
  - 2. Whenever possible, adjacent uses shall share common driveway access to arterials.
  - 3. The minimum distance between driveways on arterials shall be 300 feet, unless otherwise permitted by the Village Board after review by the Plan Commission and by the Village Engineer.



- (c) *Construction.*
  - 1. Driveways within a site shall be constructed to parking lot specifications at a minimum.
  - 2. Driveways with high volume of truck traffic shall increase the structural strength of the pavement.
  
- (3) *Private streets.* All streets which serve as access or frontage to subdivided lots shall be dedicated to the public unless specific approval is granted by the Village Board. When any private streets are constructed, the following shall apply.
  - (a) *Design.* Private streets shall conform to the requirements for public streets as stated in divisions (A)(1) and (A)(3) above regarding general layout and design and intersections and offsets.
  - (b) *Construction.* Private streets shall conform to the requirements for public streets as stated in Paragraph (A)(8) above regarding pavement design and specifications.
  
- (4) *Sidewalks.*
  - (a) Sidewalks should be constructed where pedestrian and vehicular traffic may conflict on private streets and where necessary to provide access from parking areas to buildings.
  - (b) Sidewalks shall have a minimum clear width of four feet for areas of light pedestrian traffic and eight feet for high traffic areas.
  
- (5) *Bike paths.* Whenever constructed, bike paths shall comply with the requirements stated in Paragraph (A)(10) above.
  
- (6) *Easements.*
  - (a) Easements shall be required for any development in order to provide for placement of public utilities, protection of residential uses, continuity of waterways and pedestrian access.
  - (b) Easements shall be located whenever necessary to ensure these objectives and shall be subject to use, design, and location conditions stated in Paragraph (C)(4) below.
  
- (7) *Sight triangle.*
  - (a) No improvements shall be placed, nor plant materials allowed to grow, within the sight triangle so as to obstruct or limit the sight distance of motorists.
  - (b) The triangle shall have legs of 25 feet along the rights-of-way line when two streets intersect and ten feet along the right-of-way line and the driveway edge when a street and a driveway intersect.
  - (c) The maximum height of any obstruction shall be three feet within the sight triangle, unless otherwise permitted by this code.

(C) *Subdivision standards.* The design and layout of lots within any subdivision shall conform to the requirements stated in this subchapter.

(1) *Blocks.* The length, width, and shape of blocks shall be determined by the proposed uses, the zoning requirements of the Village, topography, and convenient access, circulation, control, and safety of vehicular and pedestrian traffic.

(a) The maximum length of a block in a residential subdivision shall not exceed 1,500 feet.

(b) The width of any block shall be sufficient for two tiers of lots unless the block abuts an arterial, watercourse, railroad right-of-way, shopping center, or major public facility.

(c) Pedestrian crosswalks may be required, in a minimum ten-foot easement, through the center of blocks which exceed 800 feet in length where necessary to provide access to arterials, shopping centers, or public facilities.

(2) *Lots.* The size, width, depth, and shape of lots shall be appropriate for the location and type of development and use proposed and shall conform to the regulations set forth in the Zoning Ordinance and this Chapter.

(a) 1. Through lots shall be avoided except where essential to provide separation of residential development from major arterial streets.

2. Access to the arterial from single-family residential lots shall be prohibited by deed restriction and a no-access easement.

3. A planting screen with a minimum height of four feet shall be provided along all lot lines abutting the major arterial.

(b) Whenever possible, on all corner lots abutting an arterial, access shall be prohibited to the arterial.

(c) Lots abutting a watercourse, drainage way, channel, or stream shall have a minimum width or depth required to provide an adequate building site.

(d) All lots shall have frontage on a public street.

(e) 1. The minimum depth of any residential lot hereafter created shall be 120 feet and 200 feet for commercial and industrial lots.

2. Any residential lot which backs to an arterial, railroad right-of-way, or shopping center shall have an additional 20 feet in depth to accommodate the required no-access screen planting at the rear of the lot.

(f) The depth to width ratio shall not exceed two and one-half to one for all lots.

(g) 1. Side lot lines shall be substantially perpendicular to the right-of-way.

2. However, lots on a cul-de-sac shall have side lot lines radial to the center of the cul-de-sac.

(3) *Setback lines.*

- (a) Required setbacks shall be indicated on all plats of subdivision in accordance with the Zoning Ordinance.
- (b) For all corner lots, the minimum building setback on the side street side shall be no less than ten feet less than the front yard required by the Zoning Ordinance.

(4) *Easements and public roadways.*

- (a) 1. There shall be a dedicated easement with a minimum width of 20 feet at the rear of all lots, or ten feet centered on adjacent rear lot lines, and where necessary along side lot lines to provide continuity for public utilities and/or drainage.  
2. In addition, due provision shall be made for extension of easements to adjacent property.
- (b) All utility easements shall be approved by the public utility companies, cable television franchises, and municipality and shall be so indicated on any final plat.
- (c) Easements for pedestrian access shall be a minimum of ten feet in width.
- (d) Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, a storm water or drainage easement shall be provided, conforming to the lines of the watercourse and the additional width as necessary for access and maintenance as required by the Village Engineer.
- (e) No building, structure, or other obstruction shall be constructed upon any easement or public roadway.

(Ord. 9-4-A, passed 10-15-2008) Penalty, see § 153.999

**§ 153.048 SANITARY SEWER SYSTEM.**

Except as otherwise provided herein, no residential, commercial, or industrial subdivision or development shall be approved unless it is served by sanitary sewers connected to the Village's sewer system. All construction and maintenance of sanitary sewers shall be at the developer's expense prior to acceptance of dedication thereby by the Village or by the Northern Moraine Wastewater Reclamation District.

(A) *Generally.* In the case of any buildings, residential, commercial, or industrial, constructed prior to the adoption of this subchapter and served by a septic system, the following shall apply.

- (1) (a) Any building located with the Village, the property line of which building is located within 200 feet of a sanitary sewer main line, shall have its sanitary sewer facilities connected to the sanitary sewer main line.
- (b) Any parcel and/or building located outside the Village shall be required to annex into the Village prior to connecting onto the Village sewer system, and any and all expenses incurred to extend the sewer system would be totally at the owner's expense.
- (2) (a) Before commencing the sewer layout, the developer shall confer with the Village to determine the required size and grades for any trunk sewers traversing the subdivision to fit

the Village's available capacities of off-site downstream existing facilities to the Northern Moraine Wastewater Reclamation District interceptor together with the estimated increment of flow caused by the subdivision or development.

- (b) Construction required to accommodate the increment shall be submitted as part of engineering plans.
  - (c) Sanitary sewers shall be extended to the edge of the development along public rights-of-way and at other points indicated by the Village Engineer.
- (3) All sanitary sewers shall be constructed within public rights-of-way or within easements dedicated for public utilities.

(B) *Design.*

- (1) *Sewer mains.* Sewer mains shall be designed according to the *Illinois Manual of Procedures for the Administration of the Sewer Permit Ordinance* and this Chapter.
- (2) *Sewer design flows.*
  - (a) Design flows for all residential development of the service area within the population served, estimated as follows:

<i>Development</i>	
<i>Type of Dwelling Unit</i>	<i>Number of Persons</i>
Studio	1
1-bedroom	2
2-bedroom	3
<i>Development</i>	
<i>Type of Dwelling Unit</i>	<i>Number of Persons</i>
3-bedroom	4
4-bedroom	5
<p>NOTES TO TABLE:            The maximum daily per capita design flow shall be calculated using the formula: <math>Q = \frac{500}{(P)^{1/5}}</math>            Where Q = maximum design flow, gpcpd*            P = population served, in thousands            * - Not to exceed 400 gpcpd or be less than 250 gpcpd</p> <p>For undeveloped residential areas where the details of future developments are not known, design population per acre may be estimated by the Village Engineer.</p>	

- (b) 1. Design flows for nonresidential developments shall be based on full development of service area with the maximum daily per capita design flow calculated in Appendix H.
2. For nonresidential developments where the details of the development are not established, domestic design flows shall be as estimated by the Village Engineer.
3. The flow estimate shall not relieve the owner or developer of the responsibility of providing adequate sanitary sewer capacity to meet any and all future requirements within the development.

(3) *Sewer design hydraulics.*

- (a) Sanitary gravity sewers shall be designed to provide design flow capacity, without surcharging, using Manning's formula:  $Q = A \times 1.486/n \times R^{2/3} \times S^{1/2}$ , where:
  1. Q = design flow in units of cubic feet per second;
  2. A = area in units of square feet;
  3. R = hydraulic radius in units of feet;
  4. S = slope in units of feet per foot; and
  5. n = roughness coefficient, in dimensionless units = 0.013
- (b) Design mean velocity, flowing full, shall not be less than two feet per second or greater than ten feet per second.
- (c) Sewers which will flow less than one-half full at design maximum flow shall have a slope to provide a velocity not less than two feet per second at the design maximum flow.
- (d) Design flow shall include total allowable infiltration at any point based on 200 gallons per day per inch diameter per mile of sewer pipe.

(4) *Minimum sewer size.*

- (a) Minimum sanitary sewer size shall be eight-inch diameter.
- (b) Minimum building sanitary service sewer size shall be six-inch diameter.

(5) *Alignment.* Sewer shall be laid straight in both horizontal and vertical planes between manholes, unless otherwise approved by the Village Engineer.

(6) *Sewer size changes.* Sanitary sewer of different diameter shall join only at manholes. The invert elevations shall be adjusted to maintain a uniform energy gradient by matching the eight-tenths depth points of different diameters.

(7) *Sanitary sewer manholes.* Manholes shall be provided at the following:

- (a) *Manhole locations.* Manholes shall be provided at the following:
  1. Termination of existing and future lines;
  2. Changes in direction, horizontal or vertical; and
  3. Junctions with other sewers. Access spacing shall be:

<i>Sewer Pipe Size (in inches)</i>	<i>Maximum Interval (in feet)</i>
8 inches to 24 inches	400
27 inches and larger	505

(b) *Drop manholes.* Drop manholes shall be provided for manholes with any pipe having a difference in invert elevation more than 24 inches above the invert of the sewer leaving the manholes; and

(c) *Manhole diameters.*

1. Manholes for sanitary sewers 24 inches or less in diameter shall have a minimum inside diameter of 48 inches.
2. Manholes for sanitary sewers 27 inches or larger in diameter shall have a minimum inside diameter of 60 inches.

(8) *Lift stations.* Whenever possible, sanitary sewerage facilities shall be designed so as to avoid the necessity of providing lift stations.

- (a) 1. If a lift station is part of the engineering design, it shall be shown in plan elevation.
2. Specifications for the lift station shall be submitted with engineering plans.
3. Lift stations shall be of the dry well or wet well type, and shall conform in all respects to the standards established by the State of Illinois, the Illinois Environmental Protection Agency, and Northern Moraine Wastewater Reclamation District.

- (b) 1. A separate source of power shall be furnished to each sewerage lift station.
2. This shall be from another electrical source provided by a separately powered engine.
3. Engine, enclosure, and mounting shall be subject to approval by the Village Engineer.
4. An alarm shall be installed to the Village master panel to identify failure at the lift station.

(C) *Allowable materials.*

(1) *Sewer pipe.*

- (a) Extra-strength vitrified clay pipe (ESVCP) shall conform to the requirement of A.S.T.M. C-700;
- (b) Extra-strength concrete sewer pipe (ESCSP) shall conform to the requirements of A.S.T.M. C-76;
- (c) Ductile iron main shall conform to the requirements of A.S.T.M. A746;
- (d) Thick-walled PVC pipe shall conform to the requirements of A.S.T.M. D-2241 or D-3034, SDR 35. (Use of PVC sewer pipe must be approved by the Northern Moraine Wastewater Reclamation District.); and
- (e) Truss pipe shall conform to the requirements of A.S.T.M. D2680 for eight inches and larger and A.S.T.M. D-2751 for six inches.

(2) *Force main.*

- (a) Ductile iron pipe shall conform to A.W.W.A. Specification C-151-Class 52; and
- (b) P.V.C. pipe shall conform to A.W.W.A. Specification C-900-SDR-18.

(3) *Pipe joints.*

- (a) Vitrified clay pipe S.S.T.M. C-425 with PVC bell, A.S.T.M. D-1784;
- (b) Reinforced concrete pipe, A.S.T.M. C-443;
- (c) Ductile iron pipe, A.N.S.I. A-21.11 (A.W.W.A. C-111);
- (d) PVC thick-walled pipe, A.S.T.M., D-3212 and F477; and
- (e) A.B.S. composite pipe, type O.R., A.S.T.M. D2680.

(4) *Pipe sleeves for auguring or tunneling.*

- (a) Steel sleeves shall be three-eighths inches thick of the diameter specified, with a continuous, circular one-half-inch bead weld and shall meet the requirements of A.S.T.M. A-120.
- (b) 1. Concrete sleeves (alternate), if selected in place of the steel sleeves specified above, shall be reinforced concrete pipe, tongue, and groove type.
  - 2. Minimum jacking pipe size is 36 inches inside diameter.
  - 3. Class 4 or 5 should be used as jacking pipe.

(5) *Manholes.*

- (a) *Pre-cast reinforced concrete.* A.S.T.M. C-478 and A.S.T.M. C-443;
- (b) *Adjustment.* No more than three pre-cast concrete adjusting rings with a 12-inch maximum height adjustment;
- (c) *Pipe and frame seals.* All pipe connection openings shall be precast with resilient rubber, watertight pipe to manhole sleeves; and
- (d) *Bottom sections.* All bottom sections shall be monolithically pre-cast, including bases and invert flowlines.

(6) *Castings.*

- (a) Manhole frame and cover, Neenah No. R1712 or approved equal, with self-sealing lid, embossed "sanitary" and "Port Barrington";
- (b) Manhole steps, Neenah No. R-1981-I, or approved equal;
- (c) Recessed pickholes shall be required; and

- (d) Frames and covers for manholes located within flood plain areas and having a rim elevation below the flood protection elevations shall be watertight, lock-type covers, Neenah No. R-1755-B or approved equal.

(D) *Construction requirements.*

(1) *Specifications.* All sanitary sewers shall be constructed in accord with the provisions of *Standard Specifications for Water and Sewer Main Construction in Illinois* (latest edition) and this Chapter.

(2) *Approval and permits.* Construction of sanitary sewers and/or sewer service shall not commence until engineering plans and specifications have been approved by the Village and permits for construction of the sewers have been issued by the Northern Moraine Wastewater Reclamation District and the Illinois Environmental Protection Agency.

(3) *Excavation and foundation.*

- (a)
  - 1. The trench shall be excavated so that the flow line of the finished sewer shall be at the depth and grade shown on the approved plans.
  - 2. The trench for the pipe shall be excavated at least 12 inches wider than the external diameter of the pipe.
  - 3. The width of the trench shall not exceed the external diameter of the pipe by more than 18 inches at the top of the pipe.
  - 4. If the excavation has been made deeper than necessary, the foundation shall be brought to proper grade by the addition of well-compacted bedding material.
  - 5. Where a firm foundation is not encountered at the grade established, due to soft, spongy, or other unsuitable soil (unless other special construction methods are called for on the plans or in the special provisions), all the unsuitable soil under the pipe and for the width of the trench shall be removed and replaced with well-compacted bedding material.
- (b)
  - 1. Bedding, other than concrete embedment, shall consist of gravel, crushed gravel, or crushed stone one-fourth inch to three-fourths inch in size.
  - 2. At a minimum, the material shall conform to the requirements of Article 704.01 of the State of Illinois *Standard Specifications for Road and Bridge Construction*, or ASTM C-33.
  - 3. The gradation shall conform to gradation CA-7, CA-8, CA-11, or CA-13 of the State of Illinois *Standard Specifications* or to ASTM Gradation No. 67.
  - 4. The pipe shall be laid so that it will be uniformly supported and the entire length of the pipe barrel will have full bearing.
  - 5. No blocking of any kind shall be used to adjust the pipe to grade except when used with embedment concrete.



6. Bedding shall be required for all sewer construction, except ductile iron pipe, and shall be a minimum thickness equal to one-fourth of the outside diameter of the sewer pipe but shall not be less than four inches.

(4) *Pipe laying.*

- (a) Pipe shall be laid straight both horizontally and vertically between manholes.
- (b) Pipe laying and joining shall be done in accordance with the pipe manufacturer's recommendations.
- (c)
  1. Pipe shall not be dropped from delivery vehicles.
  2. All pipe shall be lowered into the trench with a suitable apparatus; in no case shall the pipe be dropped or thrown.

(5) *Connections.*

- (a) Connections to the sewer main shall be done by means of a wye fitting installed in the main.
- (b) When sewer mains are deeper than ten feet, risers shall be installed at connections such that service pipe shall be no more than ten feet deep.
- (c) Unused wye fittings shall have socket ends sealed by watertight rubber or plastic stoppers suitable fastened or braced to prevent dislodging by back pressure from the main line.
- (d)
  1. Connections to existing sewer mains shall be made by installing a new wye fitting or by use of a circular sawcut by proper tools ("sewer tap" machine or similar) and installation of a wye saddle in accordance with manufacturer's recommendations.
  2. All the connections shall be done in the presence of the Village Engineer.
- (e)
  1. The contractor shall keep a record of the location of all sewer services by measurement to the nearest downstream manhole.
  2. The records shall be delivered to the Village Engineer at the completion of the work.

(6) *Backfilling.*

- (a) Backfilling shall not be done until installation of the sewer has been inspected and approved by the Village Engineer.
- (b) Backfill to one foot above the top of the pipe shall be done with material conforming to bedding material or CA-6 specifications placed in six-inch lifts compacted to 95% maximum density.
- (c) Excavations for sewers which are beneath any existing or proposed pavements, driveways, and sidewalks and any trenches where the inner edge is within two feet of the areas shall be backfilled with CA-6 material in nine-inch lifts compacted to 95% maximum density.
- (d)
  1. Excavations for sewers not beneath or within two feet of existing or proposed paved areas shall be backfilled from one foot above the sewer with material excavated from the trench, unless the material is determined to be unsuitable by the Village Engineer.

2. The material shall be free from clods and rocks and shall be placed in 12-inch lifts and compacted.

(E) *Inspection and testing.* It shall be the intention of this subchapter to secure a sewer system with a minimum amount of infiltration. Maximum allowable infiltration shall be 200 gallons per inch of diameter of the sewer per mile per 24-hour day at any time for any section of the system. The joints shall be tight and visible leakage in the joints, or leakage in excess of that specified above, shall be repaired at the contractor's expense by means approved by the Village Engineer.

(1) *T.V. testing.*

- (a) Prior to submission of the request for final inspection (RFI) to the Northern Moraine Wastewater Reclamation District a T.V. inspection of the sewer shall be made.
- (b) 1. Prior to acceptance or approval of the sanitary sewer main and again prior to expiration of the maintenance guarantee, the mains shall be inspected through use of standard T.V. equipment for sewer inspections.
  2. The T.V. inspection shall be done by the Village Inspection Service.
- (c) Fees for T.V. inspections shall be as established in §§ 153.085 through 153.094.

(2) *Infiltration/exfiltration testing.*

- (a) Prior to Village approval of the sanitary sewer system and before any connections are made, the system shall have passed infiltration or exfiltration tests conducted by both the Northern Moraine Wastewater Reclamation District and the Village.
- (b) 1. Immediately after backfilling, the entire length of the sewer trench, including stubs, shall be inundated to normal ground water level or 18 inches above the top of the sewer pipe, whichever is higher.
  2. At that time, infiltration tests shall be made to determine compliance with allowable infiltration criteria.
  3. To measure the amount of infiltration, the contractor shall furnish, install, and maintain a v-notch shape crested weir in a metal frame tightly secured at the lower end of each sewer test section as directed by the Village Engineer.
  4. The Village Engineer will check the infiltration by measuring the flow over the weirs.
  5. When infiltration is demonstrated to be within the allowable limits, the contractors shall remove the weirs.
- (c) 1. If during the construction of the sewer system, the Village Engineer shall determine that it is impractical to obtain a proper infiltration test, then a test for watertightness shall be made by bulkleading the sewer at the manhole at the lower end of the section under test and filling the sewer with water to 18 inches above the top of the sewer in the manhole at the upper end of the section.
  2. Leakage will then be the measured amount of water added to maintain the above-described level at a maximum allowable exfiltration rate of 200 gallons per inch diameter per mile per day.

(F) *Records; as-built drawings.* For all projects involving extensions to sanitary sewer mains, there shall be submitted to the Village Engineer reproducible mylar drawings, maximum size 12 feet by 18 feet, of the “as built” plans showing the actual locations and grades of sewers and manholes and the locations of the service connection to the main and terminus of the service.

(G) *Ownership of sanitary sewer system.* All right, title, and interest in and to the sanitary sewers to be accepted by the Village shall rest in the Village.

(Ord. 9-4-A, passed 10-15-2008) Penalty, see § 153.999

## **§ 153.049 STORM SEWERS AND DRAINAGE.**

(A) *Generally.*

- (1) All developments, whether public or private, shall include provisions for the construction of storm sewers and appurtenances.
- (2) The storm sewer system shall be separate and independent of the sanitary sewer system.
- (3) All storm sewers, streams, or channels shall be designed to accommodate storm water runoff from all areas which naturally flow to the area of development.
- (4) All construction and maintenance of storm sewers shall be at the developer’s expense prior to acceptance of dedication thereof by the Village.

(B) *Design.*

- (1) *Design flows.* Storm sewers, streams, and channels shall be designed based on the rational method using the formula:  $Q = c \times i \times A$ , where:
  - (a) Q = Runoff flow in cubic feet per second;
  - (b) c = Runoff coefficient, characteristic of the tributary area in dimensionless units;
  - (c) i = Average rainfall intensity in inches per hour; and
  - (d) A = Tributary drainage area in acres.
- (2) *Drainage area.*
  - (a) The drainage, in acres, used for design shall be the entire watershed tributary to the point in the storm sewer system under consideration.
  - (b) It shall include any tributary area that may be outside the development.
- (3) *Rainfall intensity.*
  - (a) The average rainfall intensity used for design shall be selected from rainfall intensity curves based on U.S. Weather Bureau measured rainfall.
  - (b) The rainfall intensity for storm sewers and channels shall be determined from the ten-year storm curves.
  - (c) The rainfall intensity for streams and channels shall be determined from the 100-year storm curves.

- (d) The elapsed duration time used to select the rainfall intensity shall be equal to the time of concentration defined as the time (in minutes) for the flow from the most remote point of the drainage area to reach the point under consideration.
- (e) For storm sewer design, the maximum time of concentration to a storm sewer inlet shall be 20 minutes.

(4) *Runoff coefficients.*

- (a) The runoff coefficient is the ratio of runoff to rainfall.
- (b) Runoff coefficients for ten-year storms shall be a minimum of:

Impervious areas - C = 0.90
Pervious areas - C = 0.25

- (c) Runoff coefficient, for 100-year storms shall be a minimum of:

Impervious areas - C = 0.95
Pervious areas - C = 0.50

- (d) Runoff coefficients for undeveloped areas outside of the limits of the proposed development shall be a minimum of C = 0.35 for ten-year storms and C = 0.60 for 100-year storms.

(5) *Storm sewer; stream and channel hydraulics.*

- (a) Storm sewers, streams, and channels shall be designed to provide design flow capacity based on Manning's formula:  $Q = A \times 1.486/n \times R^{2/3} \times S^{1/2}$ , where:

1. Q = Quantity of flow in cubic feet per second;
2. A = area of the conduit in square feet;
3. n = roughness coefficient of the conduit - dimensionless;
4. R = hydraulic radius = area divided by wetted perimeter; and
5. S = slope in feet per foot.

- (b) Roughness coefficients:

Concrete pipe	n = 0.013
Channel - sodded	n = 0.020
Streams - clean	n = 0.030
Streams - obstructed	n = 0.150

(c) Design velocities shall be:

Storm sewers	Minimum 2 f.p.s.	Maximum 10 f.p.s.
Channels and streams		
Lined	Minimum 2 f.p.s.	Maximum 10 f.p.s.
Unlined	Minimum 2 f.p.s.	Maximum 5 f.p.s.

(6) *Storm sewers.*

- (a) Minimum storm sewer size shall be 12 inches.
- (b) Storm sewers shall be laid straight in both horizontal and vertical planes between structures unless otherwise approved by the Village Engineer.
- (c)
  - 1. Storm sewers of differing diameters shall join at structures only.
  - 2. The invert elevations shall be adjusted to maintain a uniform energy gradient by matching the eight-tenths depth points of the differing diameters.
- (d)
  - 1. Inlets shall be provided so that surface water is not carried across or around street intersections.
  - 2. Inlets shall be spaced such that overland flow shall not build up a flow exceeding two cubic feet per second except that inlets shall not exceed 400-foot spacing.
  - 3. Inlets shall be provided at all low points.
- (e) Manholes shall be provided at:
  - 1. Changes in direction (horizontal or vertical);
  - 2. Changes in shape or size of pipe;
  - 3. Junction of pipes; and
  - 4. Maximum spacing 400 feet for sewers 42 inches in diameter and smaller; 500 feet for sewers 48 inches and larger.

(7) *Drainageways.*

- (a)
  - 1. Existing streams and channels may be realigned and improved subject to approval of the Village Engineer.
  - 2. New open channels may be provided, if approved by the Village Engineer, for locations servicing 80 acres or larger.
  - 3. All construction on streams and channels is subject to review and approval by the Illinois Department of Natural Resources, and the Army Corps of Engineers, as required.

- (b) 1. Where streams and channels are realigned or improved, the bottom shall be stabilized full width with a minimum four-inch diameter river rock “choked” with limestone screenings or grass paving block as approved by the Village Engineer.
- 2. The banks shall be protected from erosion by a method approved by the Village Engineer.
- (c) 1. A minimum ten-foot access maintenance easement shall be provided at the top of each bank of all streams and channels.
- 2. The easement shall be kept free and clear of any and all structures, shrubbery, and the like.
- (d) If new channels are approved by the Village Engineer, they shall be improved as follows:
  - 1. Side slopes, six horizontal to one vertical maximum;
  - 2. Minimum width of bottom six feet; and
  - 3. Bottom of channel shall be stabilized full width with a minimum four-inch river rock diameter “choked” with limestone screenings or grass paving blocks as approved by the Village Engineer. The banks shall be protected from erosion by a method approved by the Village Engineer.

(8) *Flood plains.*

- (a) All construction in flood plains shall conform to the flood plain regulations of this code.
- (b) Compensatory storage shall be required for all fill and construction done within the flood plain areas.
- (c) Streets in flood plain areas shall be designed such that the lowest elevation of minor streets and cul-de-sacs shall be at or above the base flood elevation and the lowest elevation of all other streets shall be one foot above the base flood elevation.

(C) *Allowable materials.*

- (1) Storm sewers shall be reinforced concrete pipe conforming to ASTM C76 Wall B standards for round pipe or ASTM C-507 for elliptical pipe. Class of pipe shall conform to § 603 of the *Standard Specifications for Road and Bridge Construction*, Illinois Department of Transportation. Alternate storm sewer materials may be allowed upon review and approval of the Village Engineer.
- (2) (a) Pipe joints shall be “O” ring joints conforming to ASTM C-443 or bitumastic joints.
- (b) The bitumastic joint filler shall be made from a homogenous blend of bitumen, inert filler and suitable solvent approved by the Director of Public Works.
- (c) It shall be such that it will blow freely at 250°F, with a melting point of not less than 200°F and shall harden to a consistency that will not result in a plastic flow at 80°F.
- (3) Manholes, catchbasins, and inlets shall be pre-cast reinforced concrete conforming to ASTM C-478.

- (4) Joints between manhole, catchbasin, and inlet sections shall be filled with pre-formed bitumastic joint filler of sufficient size to completely seal.
- (5) Adjusting rings shall be pre-cast concrete rings.
- (6) (a) Inlet and catchbasin frames and grates in paved areas shall be Neenah R-2014D, or approved equal.
  - (b) Inlet and catchbasin frames and grates in grassed areas shall be Neenah R-4340-B, or approved equal.
  - (c) Manhole frames and grates shall be Neenah R-1072 or approved equal, embossed "storm" and "Port Barrington."
  - (d) Steps shall be Neenah R-1981 or approved equal.
- (7) Bedding and trench backfill for storm sewers shall conform to Article 704.11 of the *Standard Specifications for Road and Bridge Construction*, Illinois Department of Transportation and conform to gradation CA-6 or CA-10. In no case shall tunnel rock be allowed.

(D) *Construction.*

- (1) Storm sewers shall be constructed in accordance with the *Standard Specifications for Road and Bridge Construction*, Illinois Department of Transportation, *Standard Specifications for Water and Sewer Main Construction in Illinois*, the "pipe manufacturer" recommendations, and this Chapter.
- (2) Trenches for storm sewers located under or within two feet of a paved area shall be backfilled with trench backfill and compacted by mechanical means to 95% standard laboratory density.
- (3) Adjusting rings for manholes, catchbasins, and inlets shall be limited to a maximum of three rings and maximum height of 12 inches.
- (4) When adjusting rings are required on structures, a cement mortar or bituminous material coating shall be applied to the outside of the rings.
- (5) Lifting holes in structure sections and sewer pipe shall be plugged with appropriate sized concrete lift plugs and coated with bituminous material.

(E) *Inspection and testing.*

- (1) All sewers and appurtenances shall be cleaned prior to inspection and testing.
- (2) (a) Upon completion of construction and prior to acceptance of the storm sewer and again prior to expiration of the maintenance guarantee, the storm sewers shall be inspected through use of standard T.V. equipment.
  - (b) The T.V. inspections shall be done by the Village Engineer.

(c) All deficiencies noted during the T.V. inspection shall be repaired by the contractor at his or her expense by means approved by the Village Engineer.

(d) Fees for T.V. inspections shall be as established in §§ 153.085 through 153.094.

(F) *Detention requirements.*

(1) *Generally.*

(a) All commercial and industrial zoned development, regardless of size, and all residential developments five acres or larger shall include provisions for storm water holding facilities.

(b) All storm water detention facilities other than roof tops, parking lots, and/or underground storage shall be located not less than 75 feet from any building or structure to be occupied.

(2) *Design.*

(a) All detention basins shall be designed in accordance with the requirements of the *Lake County Storm Water Management Manual* and this code.

(b) 1. The allowable release rate from the detention facility shall not exceed the runoff rate from the subject area in its natural undeveloped state.

2. The release rate shall be based on the runoff from a three-year storm and a runoff coefficient of fifteen-hundredths, except that in no case shall the release rate be greater than twenty-hundredths c.f.s. per acre.

(c) Detention basin discharge structures shall be designed such that they have sufficient capacity to discharge the allowable release rate from the development and any storm water flowing through the property from all tributary area outside of the development.

1. For the purpose of designing the storm water drainage systems, it shall be assumed that the runoff rate from upstream lands within the drainage basin is that which would result from a rainstorm of a three-year frequency at a runoff rate coefficient of one hundred fifty-five thousandths in cases where there are retention basins in the upstream drainage area.

2. Whenever upstream detention facilities have a release rate that is less than the maximum permitted by this Paragraph (F), then allowance shall be made for the reduced runoff rate in calculating the capacity of the drainage system or structure.

3. Whenever detention facilities have not been provided and are not required to be provided for any part of the upstream land in the drainage area, then the bypass flow rate for subdivisions and developments for which storm water detention facilities are required by this Paragraph (F) shall use a runoff coefficient of not less than thirty-five hundredths.

(d) 1. The detention volume required shall be that necessary to store the runoff of a 100 rainfall, for any and all durations, from the fully developed drainage area tributary to the reservoir, less that volume discharged during the same duration at the approved release rate.

2. The runoff coefficients used to determine the runoff from the 100-year storm shall be not less than  $C = 0.95$  for impervious areas and  $C = 0.50$  for pervious areas.



- (e) 1. Dry detention basins shall be designed with side slopes not steeper than six horizontal to one vertical.
2. The basin floor shall have a slope of not less than 2%.
3. In order to prevent soil erosion and weed problems and to provide for usable active recreational areas during dry weather, the detention basin shall be landscaped including sodding and/or hydro-seeding of the basin as required.
4. The basin shall also have a low flow underdrain consisting of a minimum ten-inch storm sewer or perforated drain tile.
  
- (f) 1. Detention basins with permanent ponds shall be graded such that the area one foot above the normal water level to three feet below normal water level has a slope of three horizontal to one vertical.
2. The area from one foot above normal water level to two feet below normal water shall have a shore line protection consisting of natural rocks with a minimum 12-inch diameter.
3. At the point three feet below normal water, a level ledge five feet wide shall be constructed.
4. From the edge of this five-foot ledge, the ground shall slope at two horizontal to one vertical for an additional three-foot depth.
5. If fish life is to be sustained in the basin, an area equal to 25% of the normal water surface shall be a minimum of 12 feet deep.
6. The ground above one foot above the normal water elevation shall have a slope not steeper than ten horizontal to one vertical for a minimum horizontal distance of 20 feet.
7. Above this elevation, the slopes within the basin shall not be steeper than six horizontal to one vertical nor shallower than 2%.

(Ord. 9-4-A, passed 10-15-2008) Penalty, see § 153.999

## **§ 153.050 WATER DISTRIBUTION SYSTEM.**

### *(A) Generally.*

- (1) All developments shall include provisions for the construction of a water distribution system complete with valves, fire hydrants, and other appurtenances as required by this code.
- (2) The water supply facility of any building, located within the Village, the property line of which building is located within 200 feet of a water main line, shall have the water supply facilities connected to the water main line.
- (3) All existing buildings presently within the Village that are being served by a private well are exempt from this section until such time that their well becomes inoperable at which time, they will be required to connect onto the Village water main.
- (4) Any parcel and/or building located outside the Village shall be required to annex into the Village prior to connection onto the Village water supply and any and all expenses incurred to extend the water supply would be totally at the owner's expense. Water mains shall be extended to the property line of the development along public rights-of-way and at other locations as required by the Village Engineer.

(4) All construction, installation and maintenance of water lines and related water supply facilities, and all connections to the Village's water distribution system, shall be at the owner's or developer's expense in substantial compliance with the Village's regulations relative thereto prior to any acceptance of dedication thereof by the Village.

(B) *Specifications.* The water distribution system shall be designed and installed in accordance with the grading schedule for municipal fire protection, Insurance Services Office-recommended fire flows, *Illinois Environmental Protection Agency Division of Public Water Supply Technical Policy, Statements*, as amended from time to time, and this Chapter.

(C) *Design.*

(1) *Generally.* A complete water distribution system shall be designed to serve the entire development. The water mains shall be of adequate size to supply the required domestic consumption and fire flow demand with a required minimum 20 psi residual pressure.

(2) *Design flows; domestic and fire protection.* For purposes of water main design, maximum day flows shall be based on the following:

<i>Location of Type</i>	<i>Domestic</i>	<i>Fire Flow</i>
Residential: single-family detached	100 gpcd	1,500 gpm
Residential: single-family attached (townhome) with approved fire wall	100 gpcd	2,000 gpm
Residential: multi-family	100 gpcd	3,000 gpm
Office	50 gpcd	3,000 gpm
Commercial	60 gal/employee/shift	6,000 gpm
Industrial	75 gal/person/shift	6,000 gpm
NOTES TO TABLE: Flow shall be calculated using a "C" factor of 100, ignoring fittings, and with a minimum residual pressure of 20 psi.		

(3) *Pipe size.*

(a) The minimum water main pipe size shall be six inches in diameter.

(b) Six-inch diameter pipes shall only be used on water mains servicing no more than one fire hydrant or 12 or fewer residences.

(c) At all other locations in residential areas and in all commercial and industrial developments, a minimum diameter of eight inches is required.

(4) *Fire hydrants.*

- (a) Hydrants shall be installed at all street intersections and at maximum 300-foot spacing along the lengths of streets.
- (b) 1. When a building to be occupied will be set back 250 feet or more from a street or is located more than 300 feet from a hydrant, additional hydrants shall be installed such that one hydrant shall be located at the entrance to the building and hydrants shall be provided around the perimeter of the building at maximum 250-foot spacing measured along access roads.  
2. The hydrants shall be installed not more than 50 feet nor less than 25 feet from the building.
- (c) Fire hydrant spacing plans shall be submitted to the Code Enforcement Officer for review and approval.

(5) *Valves and vaults.*

- (a) Valves shall be located on water mains so as to be able to isolate sections of main from the entire system with minimum disruption of service.
- (b) 1. Valves shall be installed so that not over 800 feet of water main, with services, will be shut off at any time.  
2. Transmission lines with no service connections shall have valves located so that not over 1,200 feet of main will be shut off at any time.  
3. Valves on water mains servicing single-family residential areas shall be installed so that no more than 800 feet of water main and/or no more than 25 units shall be affected when shutting off a section of main.
- (c) Valves shall be located so that it will require no more than four valves to be closed to isolate a section of water main.
- (d) 1. Valve vaults are required on all valves two and one-half inches or larger.  
2. Valve vaults shall be 48-inch inside diameter for valves eight inches and smaller and 60-inch inside diameter or larger with offset cones for valves larger than eight inches.

(6) *Thrust blocks.*

- (a) Thrust blocks shall be required at all hydrant tees and bends.
- (b) Where undisturbed earth is not available or not likely to be available to support the thrust blocks, tie rods and/or retaining glands shall be used as approved by the Village Engineer.

(7) *Depth of water mains.* All water mains shall be constructed five feet, six inches, below final grade unless otherwise approved by the Village Engineer.

(8) *Separation of water mains and sewers.* Separation and protection of water mains from sewers shall comply with the *Illinois Environmental Protection Agency Division of Public Water Supplies Technical Policy Statements*, as amended from time to time.

(9) *Service connections.*

- (a) All water service lines shall be designed with a minimum diameter necessary to provide adequate domestic and fire flow use.
- (b) Water service line servicing single-family residences shall be a minimum of one inch in diameter.

(D) *Allowable materials.*

(1) *Water main pipe.*

- (a) All water pipe shall be ductile iron pipe conforming to AWWA specification C-151 (ANSI A21.51).
- (b) Pipe shall have a minimum thickness Class 52 conforming to AWWA specification C-150 (ANSI A21.50).
- (c) All pipe shall have a minimum laying length of 18 feet.
- (d) Pipe joints shall be push-on joints or mechanical joints conforming to AWWA C-111 (ANSI 21.11).
- (e) All pipe shall be cement-mortar lines in accordance with AWWA C104 (ANSI A21.4).

(2) *Water main fittings.*

- (a) All water main fittings shall be ductile iron fittings conforming to AWWA specification C-110 (ANSI 21.10).
- (b) Fittings shall be cement-lined in accordance with AWWA C-104 (ANSI A21.4).

(3) *Valves.*

- (a)
  - 1. Valves eight inches and smaller shall be iron body, bronze-mounted double disc, parallel set, nonrising stem gate valves conforming to AWWA C-500.
  - 2. Valves shall open counter-clockwise.
  - 3. Joints shall be mechanical or push-on type conforming to AWWA C111.
  - 4. Valves shall be Mueller A-2380 or Traverse City A-230-“O” ring seal.
  - 5. Other valves may be allowed upon review and approval of Village Engineer.
- (b)
  - 1. Valves larger than eight inches shall be ductile-iron body, rubber-sealed, tight closure butterfly valves conforming to AWWA C-504.
  - 2. Valves shall be Class 150B and shall open counter-clockwise and be operated by a two-inch square nut. Joints shall be flanged joints.
  - 3. Valves shall be Pratt-Groundhog Butterfly or Mueller Lineseal III.

(4) *Valve vaults.*

- (a) Valve vaults shall consist of pre-cast reinforced concrete sections meeting ASTM C-478 and ASTM C-443 standards.

- (b) Adjusting rings shall be pre-cast concrete rings.
- (c) Vault steps shall be Neenah R-1981-1 or approved equal.
- (d) Frame and grates for valve shall be Neenah R-1712 or approved equal, embossed "Water" and "Port Barrington" and have recessed pickhole.

(5) *Fire hydrants.*

- (a) Fire hydrants shall be dry-barrel type with break-type flange and auxiliary gate valves and shall conform to AWWA C-502.
- (b) Hydrants shall have two, two and one-half inch hose outlets and one, four and one-half-inch national standard thread outlet.
- (c)
  - 1. Hydrants shall have a main valve opening of five and one-quarter inches with a six-inch auxiliary valve with mechanical joints.
  - 2. The auxiliary valve shall have a three-piece valve box.
- (d) Hydrants shall be painted yellow.

(6) *Service connections.*

- (a)
  - 1. All water service lines two inches in diameter or smaller shall be constructed of Type K copper with flared fittings.
  - 2. Service lines four inches and larger shall be ductile iron conforming to allowable water main material specifications.
- (b)
  - 1. Service connection to the water main for services less than two inches in diameter shall be with a Mueller doublestrap bronze service clamp and a corporation stop Mueller H-15020 or approved equals.
  - 2. Service connections to the water main for services four inches or larger shall be made with a ductile iron fitting conforming to water main fitting specifications.
- (c)
  - 1. Each service less than two inches in diameter shall have a curb stop Mueller H-15151 and a curb box Mueller H-10302 or approved equals.
  - 2. Curb boxes in paved areas shall be Mueller H-10350.
  - 3. Services four inches and larger shall have gate valves conforming to water main gate valve specifications.

(7) *Bedding and trench backfill.*

- (a) Aggregate for bedding when required and for trench backfill shall conform to requirements of Article 704.01 of the *Illinois Standard Specifications for Road and Bridge Construction*, and conform to gradation CA-6 or CA-10.
- (b) In no case shall tunnel rock be allowed.

(E) *Construction.*

(1) *Water Mains.* Water mains and appurtenances shall be installed in conformance with AWWA C-600, the material manufacturer's recommendations, the standard specifications for water and sewer main construction in the State of Illinois, and this Chapter.

(2) *Trench backfill.*

(a) Trench backfill shall be required in all locations where the water main trench is under or within two feet of existing or proposed pavements, including, but not limited to, streets, sidewalks, and driveways.

(b) The trench backfill shall be placed in lifts not exceeding eight inches and shall be mechanically compacted to do not less than 95% of the standard laboratory density.

(c) Backfill in water main trenches under existing or proposed streets shall consist of trench backfill as noted above, except that the area from six inches to one foot, six inches, above the pipe shall be an impervious clay material compacted to 95% standard laboratory density.

(3) *Water in trench.*

(a) Where water is encountered in the trench, it shall be removed during pipe-laying and jointing operations.

(b) Trench water shall not allowed to enter the pipe at any time.

(4) *Water system connections.* All connections to the existing water system shall be made under full water service pressure unless otherwise approved by the Village Engineer.

(5) *Butterfly valves.*

(a) All butterfly valves shall be attached to the water main with a MJ and flange connector to facilitate removal of the valve.

(b) The valve vault shall be of sufficient size to accommodate the valve and connector.

(6) *Fire hydrants.*

(a) Fire hydrants shall have a minimum of seven cubic feet of one inch to one and one-half inch washed river stone placed at the base of the hydrant to provide drainage at the barrel.

(b) Auxiliary valves shall be connected to hydrants.

(c) 1. The break-line flange of hydrants shall be not less than one inch nor more than three inches above finished ground elevation.

2. Hydrants in street rights-of-way shall be placed not less than three feet, nor more than five feet from the back of curb.

(7) *Miscellaneous.*

- (a) Water service lines shall have a minimum cover of 60 inches.
- (b) Copper service lines shall not have intermediate unions, unless approved by the Village.
- (c) 1. Curb stops and curb boxes shall be located in public rights-of-way.  
2. The curb stops and boxes shall not be located in any paved areas unless approved by the Village Engineer.

(F) *Pressure test.*

- (1) (a) As part of the construction of development, all water mains shall be pressure tested as described in this section.
  - (b) The Village Engineer shall be notified of the time of the test a minimum of 24 hours prior to the test.
- (2) (a) All newly laid pipe shall be subjected to a hydrostatic pressure of 150 pounds per square inch.
  - (b) The duration of each pressure test shall be for a period of not less than two hours.
  - (c) Each valved section of pipe shall be filled with water and the specified test pressure shall be applied by means of a pump connected to the pipe.
  - (d) Before applying the specified test pressure, all air shall be expelled from the pipe.
  - (e) All leaks shall be repaired until tight.
  - (f) Any cracked or defective pipes, fittings, valves, or hydrants discovered in consequence of this pressure test shall be removed and replaced and the test repeated until satisfactory results are obtained.
- (3) All testing shall be done after the installation of service lines. Suitable means shall be provided for determining the quantity of water lost by leakage under the specified test pressure.
  - (a) Allowable leakage shall not be greater than that computed as follows:  $L = [N \times D \times (P)^{1/2}] / 7,400$ , where:
    - 1. L = Allowable leakage in gallons per hour;
    - 2. N = Number of joints in length of pipeline tested;
    - 3. D = Nominal diameter of the pipe in inches; and
    - 4. P = Average test pressure during leakage test in pounds per square inch gauge.
  - (b) Leakage is defined as the quantity of water required to be supplied to the newly laid pipe necessary to maintain the specified leakage test pressure.

(G) *Preliminary flushing.*

- (1) Prior to chlorination, the main shall be flushed as thoroughly as possible with the water pressure and outlets available.
- (2) Flushing shall be done after the pressure test is made.
- (3) It must be understood that the flushing removes only the lighter solids and cannot be relied upon to remove heavy material allowed to get into the main during laying.
- (4) If no hydrant is installed at the end of a main, a tap should be provided large enough to effect a velocity in the main of at least two and one-half feet per second.

(H) *Disinfection.*

- (1) (a) The preferred point of application of the chlorinating agent shall be at the beginning of the pipe line extension of any valved section of it and through a corporation stop in the top of the newly laid pipe.  
(b) The injector for delivering the chlorine-gas into the pipe should be supplied from a tap on the pressure side of the gate valve controlling the flow into the pipeline extension.
- (2) (a) Water from the existing distribution system or other source of supply shall be controlled so as to flow slowly into the newly laid pipeline during the application of chlorine-gas.  
(b) The rate of chlorine mixture flow shall be in such proportion to the rate of water entering the pipe that the chlorine dose applied to the water entering the newly laid pipe shall be at least 40 to 50 ppm, or enough to meet the requirements during the retention period.  
(c) This may require as much as 100 ppm of chlorine in the water left in the line after chlorination.
- (3) Valves shall be manipulated so that the strong chlorine solution in the line being treated will not flow back into the line supplying the water.
- (4) (a) Treated water shall be retained in the pipe long enough to destroy all spore forming bacteria.  
(b) This retention period shall be at least 24 hours.  
(c) After the chlorine-treated water has been retained for the required time, the chlorine residual at the pipe extremities and at other representative points should be at least ten ppm.
- (5) In the process of chlorinating newly laid pipe, all valves or other appurtenances shall be operated while the pipeline is filled with the chlorinating agent.
- (6) (a) All water mains shall be disinfected and tested according to the requirements of the *Standards for Disinfecting Water Mains*, AWWA C601, and as required by this Chapter.



- (b) All disinfection, as required by this Chapter, shall be performed by an independent firm exhibiting experience in the methods and techniques of this operation, and shall be done in the presence of the Village Inspector.
- (c) The Village Inspector shall be notified of the time of disinfection, minimum of 24 hours prior to the disinfection.

(I) *Final flushing and testing.*

- (1) (a) Following chlorination, all treated water shall be thoroughly flushed from the newly laid pipeline at its extremities until the replacement water, throughout its length shall, upon test, be approved as safe water by the Village Inspector.
- (b) This quality of water delivered by the new main should continue for a period of at least two full days as demonstrated by laboratory examination of samples taken from a tap located and installed in such a way as to prevent outside contamination.
- (c) Samples should never be taken from an unsterilized hose or from a fire hydrant, because the samples seldom meet current bacteriological standards.
- (2) (a) Samples shall be taken by the firm performing the disinfection of the main and in the presence of the Village Inspector.
- (b) The sample shall be taken by the Village Inspector to an approved laboratory for analysis.

(Ord. 9-4-A, passed 10-15-2008) Penalty, see § 153.999

**§ 153.051 STREET LIGHTING IMPROVEMENTS.**

(A) *Generally.*

- (1) All development shall include the design and construction of street lighting facilities for the illumination of all roadways, public or private, which lie in or border the development and all parking lots within the development, all of which shall be installed and maintained at the developer's sole cost and expense until accepted by the Village.
- (2) Street lighting to be accepted by the Village shall be constructed within the public right-of-way or in easements dedicated to the Village.

(B) *Specifications.* Street lights and appurtenances shall be designed and installed according to the *American Standard Practice for Roadway Lighting*, current edition, the National Electric Code, current edition, as amended by the Village electrical code, and this Chapter.

(C) *Street light locations.*

- (1) *Residential, commercial, and industrial districts.*
  - (a) 1. Poles shall be located at all intersections and spaced at a distance not exceeding 300 feet from one another for midblock locations.

2. Poles shall also be located at the ends of cul-de-sacs and a curve in the roadway as required by the Village Engineer.
  3. Poles shall be set in the parkway two feet from the back of curb.
  4. Where the distance between the sidewalk and the curb is such that this location is impractical or where the sidewalk is adjacent to the curb, the Village Engineer shall be consulted for an alternate location for the pole.
- (b)
1. Unless otherwise directed by the Village Engineer, the direction of the support arm shall be at right angles to the intersection of the centerlines of the intersecting streets at a four-legged intersection.
  2. At "T" intersections, a pole shall be provided on the centerline extended of the terminating street at the top of the "T" with the support arm extending toward the center of the intersection.
  3. Between intersections, mast arms shall be orientated at right angle to the centerline.
  4. In cul-de-sacs, lights shall be placed in the center median or if no center median is to be constructed, at the end of the cul-de-sac along the centerline extended.
- (2) *Arterials and collector streets.* Poles shall be located at intersections and spaced such that the illumination meets the following criteria:
- (a) Maintain one and two-tenths average foot candles (after depreciation);
  - (b) Maximum/minimum ratio six to one; and
  - (c) Average/minimum ratio three to one.

(D) *Light pole requirements.*

- (1) (a) All poles shall be round-tapered seamless poles fabricated from aluminum alloy 6063 - T6.
  - (b) Poles shall be provided with bolt-down anchor bases and handholes.
  - (c) Anchor bases and handhole frames shall be manufactured from aluminum alloy 356 - T6.
- (2) (a) Bracket arms shall be truss tapered elliptical arms manufactured from aluminum alloy 6063 - T6.
  - (b) Bracket arm shall taper to two and three-eighths inches at luminaire end.
- (3) (a) Poles shall be designed and fabricated to withstand 80 mph winds and associated wind gusts and vibrations.
  - (b) The light poles shall be able to support a luminaire panel up to one and seven-tenths square feet.

- (c) All poles shall be designed in conformance with AASHTO's standard specifications for structural supports for highway and traffic signals.
- (4) (a) In residential areas, the lighting standards shall have bolt-down bases and shall be constructed of spun aluminum with a 25-foot mounting height.
  - (b) The lighting standards shall be Pfaff and Kendell Model EHT 7x425-120/SB2H-156, Union Metal Model B-704D-220-DZ, or approved equal.
- (5) (a) In commercial or business areas, the lighting standards shall have bolt-down bases and shall be constructed of spun aluminum with a 30-foot mounting height.
  - (b) The lighting standard shall be Pfaff and Kendell Model EHT 7x430-120/SB2H-156, Union Metal Model B-804-D270-D2, or approved equal.
  - (c) In cases where bronze finish is desired, the finish shall be anodized duranotic dark bronze finish on spun aluminum.
  - (d) Painted steel poles shall not be allowed.

(E) *Luminaires and lamps.*

- (1) The luminaires shall consist of a housing, reflector, reflector holder, lamp socket, slipfitter, and three terminal photoelectric cell.
- (2) The luminaires and lamps shall be mercury vapor lamp (white or color-corrected) in residential zones and high pressure sodium in commercial or industrial zones.
- (3) All fixtures components shall be designed to operate under all environmental conditions.
- (4) All luminaires shall be designed and wired to operate on 60 hertz alternating current with a multiple tap high power factor (95+% PF) regulator type ballast.
- (5) All lenses shall be heat resistant borosilicate glass.
- (6) All fixtures shall be designed to operate at -20°F (-28°C) minimum starting temperature.
- (7) (a) The mercury vapor luminaire shall have a die-cast aluminum housing with a removable ballast assembly, acrylic or borosilicate glass refractor, photoelectrical cell receptacle and cell multitap reactor type ballast and universal slipfitter.
  - (b) Acceptable units include General Electric MPowr/Door, ITT horizontal luminaire, or approved equal.
- (8) The high pressure sodium luminaire may be either the conventional horizontal flat lens cobra head type or the decorative shoebox type, either of which shall be the cutoff type fixture.
  - (a) 1. The cobra head type shall have die-cast aluminum housing, removable ballast assembly, a photoelectrical cell receptacle and cell, a multiple tap reactor type ballast and universal slipfitter receptacle.

2. Acceptable units include General Electric M-Powr/Door, ITT series 154 power-pad horizontal luminaire, or approved equal.
- (b) 1. The high-pressure sodium decorative shoebox type fixture shall have a die-cast aluminum housing, removable ballast assembly, a photoelectric cell receptacle and cell, and a multiple tap reactor type ballast.
2. Acceptable units include crouse-hinds RAL, ITT series 154-power-pad horizontal cutoff, or approved equal.

(F) *Wire/cable requirements.*

- (1) (a) All wire and cable installed under this section from the power source to the lighting standards shall be contained in either unitduct manufactured from high density smooth wall polyethylene electrical plastic duct or heavywalled galvanized steel conduit.
- (b) Direct burial of all wire and cable under this section is prohibited.
- (c) All wire and cable installed under this section shall be heat- and moisture-resistant, Type XHHW, and be suitable for use at 167°F (75°C) and shall have insulation rated at 600V.
- (d) The bare ground wire shall be #8AWG stranded copper wire.
- (2) (a) All wire shall be subject to an insulation test to ground after installation.
- (b) The minimum acceptable resistance to ground shall be 250,000 ohms.
- (c) Any section of wiring failing to pass the minimum insulation test for any reason or showing an obvious short circuit shall be rejected.
- (d) All wire, cable, and unitduct to be furnished shall be buried not less than 30 inches below finished grade.
- (3) (a) All runs shall be continuous without splice in cable or unitduct from pole handhole to pole handhole or to control cabinet.
- (b) Cable slack shall be provided such that there is a minimum of two feet of slack at the base of all light standards.
- (4) (a) Adequate slack shall be provided such that the service connection can be made without splices other than at the power source.
- (b) In the case of aerial service, rigid steel conduit for service pole riser including insulated bushing shall be provided for a service pole riser.
- (5) When passing under concrete or asphalt surfaces, rigid galvanized steel conduit not less than two inches in diameter with bushings shall be used for raceways.

(Ord. 9-4-A, passed 10-15-2008) Penalty, see § 153.999

## § 153.052 LANDSCAPING.

Any development or subdivision subject to the requirements of this Chapter shall provide landscaping approved by the Village within the development and on public rights-of-way adjacent to or within the development, which shall be installed at the developer's sole cost and expense. Landscaping required by this Chapter shall be a condition to the issuance of a certificate of occupancy for any improvements built on the subject property. The developer shall be required to maintain all such landscaping in good and healthy condition for not less than two (2) years after acceptance thereof by the Village, or until there is in place a homeowners' association for the development whose responsibility it will thereafter be to maintain in good and healthy condition all such landscaping within the development. Should any landscaping become unhealthy or die during said period, the developer shall be required to replace dead or unhealthy landscaping with landscaping of the same or similar quality and species, as approved in advance by the Village.

### (A) *Public property landscaping.*

- (1) *Requirements for parkway trees.* Trees shall be planted in all parkways and shall be placed subject to the direction and approval of the Village. The Village shall be responsible for the purchasing and planting of all trees within and upon the public right-of-way, except as otherwise approved by the Board of Trustees; however, the developer shall be required to reimburse the Village for the cost of the landscaping and the planting thereof.
  - (a) Parkway trees shall be planted 40 feet apart whenever possible, and shall have a minimum trunk diameter of two and one-half inches measured at six inches above ground level.
  - (b) All trees planted within a public right-of-way shall comply with the requirements set forth in this code.
  - (c)
    1. The applicant shall, prior to final plat or development plan approval, post with the Village a cash deposit or treasurer's or cashier's check payable to the Village in an amount equal to the number of trees required to be planted in the public parkway within the development pursuant to this section multiplied by the amount charged by the Village to cover the cost of the trees, plus the cost of any and all work connected with the guaranteed planting of the trees as the amount is established from time to time by resolution of the corporate authorities of the Village.
    2. The Village shall use said funds deposited with the Village to purchase, plant, and maintain trees in the parkways of the development.
  - (d) If deemed necessary by the Village Engineer, this requirement may be satisfied if an equivalent number of trees of the same size or larger are planted in the front yards of all adjoining lots.
  - (e) Should completion of the development extend beyond a one-year period, the applicant shall be required to post additional funds to cover any increase in cost to purchase, plant, and maintain the remaining trees.
- (2) *Existing shrubbery.* Shrubby, bushes, or evergreens in the public right-of-way shall not exceed 30 inches in height.

(3) *Areas to be graded and sodded.*

- (a) 1. All unpaved areas within the dedicated right-of-way shall be graded and sodded in an approved manner.
- 2. Restoration work shall be performed to the satisfaction of the Village Inspector.
- (b) 1. All parkways shall be graded smooth and topped with at least four inches of black dirt after compacting and removal of stumps, trees that cannot be saved, boulders, and such.
- 2. The areas shall be sodded.
- (c) Upon recommendation of the Village Inspector, the President and Board of Trustees may require additional sodding of a lot to prevent soil erosion and blockage of drainage system.

(B) *Private property landscaping.*

(1) *Protection of existing trees.*

- (a) Trees and surface vegetation provide a natural means of sedimentation and erosion control, as well as add an aesthetic feature to the local landscape.
- (b) The clearing of healthy trees having a diameter of four inches or greater or other types of surface vegetation shall not be permitted on undeveloped land except when approved by the Village.
- (c) Actions in accordance with the principles of good forestry practices for the continued survival of a forested area or for agricultural use are excluded from this requirement.

(2) *Landscape plan.*

- (a) Any development or subdivision, subject to the provisions of this Chapter, shall provide a landscape plan to be approved by the Village Engineer.
- (b) The landscape plan shall include existing and proposed plantings, including species, spacing, quantity, and size, areas to be seeded and sodded, and locations and specifications of other materials.
- (c) The landscape plan shall address all requirements of this Chapter, the building regulations, and the Zoning Ordinance.

(3) *Required maintenance.*

- (a) All landscaping on private property that is part of an approved subdivision or development plan shall be properly maintained in a vigorous growing condition.
- (b) Any landscaping which has been permitted to deteriorate shall be replaced.

(C) *Completion and inspection.*

- (1) All landscaping on private property or public right-of-way that is part of an approved subdivision or development plans shall be subject to inspection and approval thereof by the Village prior to the issuance of any certificate of occupancy.
- (2) Any required landscaping which cannot be installed prior to a certificate of occupancy because of planting season, shall provide a cash escrow guarantee to the Village to ensure completion of all landscaping.
- (3) The landscaping shall be completed by the developer at the next succeeding planting season.

(Ord. 9-4-A, passed 10-15-2008) Penalty, see § 153.999

**§ 153.053 BENCH MARKS AND MARKERS.**

(A) *Bench marks.* Bench marks shall be placed at every quarter-mile interval in the north-south and east-west directions.

- (1) A minimum of one bench mark shall be set in each subdivision and resubdivision.
- (2) The bench mark shall be of concrete, not less than six inches in diameter and 60 inches in depth with a center #4 vertical steel reinforcing rod cast in place.
- (3) A brass disc provided by the Village Engineer, at the applicant's cost, shall be cast in place on top of each such bench mark.
- (4) The applicant's engineer shall provide the Village Engineer with the documented U.S.G.S. elevation of each bench mark.
- (5) Each bench mark shall be set flush with the finished grade.

(B) *Monuments.*

- (1) Iron pipes not less than two inches in diameter or steel rods not less than one inch in diameter shall be set at all block corners, block angle points, and points of curvature.
- (2) Iron pipes not less than one inch in diameter or steel rods not less than one-half inch in diameter shall be set on all other lot corners and lot angle points.
- (3) All iron pipes and steel rods shall be not less than 24 inches in length.

(C) *Monument verification.*

- (1) The applicant shall expose and verify the existence of all required iron pipes and steel rods after the completion of all construction and prior to final acceptance by the President and Board of Trustees.

(2) The applicant shall replace in kind any iron pipes or steel rods found to be missing.

(Ord. 9-4-A, passed 10-15-2008) Penalty, see § 153.999

**§ 153.054 REPAIR AND/OR REPLACEMENT OF UTILITIES UPON RE-SUBDIVISION.**

(A) Prior to approval for resubdivision, the developer must arrange with the Village Engineer for an inspection of all existing utilities, including, but not limited to, sanitary and storm sewers, water mains and all related apparatus, and street lights.

(B) The condition of such utilities must meet or exceed the standards as set forth in this Chapter and shall include the payment to the Village by the developer of any required fees for inspections, for the existing and/or proposed extension of utilities as needed on-site as well as off-site.

(Ord. 9-4-A, passed 10-15-2008) Penalty, see § 153.999

**§ 153.055 MAINTENANCE OF REQUIRED UTILITIES.**

(A) All utilities, including, but not limited to, sanitary and storm sewers, water mains and all related apparatus, and street lights, which are an extension of the public utilities, but are located on private property, shall be maintained in good repair and working order so that they function safely and effectively without threat to health and safety.

(B) (1) All repairs shall be made by and at the expense of the owner of the property.

(2) The Village may, in case of emergency, repair any defect and, if this is done, the cost of the repair work shall be repaid to the Village by the owner of the property.

(Ord. 9-4-A, passed 10-15-2008) Penalty, see § 153.999

***CONSTRUCTION IMPROVEMENT  
APPROVAL; VILLAGE APPROVAL OF COMPLETED IMPROVEMENTS***

**§ 153.070 APPROVAL OF DESIGN IMPROVEMENTS.**

(A) *Required drawings and documentation.* Where an applicant or owner proposes a development within the corporate limits of the Village, the applicant/owner shall submit the necessary documentation with a final plat of subdivision or development plan as follows.

(1) *Support documentation.* The following documents are required at the time engineering plans are submitted to the Village for review and approval:

(a) Six sets of engineering drawings;

(b) Six sets of specifications;

(c) Six copies of the plat of survey;



- (d) Northern Moraine Wastewater Reclamation District sewer permit applications and Illinois Environmental Protection Agency sewer permit applications, where required;
  - (e) Illinois Environmental Protection Agency water permit applications;
  - (f) Four copies of the storm sewer calculation;
  - (g) Four copies of the storm sewer drainage map;
  - (h) Four copies of the retention facilities calculations;
  - (i) Four copies of the hydraulic gradient profiles of the storm sewer design, if the design is based on a hydraulic gradient;
  - (j) Four copies of the engineer's estimate of cost;
  - (k) Four copies of the water main calculations for consumption and fire flow demand when the design is less than the minimum design required by this Chapter;
  - (l) Four copies of the pavement thickness design calculations; and
  - (m) Two copies of the County and State of Illinois Highway Department permit applications.
- (2) *Engineering drawings.* The engineering drawings submitted must include the following information:
- (a) Cover sheet with location map;
  - (b) General plan layout of the project indicating all improvements;
  - (c) Detailed plan and profile sheets of all improvements;
  - (d) Summary of all quantities;
  - (e) Blocks and lot grading plans including locations and species of existing trees as required in § 153.052 and a schedule for erosion and sedimentation control; and
  - (f) General detail sheet showing:
    - 1. Pavement cross-section;
    - 2. Curb, gutter, and sidewalk details;
    - 3. Cross-section of retention facilities, including sedimentation basins;
    - 4. Street lights;
    - 5. Manholes, vaults, inlets, and castings;
    - 6. Hydrants; and
    - 7. Typical trench cross-sections for sanitary sewers, storm sewers, and water mains.

(3) *Engineering approval.*

(a) Upon approval of engineering drawings, seven sets of final drawings shall be submitted to the Engineering Division.

(b) The drawings shall be stamped "approved plans" and one set shall be returned to the developer; one set shall be stamped "job copy" and shall be kept on the job site at all times.

(B) *Pre-construction meeting.* Prior to commencing the construction and installation of any improvement contemplated herein to be constructed or installed, the applicant's contractors shall meet with the Village Engineer and the Village Inspector at the Village Hall to review the inspection methods and procedures outlined herein for each construction and installation.

(Ord. 9-4-A, passed 10-15-2008) Penalty, see § 153.999

**§ 153.071 INSPECTION PROCEDURES.**

(A) *Inspections.* All improvements constructed under the terms of this Chapter shall be subject to inspections by the Village Inspector or his or her duly authorized representative. The applicant shall give at least 48-hours notification to the Village Inspector prior to the performance of any of the following work:

(1) The construction of any roadway or street;

(2) The surfacing of any roadway or street;

(3) The installation of any curbing or gutters;

(4) The construction of any sidewalks;

(5) The grading or backfilling of any open trench or excavation in which any utility facilities, including, but not limited to, water lines, sewer lines, and electrical cables, have been installed;

(6) The construction of any driveways; and/or

(7) The construction of any parking lot.

(B) *Procedures.* Within the 48-hour notice period specified in Paragraph (A) above, the Village Inspector may conduct an on-site inspection to determine that the work complies with the engineering drawings.

(1) If, in the opinion of the Village Inspector, the work does not comply with the final drawings, he or she shall have the authority to order that all the work shall be terminated until the time as necessary steps are taken by the applicant to correct any defects or deficiencies.

(2) After the required corrections have been completed, the applicant shall again notify the Village Inspector as provided in Paragraph (A) above.

(C) *Final inspection.* Upon completion of all improvements within the area covered by the preliminary and final subdivision plat or development plan, the applicant shall notify the Village Inspector, who shall thereupon authorize a final inspection of all improvements so installed.

(1) If the final inspection indicates that there are any defects or deficiencies in any such improvement as installed, or if there are any deviations in the improvements, as installed, from the final engineering drawings; which defects will, in the opinion of the Village Inspector, adversely affect the performance, suitability, or desirability of the improvements; shall notify the applicant in writing of the defects, deficiencies, or deviations and the applicant shall, at his or her sole cost and expense, correct the defects or deviations within two months of the date of notification.

(2) When the defects, deficiencies, or deviations have been corrected, the applicant shall notify the Village Inspector that the improvements are ready for final inspection.

(3) The fees for final inspection of all improvements are included in and are a part of the amounts provided in § 153.085.

(Ord. 9-4-A, passed 10-15-2008) Penalty, see § 153.999

#### **§ 153.072 CERTIFICATION BY VILLAGE ENGINEER.**

If a final inspection indicates that all improvements as installed contain no defects, deficiencies, or deviations, the Village Engineer shall certify to the Village Board, within ten days from the completion of the inspection, that all improvements have been installed in conformity with the engineering drawings accompanying the final subdivision plat or development plan.(Ord. 9-4-A, passed 10-15-2008)

#### **§ 153.073 AS-BUILT PLANS.**

(A) After certification to the Village Board from the Village Engineer that all public improvements have been installed in conformance with approved engineering plans and specifications, the applicant shall prepare and submit three sets of as-built plans and one reproducible mylar thereof reduced to an overall size of 11 inches by 17 inches.

(B) As-built plans shall show the location of all water and sewer services.

(Ord. 9-4-A, passed 10-15-2008)

#### **§ 153.074 ACCEPTANCE OF IMPROVEMENTS BY VILLAGE.**

(A) Upon receipt of the as-built plans required in § 153.073, the certification of the Village Engineer shall be forwarded to the President and Board of Trustees.

(B) Upon receipt of the certification of the Village Engineer that a public improvement has been installed in conformity with approved plans and specifications, the President and Board of Trustees of the Village shall adopt a motion, resolution, or ordinance formally accepting the public improvement.

- (1) In the event the public improvement is to be dedicated to the Village, the motion, resolution, or ordinance shall formally accept the public improvement, at which time it shall become the property of the Village.
- (2) (a) All the public improvements shall remain the property of the applicant, who shall have full and complete obligation for repair and maintenance thereof, until the adoption of the motion, resolution, or ordinance by the President and Board of Trustees formally accepting the public improvement.  
  
(b) No action of a board, commission, group, officer, agent, or employee of the Village or approval of any plat or plan shall imply acceptance of public improvements until the adoption by the President and Board of Trustees.
- (3) Notwithstanding the above, the applicant shall fully guarantee the improvements for two years after acceptance by the Village Board in accordance with § 153.090(B).

(Ord. 9-4-A, passed 10-15-2008)

***FEES; IMPROVEMENT GUARANTEES; RECAPTURE AGREEMENTS***

**§ 153.085 SUBDIVISION PLAT AND DEVELOPMENT PLAN REVIEW FEES.**

- (A) The fees for review of the preliminary and final subdivision plat or development plans and all accompanying data shall be calculated as follows:
  - (1) Preliminary plat: \$150 plus \$2/lot; and
  - (2) Appeal: \$250.
- (B) The fees for plat or development plan review shall be paid by the applicant upon filing of the plat or plan under review.

(Ord. 9-4-A, passed 10-15-2008)

**§ 153.086 LAND DEVELOPMENT PERMIT FEES.**

- (A) The following fees and charges shall prevail for the various facets of development of a land tract within the Village and the jurisdictional limits of the planning area.
- (B) There shall be deposited with the Village Clerk the sum of \$35 for the first lot or living unit and \$20 for each additional lot or living unit to be used for defraying administrative expenses incurred by the municipality.
- (C) Review of the engineering documents by the Village Engineer on behalf of the municipality shall be \$500 or 2% of the estimated construction cost, whichever is greater, for each development.

(D) For the inspection of municipal facilities, roads, drainage, or other facilities, there shall be paid to the Village a minimal sum of \$500 per development, or 3% of the estimated construction cost, whichever is greater.

(E) The moneys shall be treated as a deposit against the actual cost incurred by the municipality for the time and material involved in providing the inspection.

(F) For either a review of engineering documents or inspection, the cost to the owner/developer shall be the actual cost paid by the municipality, and the municipality shall either rebate or collect additional funds, as the work or services progress.

(Ord. 9-4-A, passed 10-15-2008)

#### **§ 153.087 CURB CUT PERMIT FEE.**

A \$150 lump sum fee shall be levied for cutting the curb and gutter on dedicated Village streets.

(Ord. 9-4-A, passed 10-15-2008)

#### **§ 153.088 T.V. INSPECTIONS OF SEWERS.**

Where inspections are required, the cost of the T.V. inspection shall be borne by the developer and shall be based on a charge of \$1.50 for each lineal foot of sewer.

(Ord. 9-4-A, passed 10-15-2008)

#### **§ 153.089 STREET OPENING PERMIT FEE.**

A \$150 lump sum fee shall be levied for opening a dedicated street, sidewalk, parkway, or alley for the purpose of making connection to sewer, water, gas, and electric lines.

(Ord. 9-4-A, passed 10-15-2008)

#### **§ 153.090 PUBLIC IMPROVEMENT GUARANTEES.**

Upon approval of the detailed engineering plans by the Village Engineer and prior to the commencement of any construction, a developer shall supply the following guarantees to the Village as security for the construction and maintenance of the required public improvements in the proposed subdivision:

(A) An irrevocable letter of credit issued by a financial institution satisfactory to the Village Board and in a form approved by the Village Attorney, or a cash deposit with the Village Treasurer, shall be furnished in the amount of 110% of the estimated cost of all required improvements, including but not limited to the public streets, sanitary sewer, water, storm sewer, street lighting, landscaping, and sidewalks, plus an additional amount as part of said letter of credit for a two (2) year maintenance guarantee equal to 10% of the total cost improvements, which amounts shall be approved in advance by the Village Engineer:

- (1) Sanitation;
- (2) Streets and sidewalks;

- (3) Sewers;
  - (4) Water and storm sewers;
  - (5) Street lights;
  - (6) Trees; and
  - (7) Landscaping.
- (B) (1) Each guarantee shall be evidenced by an appropriate letter of credit which shall provide that no payments for the installation of improvements shall be made without the consent of the Village Engineer and in the event that the improvements are not completed in accordance with Village requirements, the bank or other financial institution shall take any and all necessary steps to provide any letter of credit funds to complete the construction of the improvement upon the written request by the Village.
- (2) The letter of credit shall further provide that drawdowns may be permitted to a maximum of 50% of the cost of each item properly installed, however, no more than 50% of the amount deposited may be dispersed until the improvements have been completed and accepted by the Village.
- (3) Approval of payments for the installation of improvements shall not constitute acceptance of the improvements.
- (C) (1) Each guarantee shall be issued or established for not less than a period of one (1) year for a completion guarantee, and two (2) additional years for a maintenance guarantee.
- (2) In the event that all of the improvements to be constructed have not been completed within 60 days prior to the expiration of the subdivision or development guarantee (whether the guarantee is initial or renewed), then the Village may take all necessary steps to collect the guarantee and use such funds for the completion and/or the repair of improvements.
- (D) (1) Applicant shall also deposit cash with the Village in an amount equal to 5% of the improvement completion guarantee required under this section which may be used from time to time to abate nuisances caused by applicant during construction, provided that no expenditure shall be made until four hours after the Village Inspector has served verbal demand upon applicant to abate the nuisance.
- (2) The balance of the deposit, if any, remaining after completion of the development shall be returned to the depositor without interest.

(Ord. 9-4-A, passed 10-15-2008)

**§ 153.091 PRIVATE IMPROVEMENT GUARANTEES.**

All private improvements installed within the Village not covered by the public improvement guarantees as provided in Section 153.090 above shall be guaranteed, in terms of adequacy, proper installation, and maintenance by the developer for a period of one year after installation and final approval.

(Ord. 9-4-A, passed 10-15-2008)

**§ 153.092 CONNECTION FEES.**

Where a development has not contributed to the cost of installation of the public water system or the public sewer system, which facilities are to be used by the development, the developer shall pay fee(s) for the connections to the public water system and public sewer system in addition to building any extensions of the systems, which fee(s) shall be as follows.

(A) For connection to the existing water mains as aforesaid, or any extensions thereof:

<i>Size of Tap</i>	<i>Charges</i>
1 inch	\$300
1 and 1/2 inch	\$375
2 inches	\$450
3 inches	\$900
4 inches	\$1,500
6 inches	\$2,250
8 inches	\$3,000
10 inches	\$3,750

(B) For connection to the existing sewer trunk lines and sewer system as aforesaid, or any extensions thereof, the charge shall be \$150 per building and \$150 each living unit (multi-family, hotel, motel, and the like).

(C) The amount to be paid shall be paid at the time when any development plan or subdivision plat is approved by the Village, provided, however, that if the development or subdivision is already approved and accepted by the Village Board, then the amount shall be paid prior to the making of the respective connection to the existing municipal water system, or existing municipal sewer system or any extensions of the respective systems on granting of permits for construction.

(D) The amount due and payable shall not affect or impair the liability of any person or applicant to pay for inspection, license, permit, or service fees which are or may become due to the Village by reason of any law or ordinance heretofore or hereafter adopted by the Village Board of Trustees, but the amount so due shall be considered to be a charge for the privilege of using the existing sewer and water systems installed throughout the Village towards the cost of which the applicant or the land to be served has not made any contributions.

(Ord. 9-4-A, passed 10-15-2008)

**§ 153.093 RECAPTURE AGREEMENTS.**

(A) (1) In addition to the foregoing, the President and Board of Trustees may adopt ordinances providing for the recapture of costs expended by a developer for public improvements.

- (2) The ordinances commonly known as “recapture agreements” are intended to compensate a developer or property owner who has installed a public improvement of a size and character greater than that required to serve the original development in order that future developments may utilize these facilities.
  - (3) The ordinances, when adopted, shall provide for a fair and equal distribution of the additional costs of the improvements beyond that otherwise borne by the developer and shall further provide for the payment of subsequent developers of their fair and proportionate share of the cost of the improvements upon connection to the improvements.
- (B) (1) The recapture payments provided by the ordinances shall be paid to the Village for the use and benefit of the original developer or designated successor.
- (2) The ordinance shall further provide for a reasonable rate of interest as determined by the Village Board unless the Village waives the interest.
  - (3) The interest shall accrue from and after the effective date of the recapture ordinance.

(Ord. 9-4-A, passed 10-15-2008)

**§ 153.094 VILLAGE DONATION.**

- (A) (1) Any residential development or subdivision shall be required to donate fees to the Village on the basis of the type of dwelling unit in the development.
- (2) The donation shall:
- (a) Assist the Village in serving the immediate and future needs of the residents of the development; and
  - (b) Ensure adequate provision of public services to persons who are expected to reside within the subdivision or development.
- (B) As a condition of approval of any final plat of subdivision or any development of a plan, the dedication of land and facilities for park and school purposes shall be required or in lieu thereof an equivalent cash contribution, as determined by the Village to be an equitable payment.
- (C) The land or facilities, where a contribution in lieu of land and facilities are to be provided, shall follow the criteria established.
- (1) *School contribution.*
- (a) The owner/developer, by written agreement as a covenant with the land, will pay to the school district of jurisdiction, based upon the following criteria:



<i>Number of Bedrooms</i>	<i>Detached Single-Family</i>	<i>Attached Single-Family</i>	<i>Apartment</i>
1 to 2	\$870	\$978	\$761
3	\$3,043	\$1,630	\$1,956
4 or more	\$5,217	\$3,261	-

- (b) 1. The payment shall be made to the school district(s) of jurisdiction prior to the approval of the final plat of subdivision for the subdivision or planned unit development.
2. The payment shall be evidenced by a certificate from the school district of jurisdiction attesting to the payment of the charge.
3. The Building Inspector, in reviewing building plans, may consider dens, studies, libraries, and similar living quarters easily convertible to sleeping use and with closets readily accessible in computing the number of bedrooms.

(2) *Park and open space lands.*

- (a) As a condition of approval of any final plat of subdivision or planned unit development relating to lands within the corporate limits of the Village, the dedication of land and facilities for park and open space purposes shall be required, or in lieu thereof an equivalent cash contribution, as determined by the Village to be an equitable payment, shall be made.
- (b) Where a contribution in lieu of land and facilities are to be paid, the following criteria shall be followed:

<i>Living Unit Size</i>	<i>Contribution</i>
Single-family dwelling units	\$1,800 per unit
Parcels zoned for multiple-family dwelling units shall pay based on the maximum density allowed on the parcel	\$1,800 per unit

- (c) The payments shall be made to the Village prior to, or at the time of, any final plat or PUD approval.
- (3) *Administrative Fees:* Administrative fees for the approval of a final plat of subdivision or for a planned unit development shall be charged to the developer at the rate of \$100.00 per unit and \$25.00 for each additional unit.

***SUBDIVISION LOCATED  
OUTSIDE VILLAGE LIMITS***

**§ 153.105 GENERALLY.**

- (A) Where a proposed subdivision is located outside of the Village boundaries, but within the planning jurisdiction of the Village, and has not been incorporated into any other municipality, the subdivider shall meet all of the requirements of this Chapter.
- (B) No subdivision or title division of the property located outside of the Village boundaries but within the planning jurisdiction of the Village, as determined by the Comprehensive Plan and the authority granted by Illinois statutes, shall be recorded, registered, or otherwise approved, without the approval of the Village, as that approval is set forth in this Chapter.

(Ord. 9-4-A, passed 10-15-2008) Penalty, see § 153.999

**§ 153.999 PENALTY.**

- (A) (1) Any person who violates, disobeys, omits, neglects, or refuses to comply with or resists the enforcement of this Chapter shall be subject to a penalty as set forth in § 10.99 of this code.
  - (2) A separate offense shall be deemed committed for each day the violation exists.
- (B) The owner or occupant of any land, building, structure, or any part thereof, or any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains the violation, may each be found guilty of a separate offense and suffer the penalties herein provided.
- (C) Nothing contained herein shall be construed to prevent the Village from taking any other lawful action as is necessary or appropriate to prevent or remedy any violation.

(Ord. 9-4-A, passed 10-15-2008)

**APPENDIX A: FORM 1**

State of Illinois                    )  
  ) ss  
County of McHenry & Lake        )

Approved by the Director of Community Development of the Village of Port Barrington, Lake and McHenry Counties, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
Director of Community Development

(Ord. 9-4-A, passed 10-15-2008)

**APPENDIX B: FORM 2**

State of Illinois )  
 ) ss  
County of McHenry & Lake )

Approved by the Plan Commission of the Village of Port Barrington, Lake and McHenry Counties,  
Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
Chairperson

Attest: \_\_\_\_\_  
Secretary

(Ord. 9-4-A, passed 10-15-2008)

**APPENDIX C: FORM 3**

State of Illinois                    )  
  ) ss  
County of McHenry & Lake        )

Approved by the President and Board of Trustees of the Village of Port Barrington, Lake and McHenry Counties, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

Signed: \_\_\_\_\_  
Village President

Attest: \_\_\_\_\_  
Village Clerk

(Ord. 9-4-A, passed 10-15-2008)

**APPENDIX D: FORM 4**

State of Illinois                    )  
  ) ss  
County of McHenry & Lake        )

Approved by the Village Engineer of the Village of Port Barrington, Lake and McHenry Counties, Illinois  
this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
Village Engineer

(Ord. 9-4-A, passed 10-15-2008)

**APPENDIX E: TABLE 1**

<i>Minimum Standards for Street Design</i>							
<i>Street</i>	<i>Right-of-Way Width</i>	<i>Pavement Width to Edge of Pavement</i>	<i>Street Width to Back of Curb</i>	<i>Radius of Horizontal Curves</i>	<i>Maximum Gradient</i>	<i>Minimum Gradient</i>	<i>Clear Minimum Sight Distance</i>
Major arterial or section line	100 feet	48 feet	51 feet	400 feet	5%	0.6%	500 feet
Collector, commercial, and industrial	80 feet	38 feet	41 feet	400 feet	5%	0.6%	400 feet
Local, including cul-de-sac	66 feet	28 feet	31 feet*	200 feet	7%	0.6%	300 feet
NOTES TO TABLE: * - Rolled curbs may be permitted on cul-de-sac bulbs.							

(Ord. 9-4-A, passed 10-15-2008)

**APPENDIX F: TABLE 2**

<i>Structural Requirements</i>		
<i>Type</i>	<i>Structural Number</i>	<i>IBR</i>
Major arterial	5.00	3.0
Collector streets within residential districts	3.00	3.0
Collector streets in all other districts	4.00	3.0
Cul-de-sacs and local streets within residential districts	2.50	3.0
Cul-de-sacs and local streets in all other districts	3.50	3.0

(Ord. 9-4-A, passed 10-15-2008)



**APPENDIX G: TABLE 3**

<i>Allowable Pavement Construction Materials</i>				
<i>Structural Materials</i>	<i>Strength Requirements</i>			<i>Minimum Thickness</i>
	<i>M.S.*</i>	<i>IBR</i>	<i>P.S.I.</i>	
<i>Bituminous Surface:</i>				
Class I, Surface	1,700			1 inch
Class I, Binder	1,700			2 inches
<i>Base Course:</i>				
Aggregate, Type B				
Uncrushed		50		12 inches
Crushed (100%)		80		10 inches
Aggregate, Type A		80		10 inches
Waterbound Macadam		110		10 inches
Cement Aggregate			650***	7 inches
Bituminous Aggregate Mixture		900 to 1,900		6 inches
Bituminous Mixture, Class I		1,700		6 inches
Portland Cement Concrete (new)			3,500***	6 inches
NOTES TO TABLE: * - Marshall Stability ** - 7-day Design Compressive Strength *** - 28-day Design Compressive Strength				

(Ord. 9-4-A, passed 10-15-2008)

**APPENDIX H: TABLE 4**

<i>Design Flows</i>			
<i>Type of Establishment</i>	<i>Unit</i>	<i>Average Flow in Gallons/Day/Unit</i>	<i>Maximum Domestic Flow for Sewer Design in Gallons/Day/Unit*</i>
Shopping center	Employee (1 shift)	50	200
Retail store	Employee (1 shift)	30	120
Office	Person (1 shift)	25	100
Industrial	Person (1 shift)	35	140
Restaurant	Meal served	7	30
Theater	Per seat	5	20
Hotel	Per guest	100	400
NOTES TO TABLE: * - Quantities are exclusive of process water requirements which must be estimated and added.			

(Ord. 9-4-A, passed 10-15-2008)

**APPENDIX I: FEES**

ANNEXATION FEES UNDER ZONING		
(1)	Plus donation to Village	Negotiable
(2)	Hearing on P.U.D. and Special Uses:	
	First 2 acres:	\$2,500.00 minimum
	Each addition acre:	\$100.00

SUBDIVISION CONTROL FEES		
(1)	Performance guarantee in the form of an irrevocable letter of credit at 110% of total estimated construction cost by an engineer's estimate approved by the Village Engineer; plus a two (2) year maintenance guarantee equal to 10% of total cost of improvements, including but not limited to, sanitary, streets and sidewalks, sewers, water, storm sewers, storm water detention, street lights, trees, and landscaping	
(2)	School Contributions:	
	Detached Single Family:	
	1-2 Bedrooms	\$870.00
	3 Bedrooms	\$3,043.00
	4 or more Bedrooms	\$5,217
	Attached Single Family:	
	1-2 Bedrooms	\$978.00
	3 Bedrooms	\$1,630.00
	4 or more Bedrooms	\$3,261
	Apartment:	
	1-2 Bedrooms	\$761.00
	3 Bedrooms	\$1,956
(3)	Park and Open Space Contributions:	
	Per Unit	\$1,800.00
(4)	Administrative Fee:	
	First unit	\$100.00
	Each additional unit	\$25.00
(5)	Engineering Review:	\$500.00, or 2% of estimated construction cost, whichever is greater
(6)	For Inspection:	\$500.00, or 3% of estimated construction cost, whichever is greater

(Ord. 9-4-A, passed 10-15-2008)

## APPENDIX J: FEE REIMBURSEMENTS

(A) *Applicability.* This appendix shall apply to property proposed to be developed, built on, or subdivided within the corporate limits of the Village and to property proposed to be annexed into the Village and to property proposed to be platted or subdivided within the jurisdictional limits of the Village's official plan.

(B) *Definitions.* For the purpose of this appendix, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**DEVELOPMENT.** Shall apply to requests for annexation, zoning, platting, PUD approval, building permits for multi-family, commercial, industrial, and other building and development of projects requiring special meetings, special review, or the advice and/or inspections by retained personnel.

**OWNER.**

- (a) Any legal and/or beneficial owner of the real estate which is the subject matter of a proposed project.
- (b) The term **OWNER** as used herein shall also include developers and other parties or entities agreeing to be responsible for compliance with this appendix.

**PROJECT.** Any activity associated with land development, including annexations, subdivisions, platting, or other development of land, or the review and approval or rejection of any proposed multi-family, commercial, or industrial zoning and/or building within the Village.

**RETAINED PERSONNEL.** Any non-salaried engineer, attorney, planner, or other consultants, technicians, professionals, and experts paid and retained by the Village to assist or advise it directly or indirectly in planning, reviewing, evaluating, advising, considering, approving, accepting, or rejecting any land development or building project in the Village.

(C) *Reimbursement of expenses by owner.* The owner shall pay and reimburse the Village for any and all expenses and fees directly or indirectly incurred by or charged to the Village and shall pay the costs and expenses attributed to each such activity, including but not limited to, any and all plan review, inspection(s), special meetings, hearings, and conferences held in connection with any project.

(D) *Deposit to defray Village expenses, costs, and fees.*

(1) The owner of the property proposed to be developed or built on shall deposit with the Village Clerk a cash deposit to be held by the Village in a interest-free account and calculated as hereinafter set forth to act as a guarantee for reimbursement to the Village of all costs and expenses incurred by the Village in connection with the development, including but not limited to, the review and/or approval of the project.

(2) (a) The Village shall not authorize any staff review, inspection(s), special meetings, review by retained personnel, or the incurring of any expenses in connection with the project until such cash deposit has been received by the Village Clerk.

(b) Once the cash deposit has been made, the Village may initiate review of material submitted by the developer and schedule appropriate meetings, including staff review sessions, and informal and formal hearings.

- (3) The amount deposited with the Village shall be an amount as specified in Paragraph (M) below and, if not specified in Paragraph (M) below or by other Village ordinances or regulations, then it shall be an amount equal to 125% of the estimated costs and expenses to be incurred by the Village in connection with the project, whichever is greater, unless a different amount is approved by or required by the Village Board.

(E) *Statement of expenditures and withdrawal of funds.*

- (1) The Village shall be and is authorized to withdraw funds from the cash deposit held by the Village to pay any statement or bill submitted to the Village by any retained personnel or to reimburse the Village for any expenses incurred in connection with the development, including but not limited to, plan review, special meetings or other costs incurred by the Village in connection with the project.
- (2) Copies of all the bills or statements of expenses will be forwarded to the owner whenever the statements, expenses, or fees are withdrawn from the deposit.
- (3) The statements shall include the costs of retained personnel, costs of any plan review, inspection(s), special meetings before Village Boards, or other committees that may be directed to hear or review the project.

(F) *Restoration of fund.*

- (1) Whenever the amount deposited by the owner as aforesaid has been drawn upon so the balance thereof is one-fourth or less than the amount of the original deposit, the owner shall, immediately upon receipt of notice from the Village, deposit with the Village Clerk an amount increasing the funds to the amount originally deposited, or any other amount as may be approved by the Village Board, to cover anticipated expenses.
- (2) Until the additional funds are deposited with the Village, proceedings with regard to the project may be held in abeyance.

(G) *Reporting deposit sums to the Village Board.*

- (1) The Village Treasurer (or party holding the funds) shall notify the Village President and Board of Trustees of the current unused balance of any deposits in a monthly report.
- (2) Unless otherwise directed by the President and Board of Trustees, the Village Treasurer (or party holding the funds) shall report to the President and Board of Trustees whenever the balance of any amount so deposited reaches 25% percent or less than the amount originally deposited hereunder.

- (H) *Unpaid fees, costs, or expenses.* Whenever any payments required to be made by the owner as herein specified have not been paid for a period of one month, the Village Board of Trustees may, in its sole and absolute discretion, terminate and render null and void the proposed project. This shall be in addition to any other remedies as the Village may have for any unpaid fees and expenses.

(I) *Owner's acknowledgment and approval.*

- (1) Prior to the Village proceeding with any project as herein described, the owner shall acknowledge a receipt of a copy of this appendix and agree to be bound by the terms and conditions of this appendix.
- (2) The owner shall agree to pay any fees, expenses, and costs incurred by the Village in connection with his or her project, and shall be liable to the Village for any deficiency should the deposit be insufficient to cover the Village's costs and/or expenses.

(J) *Default in payment.*

- (1) In the event the owner or party agreeing to be responsible for the fees and expenses fails or refuses to pay any deficiencies, the Village shall notify the party and the titleholder of record of the property at the addresses provided by the parties to the Village (if no address available for titleholder, to the address of the last taxpayer of record of the property for the titleholder of record notice).
- (2) The Village may institute legal actions for collections of the sums due and owing and the owner and/or party responsible for the payment shall be liable to the Village for all collection costs including reasonable attorney fees.
- (3) Any unpaid funds shall also be a lien on the subject property and the Village may record a lien on the real estate and in addition to any other remedies as by law may be provided, and stay any proceedings relating to the property until the deficiencies have been paid in full.
- (4) The staying of proceedings shall also include the stopping of building permits and stopping of any other proceedings relating to the project, including platting, development, zoning, building, and the like.

(K) *Waiver of requirements and/or extensions.* The Board of Trustees may, for a good cause shown by an owner, grant extensions of time for making of payment and may, in their sole and absolute discretion, waive in full or in part the requirements of this appendix.

(L) *Unused balance refundable.* Within a reasonable time after completion of any project or upon the termination of any project or upon the presentation of the final statement to the owner for the Village's fees, costs, and expenses, whichever time is later, any unpaid balance remaining in the fund deposited by the owner shall be paid to the owner without interest.

(M) *Amounts of deposit.* The Village Board shall determine the reasonable anticipated costs and expenses in any particular project. Unless otherwise specified by the present Board, the deposits shall be as specified below, or as specified by other Village ordinances or regulations. The following minimum deposits shall apply for the following described types of projects:

- (1) Annexations: a minimum of \$2,500 for the first two acres of land involved in the project plus \$100 per acre for each acre in excess of two acres, with maximum deposit of \$15,000 unless otherwise specified by the Village Board;
- (2) Zoning and/or planning for multi-family, commercial, and/or industrial uses: a minimum of \$1,500;

- (3) Construction activity and/or permits in connection with multi-family, commercial, and/or industrial construction activity involving more than \$100,000 of project expenditures: a minimum of \$1,500;
- (4) Any development activity located in whole or in part within flood hazard boundary areas of the Village which are subject to regulation by the Village: a minimum of \$3,000;
- (5) Subdividing or platting: the deposit for engineering review and inspection shall be in the amount specified in this Chapter plus an amount of a minimum of \$1,500 for special meetings before the Plan Commission and retained personnel other than the Village Engineer;
- (6) Development of residential single-family detached dwellings on tracts involving five units or more: retained personnel deposit a minimum of \$2,000. This is in addition to any retained personnel deposit by this Chapter for engineering review and inspections. Deposit to be used for special meetings and retained personnel other than engineer's review and inspections as per this Chapter; and
- (7) Other matters not specifically described in this Paragraph (M): a minimum deposit of \$1,500 or any amount as may be approved by the Village Board as a reasonable amount to cover 125% of the estimated costs and expenses to be incurred by the Village.

(Ord. 10-4-A, passed 4-19-1995; Ord. 9-4-A, passed 10-15-2008)