

**CHAPTER 34**

**SUBDIVISION CODE**

**ARTICLE I – GENERAL PROVISIONS**

**34-1-1 PURPOSE OF REGULATIONS.** These regulations are designed to provide standards and rules related to the making, reviewing, filing and recording of subdivision plans and plats, and to provide for preliminary and final approval or rejection of such plans or plats, or portions thereof, by the Village of Fisher, Champaign County, Illinois, and as set forth in this Code.

**34-1-2 PURPOSE.** In accordance with State law (**Ill. Comp. Stats., Chap. 65, Secs. 5/11-12-5, 5/11-12-8 -- 5/11-12-12; Chap. 765, Sec. 205/1 et seq.**) this Code regulates the subdivision and development of land in order to implement the Comprehensive Plan and Official Map duly adopted by the Village. Thus this Code assists in achieving the following specific objectives:

- (A) to preserve, protect, and promote the public health, safety, and welfare;
- (B) to provide a pleasant living environment by furthering the orderly and efficient layout and use of land and by facilitating aesthetic urban design;
- (C) to establish accurate legal records, to avoid development in wetland areas, and to avoid legal and other problems by requiring that subdivided land be properly monumented and recorded;
- (D) to conserve and increase the value of land, improvements, and buildings throughout the Village;
- (E) to preserve the natural beauty and topography of the Village to the maximum feasible extent, including preservation of such features as stands of trees, streams, significant archaeological sites, and historical landmarks;
- (F) to provide adequate light, air, and privacy for all residents of new developments by preventing undue concentration of population;
- (G) to protect against injury or damage caused by fire, pollution, flooding, storm water runoff, or erosion and sedimentation;
- (H) to provide safe and convenient access to new developments and to avoid traffic congestion and unnecessary public expenditures by requiring the proper location, design, and construction of streets and sidewalks;
- (I) to provide an environment whereby the cost of installing and maintaining adequate water mains, sanitary sewers, storm water sewers, and other utilities and services can be kept at a minimum; and
- (J) to ensure that adequate parks, schools, and similar facilities can be made available to serve the residents.

**34-1-3**      **NOTICE OF PREVIOUS ADOPTIONS OF ZONING CODE AND DISTRICT MAP.** All proposed subdivisions shall comply with **Ordinance No. 12-6-72 "Zoning Ordinance of the Village of Fisher, Illinois"**, with respect to zoning districts. "**Current**" shall mean the Zoning Code in force at the time of the submission of the Preliminary Plat as herein defined.

**34-1-4**      **SUBDIVISION CONTROL.** For the purpose of the present and future development of the Village and for the promotion of public health and safety, morals, comfort and welfare of persons living within the territory governed, the provisions and regulations hereinafter contained shall govern the subdivision and plotting of land lying within the corporate limits of the Village as now or hereafter existing, or within the area of jurisdiction of the Fisher Plan Commission as now and hereafter established under the provisions of the statutes of the State of Illinois.

**34-1-5**      **APPROVAL.** After the passage of this Code, no plat of any subdivision shall be valid or entitled to recording without conforming to the regulations herein set forth and without having first been approved according to the procedure herein provided. Prior to such recording, no lot or parcel of land within any such subdivision shall be offered for sale nor shall any sale, contract for sale or option be made with respect thereto, nor shall any specific improvements, in and with respect to such subdivision be made.

**34-1-6**      **INSTANCES WHEN PLATS WILL NOT BE REQUIRED.** The provision of these regulations do not apply and no plat is required in any of the following instances:

- (A)            the division or subdivision of land into parcels or tracts of **five (5) acres** or more in size which does not involve any new streets or easements of access or add special utility easements;
- (B)            the division of lots or blocks of less than **one (1) acre** in any recorded subdivision which does not involve any new streets or easements of access or add special utility easements;
- (C)            the sale or exchange of parcels of land between owners of adjoining and contiguous land;
- (D)            the conveyance of parcels of land or interests therein for use as a right-of-way for railroads or other public utility facilities and other pipelines which does not involve any new streets or easements of access or add special utility easements;
- (E)            the conveyance of land for highway or other public purposes or grants or conveyance relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
- (F)            conveyance made to correct description in prior conveyances;

(G) the sale or exchange of parcels or tracts of land following the division into no more than **two (2) parts** of a particular parcel or tract of land recorded on or before **July 17, 1959** and not involving any new streets or easements of access or add special utility easements;

(H) the conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access or add special utility easements;

(I) the sale of a single lot of less than **five (5) acres** from a larger tract when a survey is made by a registered surveyor; provided, however, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract existing as of **October 1, 1973**.

**34-1-7** **INTERPRETATION.** Every provision of this Code shall be construed liberally in favor of the Village, and every regulation set forth herein shall be considered the minimum requirement for the promotion of the public health, safety, and welfare.

(A) **More Restrictive Requirements Apply.** Whenever the requirements of this Code differ from those of any statute, lawfully adopted ordinance or regulation, easement, covenant, or deed restriction, the more stringent requirement shall prevail. Thus, in accordance with State law whenever this Code imposes higher standards than the County Subdivision Code, said higher standards shall supersede the County regulations in the unincorporated territory located within the Village's subdivision jurisdiction. **(See 65 ILCS Sec. 5/11-12-11)**

**34-1-8** **DISCLAIMER OF LIABILITY.**

(A) Except as may be provided otherwise by statute or ordinance, no officer, board member, agent, or employee of the Village shall render himself personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this Code. **(See "Local Governmental and Governmental Employees Tort Immunity Act," Ill. Comp. Stats., Chap. 745, Secs. 10/1-101.)**

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

**34-1-9** **INTERPRETATION OF TERMS.** In construing the intended meaning of terminology used in this Code, the following rules shall be observed:

(A) Unless the context clearly indicates otherwise, words and phrases shall have the meanings respectively ascribed to them in **Section 34-1-10**; terms not defined in **Section 34-1-10** shall have the meanings respectively ascribed to them in the Village's Zoning Code; if any term is not defined either in **Section 34-1-10** or in the Zoning Code, said term shall have its standard English dictionary meaning.

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

- (C) Words used in the present tense shall include the future tense.
- (D) Words used in the singular number shall include the plural number, and vice versa.
- (E) The word "**shall**" is mandatory; the word "**may**" is discretionary.
- (F) Captions (i.e., titles of sections, subsections, etc.) are intended merely to facilitate general reference and in no way limit the substantive application of the provisions set forth thereunder.
- (G) References to sections shall be deemed to include all subsections within that section; but a reference to a particular subsection designates only that subsection.
- (H) A general term that follows or is followed by enumerations of specific terms shall not be limited to the enumerated class unless expressly limited.

**34-1-10**     **SELECTED DEFINITIONS.** When used in this Code, the following terms shall have the meaning indicated:

**Alley:** A public way which affords a secondary means of access to abutting property.

**Area General Plan:** A general plan prepared by the subdivider, or subdividers, for the progressive development of a large landholding, or several properties proposed to be subdivided by sections, meeting the requirements of these regulations.

**Block:** Property abutting on one side of a street, and lying between the two nearest intersecting or intercepting streets, or between the nearest intersecting or intercepting street and railroad right-of-way, waterway or other definite barrier.

**Block Face:** Property having frontage on one side of a street and lying between the two nearest intersecting streets, or nearest intersecting or intercepting street and railroad right-of-way, waterway or other barrier.

**Building Setback Line:** A line within a lot or other parcel of land so designated on the plat of the proposed subdivision between which and the adjacent boundary of the street upon which the lot abuts, the erection of an enclosed structure or portion thereof is prohibited.

**Boulevard:** A street, other than a freeway or an expressway, developed with two-lane, one-way pavements separated by a landscaped island, median or barrier.

**Butt Lots:** Lots the rear lot lines of which abut the side lot lines of other lots platted in the same block and not separated therefrom by an alley or other open space.

**Comprehensive Plan:** An official advisory plan of jurisdiction formally adopted by a municipality or the County, any part of which may be implemented by ordinance duly enacted by the Corporate Authorities as prescribed by the Illinois Municipal Code. Said plan shall be placed on file with the Village Clerk and with the Champaign County Clerk.

**Crosswalk:** A public or private right-of-way across a block to be used by pedestrians and/or for underground utilities.

**Cul-de-Sac:** A local street having one open end being terminated at the other by a vehicular turn-around.

**Culvert:** A transverse drain that channels under a street or driveway.

**Dedication:** The deliberate appropriation of land by its owner for any general public uses, reserving to himself no other right than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

**Drainage Basin:** An area of land which, because of the nature of the topography, collects naturally the surface drainage of the surrounding land.

**Easement:** The quantity of land set aside or over which a liberty, privilege, or advantage in land without profit existing distinct from the ownership of the land is granted to the public or some particular person or part of the public.

**Final Plat:** A drawing of a subdivision which has been accurately surveyed and such survey marked on the ground so that streets, alleys, blocks, lots or other divisions thereof can be identified.

**Flood:** An overflow of water on lands adjacent to a river, stream, lake, not normally covered by water.

**Flood Plain:** The land adjacent to a body of water which has been or may be hereafter covered by floodwater.

**Local Street:** Minor streets providing direct access to abutting property, which may be devoted to residential, commercial, or other uses. Streets in this classification are not considered part of the major thoroughfare system.

**Lot:** A portion of a subdivision, or other parcel of land intended as a unit for transfer of ownership or for development.

**Lot Area:** The horizontal projection (in square feet) of a parcel of land or a body of water, or combination of both, exclusive of any portion of the right-of-way of any public or private streets; measurements are to be made by standard surveying practice methods.

**Lot, Corner:** A parcel of land at the junction of and fronting or abutting on **two (2) or more** intersecting streets.

**Lot Depth:** The average distance between the front and rear line of a lot measured in the general direction of its side lot lines.

**Lot, Interior:** A lot other than a corner lot.

**Lot Width:** for regular-shaped lots, the average distance between the side lines of a lot measured at right angles to the depth of the lot. For pie-shaped lots the lot width shall be measured at the building setback line.

**Marginal Access Street (Frontage Road):** A local street or highway paralleling, adjacent to and having limited access to a freeway, expressway, collector highway, area service highway, or land access highway which provides direct access to abutting property and protection from through traffic.

**Monument:** A physical structure which marks the location of a corner or other survey point as required by provisions contained herein.

**Official Plan:** The complete plan, or any of its parts, for the development of the Village prepared by the Village and adopted in accordance with the **Illinois Compiled Statutes**, as are now or may hereafter be in effect.

**Owner:** Any person having any legal, equitable or beneficial interest in the land sought to be subdivided, including the plural as well as the singular, and firm, association, partnership, private corporation, or combination of any of them.

**Plan Commission:** The legally appointed members and officers of the Fisher Plan Commission as provided by the Village Board.

**Preliminary Plat:** A preliminary drawing and supporting data, indicating the proposed layout of the subdivision in sufficient detail to provide adequate basis for review by the Village meeting the requirements of these regulations.

**Public Improvements:** Street pavements, public walkways, monuments, water mains, sanitary and storm sewers, street signs, culverts and appurtenances to the foregoing items and for use by the public.

**Public Walkway:** A right-of-way dedicated for the purpose of pedestrian access and located so as to connect **two (2)** or more streets, or a street and a public land parcel, or any **two (2)** public parcels of land.

**Reproducible Copy:** A print or copy of a plat or drawing on transparent film or mylar of adequate weight to withstand handling.

**Setback Line:** The line within a property defining the required minimum distance between any enclosed structure and the adjacent or proposed right-of-way line of a street.

**Sidewalk:** A pedestrian walkway within the public road right-of-way or easement.

**Sketch Plan:** A preliminary drawing indicating the proposed general development of the area to be subdivided.

**Street (Highway):** A right-of-way, whether designated as a street, highway, road, lane, court, thoroughfare, parkway, freeway, expressway, boulevard, or avenue, other than an alley or place, usually affording the principal means of access to abutting property.

**Street, Arterial:** A public thoroughfare with a high degree of traffic continuity established in the official plan of the Village.

**Street, Collector:** A street, which carries traffic from minor streets to the arterial street system, including the principal entrance streets of residence development and the primary circulating streets within such a development.

**Street Line:** The dividing line between the street or highway right-of-way and the lot.

**Subdivision:** A division of a lot, tract, or parcel of land into **two (2)** or more lots, or other divisions of land, for the purpose whether immediate or future, of (1) transfer of ownership, (2) building development, or (3) redevelopment, including all changes in street lines, provided that divisions of land for agricultural purposes in parcels of **five (5) acres** or more not involving any new street or easement of access, and other enumerated situations shall be exempted as set forth in **Section 34-1-6**.

**Subdivision Design Standard:** The officially adopted guides, principles, specifications and standards for the preparation of subdivision plans and plats indicating, among other things, the maximum and minimum dimensions of the various elements set forth in the area general plan, preliminary plat or final plat.

**Tentative Approval:** An approval without or with recommended alterations given to a preliminary plat by the Commission and provides the necessary authority to proceed with the preparation and presentation of the final plat.

**Thoroughfare:** Any part of the Official Plan of the Village now or hereafter adopted which sets forth the location, alignment, dimensions, identification and classification of existing and proposed public streets, highways and other thoroughfares.

**Variance:** A modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

**Vicinity Map:** A drawing located on the preliminary plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other near by developments, landmarks, community facilities or services.

**Village:** The Village of Fisher, Illinois.

**Village Board:** The Board of Trustees of the Village of Fisher, Champaign County, Illinois.

**34-1-11      SUITABILITY OF LAND FOR SUBDIVISIONS.** Lands subject to flooding and land deemed to be topographically unsuitable should not be subdivided for residential purposes, nor for such other uses as may increase danger to health, life or property, or aggravate erosion or flood hazards.

The Plan Commission shall not approve the subdivision of land if upon adequate investigation conducted by the Plan Commission it has been determined by the Plan Commission that in the best interest of the public the site is not suitable for the subdivision and development of the kind proposed.



**ARTICLE II – PROCEDURES**

**34-2-1      ZONING.**

(A)            If the proposed subdivision lies within the corporate limits of the Village, the developer shall first satisfy the current zoning requirements of the Village, as specified in **Section 34-1-3.**

(B)            If the proposed subdivision lies outside the corporate limits of the Village, but within a **one and one-half (1 ½) mile** area of said corporate limits, then the developer shall first satisfy the zoning requirements in "**Champaign County Zoning Ordinance**", as adopted **May 20, 1975**, and effective, and as amended.

**34-2-2      SUBMISSION PHASES.**

Submission planning, review approval and acceptance shall proceed through the following sequential phases:

Information Discussion Phase, Preapplication Conference (**Section 34-2-4**)

Area General Plan, if applicable (**Section 34-3-1**)

Preliminary Plat Review and Approval Phase (**Section 34-3-2**)

Final Plat Review and Approval Phase (**Section 34-4-1**)

Final Engineering Plans and Approval Phase (**Section 34-4-7**)

Recording Phase (**Section 34-4-7**)

Construction (**Section 34-6-4**)

Acceptance of Public Improvements by the Village (**Section 34-6-5**)

**34-2-3      DUTIES AND RESPONSIBILITIES.**

The purposes and objectives regarding land subdivision can best be understood by considering the various duties and responsibilities associated with land subdividing. The specific duties and responsibilities of the individual or groups listed below are clearly identified in these regulations.

(A)            **Subdivider.** The subdivider is responsible for initiating discussions with the Village before thoroughly preparing any subdivision plans or plats in order to become familiar with these regulations and the public policies and objectives applicable to the territory in which the proposed subdivision lies.

(B)            **Engineer and Surveyor.** The Engineer and Surveyor acting on behalf of the subdivider are responsible for preparing the necessary subdivision plans, surveys and plats and the engineering drawings and specifications as required by these regulations.

(C)            **Reviewing Authority.** The reviewing authority is the Plan Commission and Board of Trustees of the Village who are responsible for reviewing the subdivision plan or plat, or portions thereof, and approving those that fully meet the provisions and requirements of these regulations.

**34-2-4**      **INFORMAL DISCUSSION PHASE: PURPOSE.**    The purpose of the informal discussion phase, insofar as possible, is to guide and assist the subdivider in his future decisions with a view to avoiding later difficulties and delays. This is the basic policy stage, during which the subdivider meets informally with the Plan Commission. IN the course of the discussion the subdivider should make known his tentative plans for subdividing and development, may exhibit sketch plans and shall be apprised by the Plan Commission concerning specific public policies and objectives which the Commission may have for the area in question. Discussion at this phase shall involve the entire area of ownership and anticipated development.

**34-2-5**      **PROCEDURES FOR REVIEW.**

(A)      **Submission.**    A preapplication conference may be requested by all subdividers prior to initial plat applications. Subdividers may contact the Chairman of the Plan Commission to arrange a preapplication conference. Subdividers may submit an Area General Plan with material sufficient to identify the tract and establish the relationship of the proposed development with surrounding area.

(B)      **Processing.**    Upon a request for a preapplication conference, the Chairman of the Plan Commission shall schedule the preapplication conference at the next regular meeting of the Plan Commission. All materials will be considered as submitted for informal discussion. Discussions will involve the proposals in compliance with these regulations, determination of the scope of the proposed subdivision, an outline of the procedures for the recording of plats and general information exchange. No approvals will result from this conference; however, the Plan Commission may make recommendations on the scope of the initial plat application by the subdivider, continuity of the proposed street pattern with existing or proposed streets adjacent to the proposed subdivision, and other factors based on peculiarities of the area in which the subdivision is prepared.

(C)      **Review.**    Review of any material submitted by the subdivider during the informal discussion phase shall be made by the Plan Commission. Any sketch plan submitted, shall be studied with regard to the best principles of land subdividing and development; to lot sizes, and proportions; to existing and planned land uses; to topography and drainage; to provisions for recreation area, public open space, schools, parks and other public facilities; to design and location of streets; and to conformity with the continuity of existing street system, walkways and related matters.

(D)      **Inspection.**    The Plan Commission may make an inspection of the site to determine its relationship to and effect upon major thoroughfares, utilities, drainage, and adjacent land uses (existing and planned) and ascertain the existence of any unusual problems; and shall determine:

- (1)      The conformity of the proposed development to existing zoning regulations, official road maps, and municipal development plans and policies;
- (2)      The effect of the proposed development upon schools, public open spaces, and other nearby community facilities;
- (3)      The need for preparation and review of an Area General Plan prior to consideration of the preliminary plat.

**ARTICLE III - PLATS AND PLANS**

**34-3-1**      **AREA GENERAL PLAN SUBMISSION.** An Area General Plan may be prepared and submitted by the subdivider, for approval by the Plan Commission, prior to the submission of the initial preliminary plat. The Plan Commission shall determine that either of the following conditions exists to warrant a requirement of preparation and submission of an Area General Plan:

(A)            The parcel initially proposed for platting constitutes a portion of a larger tract of land owned, or under option to purchase by the subdivider;

(B)            The parcel initially proposed for platting constitutes a portion of a larger land area, the development of which will be complicated by unusual problems of drainage, street layout, utility services, land usage, or land ownership pattern.

The Area General Plan shall show property boundaries, existing easements, land characteristics including wetlands, drainage, flood-prone areas as identified on Flood Prone Area Maps of the Flood Insurance Agency, wooded areas and major topographic features, development characteristics, streets, existing buildings, sewer lines, water lines and pipelines. Also to be shown in the Area General Plan are the proposed layout of streets, blocks and lots; proposed location of commercial areas, and parks or other public areas. The Area General Plan shall be prepared to a proper scale **one inch equals one hundred feet (1" = 100')** or larger, and to proper accuracy.

The Plan Commission shall review the Area General Plan at a regular meeting for compliance with these regulations and its consistency with the Comprehensive Planning Program and applicable municipal development plans, or parts thereof. Commission action shall take the form of approval or denial within **thirty (30) days** following the complete submittal of the Area General Plan and such action shall be indicated on the Area General Plan.

The Area General Plan may serve as the subdivider's official preliminary plat, provided that the Area General Plan submitted as the official preliminary plat by the subdivider, conforms to the requirements as set forth in these regulations. In the event the Plan Commission approves the Area General Plan as the official preliminary plat, the subdivider may submit the final plat for review and approval as provided in these regulations.

A portion of the Area General Plan may serve as the subdivider's official preliminary plat, provided that this portion is clearly designated and provided that this portion of the Area General Plan submitted as the official preliminary plat by the subdivider conforms to the requirements as set forth in these regulations for preliminary plats.

**34-3-2**      **PRELIMINARY PLAT SUBMISSION.**

(A)            **Purpose.** The purpose of the preliminary plat phase, insofar as possible, is to assist the subdivider and the reviewing authorities in determining whether the proposed subdivision conforms to the standards and requirements of these regulations and the tentative approved Area General Plan, and the pertinent standards and regulations of affected municipal departments. The preliminary plat is the document which shall be used for review by the Plan Commission.

- (1) Where any tract of land within the Village Corporate Limits is to be divided into less than **five (5) lots** of less than **five (5) acres** each, the Plan Commission may waive the requirements for a preliminary plat. No fee will be required in such instances. The requirements for a final plat shall continue to be in effect.
  - (a) When the Plan Commission does waive the aforesaid requirements for a preliminary plat, no further subdivision of adjacent land owned by the same beneficial interest shall be considered for subdivision within **five (5) years** without full compliance with the requirements for a preliminary plat.
- (2) When a preliminary plat is required, and the zoning requirements have been satisfied, the developer shall submit to the Plat Officer **ten (10) copies** of the preliminary plat **fourteen (14) calendar days** prior to the next regular meeting of the Plan Commission. If the developer does not satisfy these requirements, the preliminary plat shall not be considered.
- (3) The preliminary plat for a subdivision within the corporate limits or within the jurisdictional area shall be accompanied by a filing fee of **Twenty-Five Dollars (\$25.00)** for each lot or **Three Hundred Dollars (\$300.00)**, whichever is greater. The check shall be made payable to the Village of Fisher.
- (4) The preliminary plat, and/or accompanying documents shall contain the information herein specified and comply with the following requirements.

**34-3-3      GENERAL REQUIREMENTS.**

- (A) Proposed name of the subdivision which will not duplicate that of any other plat previously recorded with the word "Preliminary" on the proposed plat.
- (B) Location of the subdivision by section, township and range or by other legal description.
- (C) Names and addresses of the owner of the subdivision, including the known beneficial owners of any interest of **five percent (5%)** or more.
- (D) Date of preparation, northpoint, scale **1" = 100'**, and;
- (E) The name and address of the land surveyor and engineer responsible for the subdivision.
- (F) The name of the person or persons to which all correspondence shall be mailed.
- (G) Boundary line of proposed subdivision indicated by solid heavy line so designated and the total approximate acreage encompassed thereby.
- (H) Indicate current zoning classification and zoning classification of adjacent tracts.

**34-3-4            CHAMPAIGN COUNTY SOIL AND WATER DISTRICT.**

**(A)            Soil and Water Conservation District Review and Approval.**

Information concerning the proposed subdivision shall be submitted by the developer to the Soil and Water Conservation District for comments as to:

- (1) Suitability of soils for building construction and problems that may arise in the event good engineering practices are not followed.
- (2) Suitability of soils for septic tank systems if applicable to the subdivision.
- (3) Best use of soils in the area of question.
- (4) All fees as required by this Section shall be paid by the subdivider directly to the Champaign County Soil and Water Conservation District. A copy of paid receipts shall be presented to the Plan Commission.

(B) The developer shall submit a written opinion from the Soil and Water Conservation District concerning the proposed subdivision to the Chairman of the Plan Commission.

**34-3-5            EXISTING CONDITIONS.**

(A) Location, width and names of all existing or prior platted streets or other public ways, subdivision, railroad and utility right-of-ways, parks and other public open spaces, permanent buildings and structures, houses, permanent easements, lakes, rivers, streams, drainage ditches, and section and corporation lines within and adjacent to the tract.

(B) Existing sewers, water mains, culverts or other underground facilities within the tract and to a distance of at least **one hundred (100) feet** beyond the tract boundaries indicating pipe sizes, flow line elevations, grades, manholes and exact locations. All elevations shall be to U.S.G.S. Mean Sea Level Datum.

(C) Adjacent tracts of unsubdivided lands showing ownership where possible.

(D) Contour at vertical intervals of not more than **two (2) feet**. Highwater levels of all water courses, if any shall be indicated. The datum used shall be U.S.G.S. Mean Sea Level.

(E) The acreage and description of the drainage basin or basins within which the proposed subdivision lies. The physical characteristics of the site, such as swamps, woods, drainage patterns, bodies of water, and lower areas subject to flooding.

**34-3-6            PROPOSED CONDITIONS.**

(A) The location, width, approximate grades and typical cross section of proposed streets, right-of-ways, crosswalks, easements, and other areas to be reserved for public use.

(B) An identification system for all lots and blocks and street names. Lot lines to show approximate dimensions and setback lines. Approximate lot areas should also be known.

(C) The current zoning classification and areas should be shown, or the proposed zoning classification if a change is sought.

- (D) Distances to the nearest established street lines.
- (E) The plan of any proposed water courses or impoundments including stream relocations, showing normal water levels and direction of flow.
- (F) The provisions and design for water supply, sewage disposal, and storm water disposal indicated by a general drainage plan of sufficient detail to show how the water will be moved over the site, and subsurface drainage including provisions for continual maintenance of natural drainage courses and field drainage tile systems. Known on-site field drainage tile systems serving areas off the site shall be located in designated easements.
- (G) If a private septic disposal system is proposed for any lot, a registered professional engineer shall certify, on the face of the preliminary plat, that the proposed lots and soil characteristics are adequate for such a disposal system. Test data to support this certification shall also be submitted.
- (H) Approval from the Champaign County Soil and Water District, if required.
- (I) The developer shall mail **two (2) prints** of the preliminary plat to Eastern Illinois Telephone Corporation and **one (1) print** of the preliminary plat shall be mailed to Central Illinois Public Service Corporation and Northern Illinois Gas Company.

**34-3-7      PRELIMINARY PLAT APPROVAL.**

- (A) If all of the above requirements have been satisfied, the plat officer will present the preliminary plat to the Plan Commission at the next regular meeting. The developer or a responsible representative and the engineer or surveyor shall attend this meeting. The Plan Commission shall either:
  - (1) Deny approval of the preliminary plat;
  - (2) Approve the preliminary plat; or
  - (3) Approve the preliminary plat, subject to minor corrections or additions.
- (B) If the Plan Commission denies approval of the preliminary plat, the reasons for the denial shall be clearly set forth and delivered to the developer.
- (C) If the Plan Commission approves the preliminary plat, it shall be so executed at that time. The preliminary plat shall then be presented to the Village Board at their next regular meeting. After approval by the Village Board the developer shall then proceed with the final plat and subdivision engineering improvement plans and specifications.
  - (1) The approval of the preliminary plat shall be in effect for a period of **one (1) year** from the approval date of the Village Board. If the final plat and subdivision improvement plans and specifications have not been filed on or before this date, then the preliminary plat shall become null and void.
- (D) If the Plan Commission approves the preliminary plat subject to minor corrections or additions, the developer has **fourteen (14) calendar days** from the Plan Commission meeting date to make the corrections or additions and resubmit the preliminary plat to the plat officer. The preliminary plat shall not be presented to the Village Board until all corrections or additions are completed. If all items have been satisfied, the plat officer shall issue the developer a written notice to proceed as stated in paragraph (3) above. If the plat officer issues a notice to proceed, the official signing of the preliminary plat shall occur at the next regular Plan Commission meeting. If the plat officer does not issue a notice to proceed, he shall state his reasons in a letter addressed to the Plan Commission and the developer shall resubmit the preliminary plat as required by this Code.
- (E) On the preliminary plat the following certificate shall appear:

**PRELIMINARY PLAT APPROVAL**

The Preliminary Plat entitled \_\_\_\_\_  
\_\_\_\_\_ has received preliminary approval by the Plan Commission of  
the Village of Fisher, Illinois.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Date

The Preliminary Plat has received approval by the President and Board of Trustees of the  
Village of Fisher, Illinois.

\_\_\_\_\_  
President

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

**34-3-8 FENCE/DECK PERMIT.** Anyone seeking to erect a fence and/or erect a  
deck on property located within the Village shall first apply for a Building Permit as required by the  
Village Building Inspector and shall pay a fee for such permit in the sum of **Twenty-Five Dollars  
(\$25.00)**. Failure to secure such a permit shall entitle the Village to enforce this Section through a  
fine of **One Hundred Dollars (\$100.00)** for each fence and/or deck that exists without an  
approved permit. Each day a deck and/or fence has been erected without a permit shall constitute  
a separate offense. **(Ord. No. 12-07; 04-23-12)**

**ARTICLE IV – FINAL PLATS**

**34-4-1      FINAL PLAT SUBMISSION.**

(A)            At any time within **one (1) year** after receiving preliminary plat approval, the developer shall submit to the Plat Officer **ten (10) copies** of the final plat **fourteen (14) calendar days** prior to any regular meeting of the Plan Commission. Also, the developer shall submit to the Village Engineer **two (2) copies** of the subdivision plans and specifications on the same date. If the developer does not file these documents **fourteen (14) days** prior to the meeting, the final plat shall not be considered at that meeting but will be tabled until the next regular meeting.

(B)            The final plat shall contain the information herein specified and shall comply with the following requirements.

**34-4-2      GENERAL.**

(A)            The name of the subdivision.

(B)            A statement from a Registered Land Surveyor.

(C)            The date of preparation, scale and north arrow. The scale and size of the plat shall be such that photographic reduction to **sixteen inches by seventeen inches (16" x 17")** will not impair the details. Plats in several sections are permissible. The minimum scale shall be **one inch equals one hundred feet (1" = 100')**.

(D)            The location and position of the subdivision indicated in each of the following ways:

- (1)          By quarter section, section, township, range, meridian, County and State.
- (2)          By distances and bearings from true or assumed north and angles with reference to a corner or corners established in the United States Public Land Survey.
- (3)          By a written legal description of the exterior boundaries of the land as surveyed and divided.

(E)            The plat shall comply with the current Illinois State Compiled Statutes. Information which shall appear on the plat:

- (1)          Tributary drainage area.
- (2)          Location of subdivision relative to Corporate Limits.
- (3)          Consideration of surface water flow.

(F)            The final plat shall be drawn with ink on either linen cloth or on polyester-base film.

**34-4-3      DETAILED INFORMATION.**

(A)            Boundary line of proposed subdivision indicated by solid heavy lines and the total acreage encompassed thereby. The plat shall clearly indicate all streets, alleys, blocks,



lots, parcels, easements, and right-of-ways. Accurate angular and lineal dimensions shall be shown to describe and/or reproduce any of these features.

(B) The description and location of all subdivision and public land system survey monuments.

(C) A consecutive numbering system for all lots and blocks.

(D) Location and names of all existing or prior platted streets or other public ways, railroad and utility right-of-ways, parks and other public open spaces, permanent easements or prior platted lots within and adjacent to the subdivision.

(E) A graphic representation of the minimum setback lines on all lots and parcels, and a notation of the distance between such lines and the street line, or lot line.

(F) Pipes or other equivalent physical markers shall be placed at each lot corner.

No pipe monument shall be less than **three-fourths (3/4) inch** in diameter, I.P.S. weight water pipe at least **thirty (30) inches** long or **one-half (1/2) inch**, (No. 4) reinforcement bars.

Iron pipe or **one-half (1/2) inch** (No. 4) reinforcement bars encased in concrete at least **four inches by four inches by thirty inches (4" x 4" x 30")** or equivalent markers shall be placed at the beginning and ending of all curves and at all block corners.

**34-4-4 ATTACHMENTS.**

(A) The final plat shall be accompanied by:

- (1) Protective covenants, if any, if required.
- (2) A notarized certification by Owner and by mortgage holder of record, of the adoption of the plat and the dedication of streets and other public areas, and any restrictions as to usage, buildings, occupancy, etc. See form attached to this Code. **(Attachment No. 5)**
- (3) Certification from County Clerk and Village Treasurer that all taxes have been paid in full and all other certifications not mentioned here but found in **Attachments 1 through 8** at the end of this Code.
- (4) Report from the Champaign County Soil and Water District.

**34-4-5 FINAL PLAT APPROVAL.**

(A) If all of the above requirements have been satisfied, the Plat Officer will present the final plat to the Plan Commission at the next regular meeting. It is recommended that the Developer be present at this meeting. The Plan Commission shall make one of the following recommendations to the Village Board:

- (1) Deny approval of the final plat.
- (2) Recommend approval of the final plat to the Village Board.
- (3) Recommend approval of the final plat to the Village Board, subject to minor corrections or additions.

(B) If the Plan Commission denies approval of the final plat, the reason for denial shall be clearly set forth and delivered to the Developer.

(C) If the Plan Commission recommends to the Village Board approval of the final plat, it shall be so executed at that time. The original plat and **ten (10) copies** shall be executed by the Plan Commission. The Plat Officer shall then present the final plat to the Village Board at its next regular meeting. At the same Village Board meeting, the Village Engineer shall present the subdivision improvement plans and specifications. At that time, the Village Board shall approve or disapprove the final plat, and the plans and specifications, and shall clearly state their

reasons for their actions. In the event the Village Board disapproves either the plat or the final plans and specifications, the Developer has **one (1) year** from the date of such disapproval to make the corrections and resubmit to the Village Board; otherwise, the prior approval of the Plan Commission and/or the approval of the Village Engineer shall become null and void.

(D) On the final plat, the following certificate shall appear:

**FINAL PLAT APPROVAL**

The Final Plat entitled \_\_\_\_\_  
\_\_\_\_\_ has a recommendation for (approval) (disapproval) by the  
Plan Commission of the Village of Fisher, Illinois.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Date

**34-4-6 VILLAGE BOARD ACTION.**

(A) until: The Village Board will not give the final approval to any proposed subdivision

- (1) The Plan Commission has recommended approval or disapproval of the final plat.
- (2) The Village Engineer has recommended approval or disapproval of the subdivision improvement plans and specifications.
- (3) The Developer presents his performance bond or certificate of deposit in the amount and form in accordance with the Attachments to this Code. **(See Attachment No. 2)**

(B) The Village Board, after receiving recommendations from the Plan Commission and Village Engineer shall then consider the proposed subdivision.

(C) The following certificate shall appear on the Final Plat directly below the Plan Commission certificate.

The Final Plat entitled \_\_\_\_\_  
\_\_\_\_\_ has received approval by the President and Board of Trustees of the Village of Fisher, Illinois. This Plat shall be recorded with the Recorder of Deeds, Champaign County, Illinois, within **one (1) year** of this date, otherwise the Plat shall become VOID.

\_\_\_\_\_  
President

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

**(SEAL)**

**34-4-7**      **ENGINEERING IMPROVEMENT PLANS AND SPECIFICATIONS.** The following certificate shall appear on the cover sheet of the Engineering Improvement Plans.

**APPROVAL BY THE VILLAGE OF FISHER**

The Plans and Specifications for \_\_\_\_\_  
\_\_\_\_\_ have received a recommendation for (approval) (disapproval) by the Village Engineer.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Attest

\_\_\_\_\_  
Date

The Plans and Specifications for \_\_\_\_\_  
\_\_\_\_\_ have received a recommendation for approval by the President and Board of Trustees.

\_\_\_\_\_  
President

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

After approval of the final plat, plans and specifications by the Village Board, the final plat shall be recorded by the Plat Officer when the subdivider submits a written request to the Plat Officer that the plat be recorded and the correct recording fee is attached with the request. The Plat Officer shall record the plat within **ten (10) days** of the request.

ARTICLE V - RESUBDIVISION

**34-5-1 PROCEDURES FOR RESUBDIVIDING AND REPLATTING RECORDED LOTS AND FOR VACATION OF PLATS.** All regulations, procedures and standards made applicable herein to original subdividing shall also apply to the resubdividing and replatting of a plat or parts thereof, as provided by these regulations.

(A) **Procedure for Resubdivision.** For any change in a map of an approved or recorded subdivision plat, if such change affects any street layout shown on such map, or area reserved thereon for public use, or any lot line, or if it affects any map or plan legally reached prior to the adoption of any regulations controlling subdivision, such parcel shall be approved by the Plan Commission and Village Board of Trustees by the same procedure, rules and regulations as for a subdivision.

(B) **Procedure for Subdivisions Where Future Resubdivision is Indicated.** Whenever a parcel of land is subdivided and the subdivision plat shows **one (1)** or more lots containing more than **one (1) acre** of land and there are indications that such lots will eventually be resubdivided into small building sites, the Plan Commission and Village Board of Trustees may require that such parcel of land allow for the future opening of streets and the ultimate extension of adjacent streets. Easements providing for the future opening and extension of such streets may be made a requirement of the Plat.

(C) **Vacation of Plats.** Any plat or any part of any plat may be vacated by the Owner of the premises, at any time before the sale of any lot therein, by a written instrument, to which a copy of such plat shall be attached, declaring the same to be vacated.

Such an instrument shall be approved by the Plan Commission and the Village Board of Trustees in like manner as plats of subdivisions. The governing body may reject any such instrument which abridges or destroys any public rights in any of its public uses, improvements, streets, or alleys.

Such an instrument shall be executed, acknowledged or approved, and recorded and filed, in like manner as plats of subdivisions; and being duly recorded or filed shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alley, and public grounds, and all dedications laid out or described in such plat.

When lots have been sold, the plat may be vacated in the manner herein provided by all the owners of lots in such plat joining in the execution of such writing.

**ARTICLE VI – DESIGN STANDARDS**

**34-6-1      GENERAL.**

(A)            The procedure for submitting the engineering plans and specifications is stated herein. The Village Engineer will not recommend approval of the plans and specifications to the Village Board until all of the information submitted is in accordance with the standards and procedures herein stated.

(B)            All engineering plans and specifications for any subdivision shall be prepared by a Registered Professional Engineer and before the completed improvements are approved or accepted by the Village such Engineer shall furnish the Village a completion certificate stating that such improvements comply with all the requirements of such plans and specifications. The form of the Engineer's Certificate is an attachment to this Chapter.

The Engineer's Certificate must be accompanied by the appropriate testing data as specified in these documents.

The engineering plans and specifications referred to in the preceding paragraph shall, after certification by a Registered Professional Engineer and after the approval of the Village Engineer, constitute part of the official plan of the Village of Fisher.

The Registered Professional Engineer who will certify the construction of the improvements shall not have an ownership interest nor be a regular employee of the Developer.

The Engineer shall furnish the Village Engineer **three (3) sets** of approved plans and specifications prior to starting any construction operations.

The plan sheets shall be **twenty-four inches by thirty-six inches (24" x 36")**. The minimum graphic scale shall be **one inch equals fifty feet (1" = 50')**. The plans shall include the following items:

- (1)    Cover sheet project location and Professional Engineer's Seal and signature; also see "Procedures for Village Certificates Required".
- (2)    Existing topography.
- (3)    Existing and proposed contours (Interval not greater than **two (2) feet.**)
- (4)    Street pavement and storm sewer plan.
- (5)    Street profile, storm sewer profile, and drainage swales.
- (6)    Sanitary sewer plan and profile.
- (7)    Water distribution plan, including valves, fire hydrants and fittings.
- (8)    Details.
- (9)    Electrical and gas distribution plan.
- (10)   Telephone distribution plan.
- (11)   Cable television lines.

**34-6-2      ACCESS.** Provisions shall be made to grant access for future development of unplatted adjacent land at intervals of not more than **one-quarter (1/4) mile**. This applies to utilities as well as streets.

**34-6-3**      **WAIVERS.**    In the event it is deemed desirable to deviate from the subdivision standards, the Consulting Engineer must submit, in writing, a request to the Village Engineer stating the degree of deviation and the reasons why such deviation is necessary or desirable. The deviation must be approved in writing by the Village Board prior to the final design work and shall apply to that location and point in time only.

**34-6-4**      **CONSTRUCTION BOND.**    The Subdivider shall complete the Subdivision Bond as specified herein. The form of the bond is **Attachment 2** of these documents.

(A)            A construction bond is required guaranteeing construction of required improvements which at the time of final plat submission have not been approved by the Village Engineer or for which a maintenance bond has not been filed.

(B)            The condition of the construction bond shall be that the principal shall within **two (2) years** complete or cause to be completed in accordance with the approved plans and specifications and in accordance with applicable ordinances, resolutions, and codes of the Village, the improvements required in the subdivision. Approved Village bond forms must be used.

(C)            The construction bond shall be for the sum of **one hundred percent (100%)** of the estimated cost of construction as determined by the subdivider's engineer and approved by the Village Engineer.

(D)            Construction bonds for required improvements which are a part of the subdivision shall be secured to the Village by one of the following methods or a combination of the following methods:

- (1)      Cash.
- (2)      Corporate surety licensed and authorized to do business in the State of Illinois as a surety.
- (3)      Certificates of deposit payable to the Village.
- (4)      United States Government Savings Bonds payable to the Village.
- (5)      Deed in trust or escrow conveying real estate to the Village. Such real estate shall be appraised at the owner's or subdivider's expense by an independent appraiser selected by the Village. The Village Attorney shall approve the form of any surety involving a deed in trust or escrow.
- (6)      Irrevocable letter of credit in a form approved by the Village Attorney.

(E)            The Village Board shall release construction bonds and the surety thereon with interest, if any, upon satisfaction of the conditions of the bond and upon receipt of a maintenance bond in accordance with **Section 34-6-5.**

**34-6-5        MAINTENANCE BONDS.**

(A)            Upon approval of required improvements, a maintenance bond shall be filed with the Village Clerk on approved Village bond forms guaranteeing repair of defects in construction of said improvements for a period of **one (1) year. (See Attachment No. 3)**

(B)            The maintenance bond shall be for the sum of **fifteen percent (15%)** of the estimated cost of construction as determined by the subdivider's engineer and approved by the Village Engineer.

(C)            Maintenance bonds shall be secured to the Village in the same manner as construction bonds.

(D)            The Village Board shall release maintenance bonds and the surety thereon with interest, if any, upon satisfaction of the conditions of the bond.

**34-6-6        NOTICE.** It shall be the duty of the Certifying Engineer to notify the Village Engineer and the specific Village Superintendent at least **one (1) day** in advance of any starting, suspended, resumption or completion of each phase of construction work. This Article shall not apply to work suspended by reason of Adverse weather conditions.

**34-6-7        INSPECTION.** The degree of engineering inspection during construction operations shall be **one hundred percent (100%)** during storm sewer, sanitary sewer, water main, force main, sidewalk, and pavement construction. The inspection shall be done by the Certifying Engineer or by a person working under the direction of the Certifying Engineer. All construction shall be done in accordance with the approved plans and specifications, with an inspector present as stated herein, or the Village Engineer or Village Inspector shall stop all construction operations.

**34-6-8        AS-BUILT PLANS.** After completion of the project and prior to acceptance by the Village Board, the Consulting Engineer shall furnish the Village Engineer **three (3) complete sets** of "as built" plans with each sheet clearly marked "as built" in the lower right hand corner. These plans shall indicate the final location of all improvements. **Three (3) copies** of the approved final plat shall accompany these drawings.

**34-6-9        EASEMENTS.** Utility easements shall not be less than **twenty (20) feet** in width.



**ARTICLE VII – STREET IMPROVEMENTS**

**34-7-1**      **STREETS.** A public street or streets shall be provided to afford convenient access to all property within the subdivision. Proposed streets shall be connected to existing street systems where possible. Private streets or alleys shall not be permitted.

(A)            Arterial or collector streets shall have a dedicated street right-of-way of **eighty (80) feet**. Minor streets and cul-de-sac street right-of-ways shall be **sixty (60) feet**.

(B)            Minimum dedicated street right-of-way for a cul-de-sac shall be **one hundred twenty (120) feet** in diameter.

(C)            Minimum pavement widths for streets as measured from back of curb to back curb shall be **thirty (30) feet**.

All Developers are required to construct a minimum **thirty (30) foot** pavement width unless the project property line is the center line of the dedicated right-of-way in which case the Developer shall construct **one-half (1/2)** of the required pavement width.

If additional pavement width and/or thicknesses are required, the Village will participate in the additional cost.

(D)            Pavement grades shall be:

(1)          Minimum 0.50%.

(2)          Maximum 8.00%.

(E)            Radii at pavement intersections shall be **twenty-five (25) feet** measured along the edge of pavement.

(F)            All cul-de-sacs shall have a minimum pavement radius of **fifty (50) feet** (measured to edge of back of curb).

(G)            Horizontal curves in streets shall be permitted provided no curve shall be greater than that approved by the Village Engineer as reasonably safe for traffic at the particular location of the curve.

(H)            Street jogs with center line offsets of less than **one hundred twenty-five (125) feet** shall not be permitted if the same can be reasonably avoided.

(I)            Proposed streets which are obviously in alignment or continuation of existing streets already named shall bear the name of such existing streets. In no case shall the name for proposed streets duplicate existing names irrespective of the use of the suffix street, avenue, road, boulevard, drive, place, or court, or an abbreviation thereof, or minor variations in spelling.

(J)            Provisions shall be made to grant access for future development of unplatted adjacent land at intervals of not more than **one-quarter (1/4) mile**.

(K)            Blocks shall not be less than **four hundred (400) feet** nor more than **eight hundred (800) feet** in length except as the Plan Commission considers necessary to secure efficient use of land or desired features of the street pattern.

In blocks **six hundred (600) feet** or more in length, the Plan Commission may require a public crosswalk for pedestrian travel to extend entirely across the block at the location deemed necessary. The crosswalk shall be constructed of portland cement concrete. The width of the concrete shall be **four (4) feet**, thickness **four (4) inches**, and the crosswalk shall be located on a **ten (10) foot** easement.

Blocks shall be wide enough to allow **two (2) tiers** of lots, except where fronting on major streets or prevented by topographical conditions or size of the property, in which case the Plan Commission will approve a single tier of lots.

(L) Cul-de-sacs shall have a maximum length of **six hundred (600) feet** measured from the center line of the intersection street to the center of the turnaround, unless the topography of the land being subdivided, or the physical situation of that land, makes such a restriction impractical.

(M) Where an existing street is adjacent to the subdivision, the subdivider shall improve the half of the street to conform to these standards, except where the existing street is a township road.

(N) If any trees are proposed to be planted on any part of the subdivision devoted to public use, the species of trees and the location thereof shall be subject to the approval and direction of the Fisher Plan Commission.

(O) Street signs shall be erected at each street intersection within the subdivision. A detail of the street sign is attached to these standards. **(See Standard Drawing No. 4)**

(P) Before final approval all pavements shall be cored for thickness by the Developer in the presence of the Village Engineer. **Two (2) cores** shall be taken every **five hundred (500) feet** per lane unless deficiencies are encountered. Requirements in the event of deficient pavement thickness shall be as follows:

- (1) **One (1) inch** or less deficiency will be accepted only in isolated areas.
- (2) Over **one (1) inch** deficiency will be removed and replaced to the plan thickness or an asphalt overlay constructed as approved by the Village Engineer.

**34-7-2 CONCRETE PAVEMENT CONSTRUCTION REQUIREMENTS.**

(A) Longitudinal construction joints shall be tied with **number four (#4)** deformed tie bars, **thirty (30) inches** long at **thirty (30) inch** intervals. Sawed contraction joints at **twenty (20) foot** intervals.

(B) The concrete shall meet the following requirements:

- (1) Have a compressive strength of **three thousand five hundred (3,500) pounds** per square inch in **fourteen (14) days** or a modulus of rupture equal to **six hundred fifty (650) pounds** per square inch in **fourteen (14) days**.
- (2) Have a minimum of **six (6) bags** of cement per cubic yard of concrete.
- (3) Have a workable slump approved by the Village Engineer, but in no instances greater than **three (3) inches**.
- (4) Mix shall be submitted to the Village Engineer for approval prior to beginning construction operations; test data must accompany the mix proportions to verify the strength of the proposed mix.

- (5) Be field tested for strength by the Certifying Engineer or independent testing laboratory during construction by taking beam or cylinder specimens at the minimum rate of **two (2) per five hundred (500) feet** per lane or **two (2)** per day, whichever is greater.
- (6) Be cured by standard procedure, as approved by the Village Engineer.
- (7) Be finished with a finishing machine approved by the Village Engineer, the machine shall be self-propelled, capable of striking off, consolidating and finishing the concrete of the consistency required to the proper crown and grade.
- (8) Be air-entrained **(5% to 7%)** and field tested to verify this air-entrainment.

(C) The subgrade shall be prepared properly so that after compaction it will conform to the alignment, grade, and cross-section shown on the approved plans. Soft and unstable material that will not compact shall be removed and replaced with material approved by the Village Engineer. The entire subgrade shall be compacted to not less than **ninety-five percent (95%)** of the standard laboratory density.

**34-7-3 BITUMINOUS PAVEMENT CONSTRUCTION REQUIREMENTS.**

(A) The mix design shall be submitted to the Village Engineer for approval prior to beginning construction operations.

(B) **Two (2)** field density tests must be taken for each days construction by an independent testing laboratory; the test results must be submitted to the Village Engineer for approval.

(C) The sources of material and blending proportions shall not be changed during the progress of the work without written permission from the Village Engineer.

(D) The bituminous base course shall be constructed in a maximum lift thickness of **four (4) inches**.

(E) The bituminous pavement shall be constructed only when the temperature in the shade is above **40°F**. In specific cases, the Village Engineer may order, in writing, waiver of this limitation.

(F) The density of each of the finished layers of bituminous construction shall be obtained from specimens furnished by the Contractor. Specimens shall be cut by the Contractor from the finished layers with a core drill. The diameter of a specimen shall in no case be less than **three and seven-eighths (3 7/8) inches** nor more than **four (4) inches**. **Two (2) specimens** shall be taken for each day's run for each layer. The Contractor shall remove the specimens at locations designated by and in the presence of the Engineer and transport them to the testing laboratory. Extreme care shall be taken to avoid damage to the specimens. The holes caused by the removal of the specimens shall be refilled immediately with bituminous mixture meeting the specifications, compacted and furnished to the satisfaction of the Village Engineer. The density tests shall be conducted by an independent testing laboratory.

**34-7-4      STREET PAVEMENT.**

<u>Zoning Classification</u>	<u>Width (BC/BC)</u>	<u>Pavement Type and Thickness</u>
Residential	30 feet	6" P.C. Concrete or 2" Bit. Conc. Surface Course 2/8" Aggregate Base
Business and Commercial	36 feet	7" P.C.C. Concrete or 1 1/2" Bit. Conc. Surface Course 1 1/2" Bit. Conc. Binder Course 6" Bit. Base Course
Industrial	36 feet	8" Standard Reinforced (78 lb/sq. yd. Pavement fabric) with sawed contraction joints (with dowel assembly) at 40 ft. centers. or 1 1/2" Bit. Conc. Surface Course 1 1/2" Bit. Conc. Binder Course 8" Bit. Base Course

(A)      **Curb and Gutter.** Combination concrete curb and gutter shall be required on both sides of all proposed streets. The shape of the curb and gutters shall conform to that in use by the Department of Transportation, State of Illinois.

(B)      **Curb and Gutter Drainage Castings.** The storm water curb and gutter, frames and lids shall be of the type currently conforming to the standards of the Illinois Department of Transportation.

(C)      **Street Pavement.** The street pavement shall meet the requirements of the current **Department of Transportation Standard Specifications for Road and Bridge Construction.**

**ARTICLE VIII – WATER DISTRIBUTION SYSTEM**

**34-8-1 DESIGN REQUIREMENTS.** All design criteria shall conform with the current **“Standard Specifications for Water and Sewer Main Construction in Illinois”**, except for the following items:

(A) Water main sizes shall depend upon factors such as the demand requirements, the pressure requirements in distribution system, and plans for the expansion of the municipal system. All mains located within the distribution system shall be a minimum of **six (6) inches** in diameter.

(B) The layout of the water mains shall be as to serve adequately all lots and tracts with connection to the municipal system. The mains shall be looped and valved to permit shutting off of service to only a small number of connections for repairs or maintenance. Preferably, disruption of service should be limited to **one (1) block**. Looped main shall be provided in all locations except cul-de-sacs or scattered properties. The design and construction shall include the placement of tees, crosses, etc. where future development indicates looping will be required.

(C) Unlooped mains or dead ends shall be equipped with a fire hydrant or flushing hydrant. The flushing hydrant shall be at least the size of the main or **four (4) inches**, whichever is smaller. No flushing device shall be directly connected to a storm drain.

(D) Fire hydrants shall be installed throughout the entire distribution system. The hydrant spacing shall provide for hose lines not exceeding **three hundred fifty (350) feet** to a house. Hydrants along the street shall be at a maximum **five hundred (500) foot** interval.

(E) All fire hydrants shall be equipped with an auxiliary valve located between the main and the hydrant. **(See attached Standard Drawing No. 2.)**

(F) All hydrant leads shall be a minimum **six (6) inch** diameter.

(G) All hydrants shall have a **seven (7) inch** barrel, **two (2) two and one-half (2 ½) inch** hose connections, and **one (1) four and one-half (4 ½) inch** pumper connection. Threads shall match those presently in use for the local Fire Department.

(H) All plugs, caps, tees, bends, and fittings deflecting **eleven and one-fourth (11 ¼) degrees** or more on mains shall be provided with a reaction backing. The reaction backing should be concrete of a mix having a compressive strength of not less than **two thousand (2,000) psi** at **twenty-eight (28) days**. Backing shall be placed between solid ground and the fitting to be anchored; the area of bearing on the pipe and on the ground in each instance shall be shown on the plans.

(I) Valves shall be uniformly located in some standard area such as street or curb line to facilitate their location. A valve box, with its cover at the finished grade shall always be placed over a buried valve. Valves should be located on all branches from feeder mains and between distributors and fire hydrants. **Three (3) valves** should be used at crosses and **two (2) valves** at tees; the valves should be placed on the smaller lines at each cross or tee. On arterial mains and minor distributors, valves should be placed at least every **one thousand two hundred (1,200) feet**.

(J) All service connections shall be supplied with corporation stops and curb stops with box to each lot. The service pipe shall conform with the Village Code.

(K) Water service lines should be installed to the approximate property line and shall terminate in a meter box as per Standard Drawing attached. The Village Water Department will be responsible for the meter and installation of said meter.

(L) Minimum cover for mains and services shall be **forty-eight (48) inches**.

(M) Where the Subdivider can show by cost estimates that it is not economical to connect a public water system (taking into account the cost of installing individual wells and their maintenance costs), he shall indicate that the lots are of adequate size to permit the construction of a well on each lot at least **twenty-five (25) feet** from any building, at least **ten (10) feet** from any lot line, and at least **seventy-five (75) feet** from any septic system seepage field. The well shall be situated clear of any driveway, parking area or other source of contamination. There shall not be any future cross connections between the well system and any public distribution system. The minimum lot size for lots with both a well and septic tank system shall be **twenty-five thousand (25,000) square feet**.

**34-8-2 CONSTRUCTION MATERIALS.**

(A) All water main shall be ductile iron pipe, cement-lined in accordance with ANSI A 21.4, and shall conform to AWWA C 151 and ANSI A 21.51. The thickness class and rates working pressure shall be determined by AWWA C 151-65 or ANSI A 21.50.

(B) All fittings shall conform to ANSI/AWWA C 110.

(C) Fire hydrants shall be dry-barrel type designed for **one hundred fifty (150) pounds** per square inch working pressure conforming to AWWA C 502 with valve opening at least **five and one-fourth (5 ¼) inches** in diameter. Outlets shall have American National fire-hose coupling threads. All working parts shall be bronze. Hydrants shall be latest stock pattern produced by manufacturer. Hydrants shall open counterclockwise. Hydrants shall be as follows:

(1) Mueller Centurion.

(2) A similar type approved by the Water Superintendent.

(D) All service pipes shall be **one (1) inch** copper water tube, Type K, soft temper for underground service, conforming to ASTM B 88 and B 251. The pipe shall be marked with the manufacturer's name or trademark and a mark indicative of the type of pipe. The outside diameter of the pipe and minimum weight per foot of the pipe shall not be less than that listed in ASTM B 251, Table 11.

(E) All corporation stops and curb stops shall be fabricated of brass and shall be provided with outlets suitable for copper connections. Curb stops shall be of the roundway type. Fittings shall be copper and of the compression type.

(F) Service boxes shall be of the best quality iron, with the base of ample size to completely house the service stop, and of such construction that it shall be capable of extension from a minimum of **three (3) feet six (6) inches** in length, to a maximum of **six (6) feet six (6) inches** in length. Boxes shall be **two and one-half (2 ½) inches** in diameter for stops and **one and one-fourth (1 ¼) inches** and smaller, and shall be **three (3) inches** in diameter for stops over **one and one-fourth (1 ¼) inches**. Boxes shall be furnished with a cast iron labeled "WATER".

(G) Valves shall be Resilient Seated Gate Valves in conformance with ANSI/AWWA C 509-80, iron body and non-rising bronze stem for a working pressure of not less than **one hundred fifty (150) pounds** per square inch. Valves shall have mechanical joint ends, shall have a clear water way equal to the full nominal diameter, and shall be opened by turning counterclockwise.

(H) Valve boxes shall be cast-iron, extension type with flared base and lock-type cover requiring a special wrench for removal. Minimum thickness of metal shall be **three-sixteenths (3/16) inch**. Minimum inside diameter of shaft shall be **five and one-fourth (5 1/4) inches**. Boxes shall be installed over outside gate valves and be of length that can be adapted, without full extension, to depth of cover required. The word "WATER" shall be cast in the cover.

**34-8-3 CONSTRUCTION.**

(A) All construction pressure tests, leakage tests, and sterilization shall conform with the current **"Standard Specifications for Water and Sewer Main Construction in Illinois"**, latest edition.

(1) The Superintendent shall take the sterilization samples.

(B) For construction details, see the attached standard details.

ARTICLE IX – WASTEWATER SYSTEM

**34-9-1      DESIGN OF SYSTEM.**

(A)            The adequacy of the existing sanitary sewers to which the proposed development is to outlet into must first be determined by the developer. If the existing sewers are not adequate, it shall be the developer’s responsibility to find an outlet for the sanitary sewers. This work shall be done in cooperation with the Village Engineer and the Village Wastewater Superintendent.

(B)            All design calculations must be submitted to the Village Engineer for approval.

(C)            Where the subdivider can show by cost estimates that it is not economical to connect to public sewers (taking into account the cost of installing individual septic systems and their maintenance costs), he shall furnish percolation and other test results to indicate that the lots are of adequate size for proper sanitary waste disposal. This information shall be prepared by the registered professional engineer. The area used for seepage fields shall not be under any proposed driveways, parking areas, buildings, nor on public property for easements. No seepage field shall be connected to any storm drainage facility. See “Water Distribution” section of these standards for septic tank and well locations.

(D)            All permits required must be obtained by the developer, (i.e., Environmental Protection Agency Permit).

(E)            All sanitary sewer work shall be done in accordance with the current **“Standard Specifications for Water and Sewer Main Construction in Illinois”** and the Environmental Protection Agency of the State of Illinois; except as follows:

- (1)            sanitary sewer mains shall be a minimum of **eight (8) inches** diameter.
- (2)            maximum distance between manholes shall be **three hundred fifty (350) feet**.
- (3)            manholes shall be constructed in accordance with the attached **Standard Drawing No. 9**.
- (4)            all main sewer lines shall be terminated with a manhole.
- (5)            each lot shall be provided with a wye connection located near the center of the lot (with pancake plug; cemented in place). All service lines and wyes shall be constructed to a watertight, approved method. **(See Standard Drawing No. 9.)**
- (6)            the invert of all service connections made at manholes must be at the top of the main line pipe.
- (7)            any service stub which is **seven (7) feet** or greater from the finished surface shall be provided with a riser to bring the service within **seven (7) feet** of the surface, all such service wyes shall be encased with **six (6) inches** of concrete, (with pancake plug).
- (8)            drop connections for service at manholes will not be allowed.
- (9)            back lot line sanitary sewer services shall be provided with manholes at all street crossings.



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- (10) the top of all manhole rims shall be set **two (2) inches** above the finished ground line unless the manhole is located in a street pavement in which case the manhole shall be flush with the surface of the pavement.
- (11) Slope. All sewers shall be designed and constructed to give mean velocities, when flowing full, of not less than **two (2) feet** per second, based on Kutter’s formula using an “n” value of 0.013. The following minimum slopes shall be provided; however, slopes greater than these are desirable:

Sewer Size	Minimum Slope in Feet Per 100 Feet	Flow (MGD)
8 inch	0.40	0.45
10 inch	0.28	0.70
12 inch	0.22	1.02
14 inch	0.17	1.40
15 inch	0.15	1.57
16 inch	0.14	1.79
18 inch	0.12	2.30
21 inch	0.10	3.20
24 inch	0.08	4.09
27 inch	0.067	5.15
30 inch	0.058	6.36
36 inch	0.046	9.24

- (12) services shall have a minimum slope of:
  - 4" diameter – ¼" per foot
  - 6" diameter – 1/8" per foot
- (13) the type of sewer pipe for mains and laterals shall be as provided in **Chapter 38; Article V** of the Village Code.
- (14) all force main pipe shall be ductile iron pipe in conformance with AWWA C 151 and ANSI A 21.51.
- (15) minimum cover shall be **three and one-half (3.5) feet** from finished grade to top of pipe for gravity sewers or force mains. Special structural protection shall be provided for cases where there is less than the minimum cover.
- (16) the type of service pipe material from the wye connection or service stub, whichever comes first, shall be:
  - (a) SCH 40 PVC.

- (b) Plastic pipe. In the areas beyond the right-of-way lines (not Village property nor maintenance responsibility) the service pipe may be plastic.
  - (i) Polyvinyl Chloride Pipe shall conform to ASTM D 1785, Schedule 40 or CS272, Type II, with wall thickness not less than **0.2 inch** in the **four (4) inch** diameter and not less than **0.25 inch** in the **six (6) inch** diameter.
  - (ii) Acrylonitrile – Butadiene-Styrene (ABS) Pipe shall conform to CS 270 or PS18 with wall thickness not less than **0.2 inch** in the **four (4) inch** diameter and not less than **0.25 inch** in the **six (6) inch** diameter.
  - (iii) Fittings shall be the same plastic material as the pipe.

**34-9-2            SEWAGE PUMPING STATIONS.**

(A) All sewage pumping stations shall be "Factory Built Underground Duplex Sewage Pumping Stations", as manufactured by Econdyne Corporation, Smith and Loveless Division, or equal, as approved by the Village Engineer. All sewage pumping stations shall be supplied with standby power generators. Manual Transfer switch shall be required.

(B) All design calculations must be submitted to the Village Engineer for approval.

**34-9-3            CONSTRUCTION.**

(A) All construction shall be in accordance with the current "**Standard Specifications for Water and Sewer Main Construction in Illinois**" and the Environmental Protection Agency of the State of Illinois, except as follows:

- (1) all lines shall be capable of transmitting direct light between manholes;
- (2) infiltration shall not exceed **two hundred (200) gallons** per day per inch diameter per mile, this test procedure is to be used only for sewers located below the water table, otherwise exfiltration or air tests shall be conducted;
- (3) exact location of all service wye connections shall be shown on the "As Built" drawings, as measured from the nearest downstream manhole; stakes shall be placed as per **Standard Drawing No. 9**;
- (4) unstable trench bottom material shall be removed and replaced with stone or gravel.

**34-9-4      SANITARY DISPOSAL FACILITIES FOR AREAS NOT SERVED BY VILLAGE SEWERS.**

(A)            Minimum lot area shall be not less than **twenty-five thousand (25,000) square feet** for lots served by septic tanks and seepage fields. **(See Chapter 38; Article V)**

(B)            Septic tanks and seepage fields are not to be connected to storm drainage facilities.

(C)            The subdivider shall furnish percolation and other test results to dictate that the lots are of adequate size for proper sanitary waste disposal. This information shall be prepared by the Registered Professional Engineer.

(D)            The area used for seepage field shall not be under any proposed driveways, parking areas, buildings, nor on public property for streets or easements.

(E)            Such disposal shall be in accordance with the latest edition of the **"Illinois State Plumbing Code"**, in the section entitled **"Individual Sewage Disposal System"**, all as published by the Illinois Department of Public Health. The covenant for the subdivision shall require the owner to comply with the previously mentioned regulations.

(F)            Lots served by wells and individual sanitary waste disposal systems shall not be less than **twenty-five thousand (25,000) square feet** in area.

(G)            If the test results of the soil percolation indicated that septic tanks and seepage fields will not perform adequately consideration may be made of the following:

- (1)          Buried Sand Filter as per requirements in **Section 8.01 "Private Sewage Disposal Licensing Act and Code"**, Department of Public Health, State of Illinois, 1974.
- (2)          Recirculatory Sand Filter as per requirements in **Section 8.02 "Private Sewage Disposal Licensing Act and Code"**, Department of Public Health, State of Illinois, 1974.
- (3)          Mechanical sewage treatment units, seepage fields and chlorination of surface discharge.

**ARTICLE X – SIDEWALKS**

**34-10-1      GENERAL.**

(A) Sidewalks shall be installed on both sides of all public streets and shall run to the back of the curb at each corner lot. A supplemental bond and/or different arrangements may be implemented upon written request of subdivider to the Village Board of Trustees.

(B) All sidewalks along streets shall be installed in public right-of-way. The back of the sidewalk shall be **one (1) foot** inside the right-of-way, unless, for good cause shown, a variance in location is approved by the Village Board of Trustees.

(C) The Village Board of Trustees may waive the requirement that the subdivider install sidewalks in all subdivisions except those restricted to multi-family apartment developments, commercial or industrial areas.

(D) Public crosswalks shall be located within the **ten (10) foot** easement as directed by the Village Engineer. This location shall be dependent upon the location of proposed utilities within the same easement.

(E) All proposed sidewalks abutting streets shall be ramped with a nonslip surface (heavy broom finish) so that the street and sidewalk blend to a common level, enabling persons in wheelchairs to travel freely.

(F) Sidewalks shall be installed by Subdivider upon completion of construction on a lot.

**34-10-2      DESIGN.**

(A) All sidewalks shall be **four (4) foot** in width.

(B) All sidewalks shall be **four (4) inches** in thickness except where they cross driveways in which case they shall be **six (6) inches** in thickness. All sidewalks shall be laid on fill sand bed a minimum of **two (2) inches** in depth.

(C) Premolded expansion joints shall be placed at **fifty (50) foot** intervals and at all curb intersections or intersections with other permanent structures.

(D) All sidewalks shall be hand-grooved at **five (5) foot** intervals, and edged with edging tool.

**34-10-3      CONSTRUCTION.** All sidewalks shall be concrete and shall conform to **Section 624** of the **Standard Specifications**.

(A) A minimum compressive strength shall be **three thousand five hundred (3,500) psi** in **fourteen (14) days** or a modulus of rupture equal to **six hundred fifty (650) psi** in **fourteen (14) days**.

(B) The concrete shall be field tested as stated, at the rate of **two (2) specimens** per **one thousand two hundred (1,200) lineal feet** or per day, whichever is greater.

(C) The sidewalks shall be hand finished or machine finished in accordance with **Section 624.07** of the **Standard Specifications**.

(D) The subgrade shall meet the requirements set forth in **Section 624.05** of the **Standard Specifications**.

**ARTICLE XI - DRAINAGE AND STORM SEWERS**

**DIVISION I – PURPOSE AND DEFINITIONS**

**34-11-1 PURPOSE AND INTENT.** It is the policy of the Village to protect and promote the public health, safety and general welfare. The criteria for storm water detention will reduce the possibility of damage to public and private property, will reduce the erosion on land and creek channels, will assist in the attainment and maintenance of water quality standards, and will preserve and enhance the environmental quality of the watercourses in the Village. This criteria provides uniform procedures for designing and checking the design of storm drainage detention systems.

The Plan Commission shall not recommend the approval of any plat unless, after consultation with the Village Engineer, they determine that the proposed provisions for storm water drainage are adequate. Drainage improvements in the subdivision shall be coordinated with existing and planned drainage improvements elsewhere so as to form an integrated municipal system. The storm water drainage system shall be separate and independent of the sanitary sewer system.

**34-11-2 SPECIAL DEFINITIONS.**

(A) **Development.** Any activity, including subdivisions, that alters the surface of the land to create additional impervious surfaces including, but not limited to, pavement, buildings, and structures except:

- (1) Additions to, improvements and repair of existing single-family and duplex dwellings.
- (2) Construction of any buildings, structures, and/or appurtenant service roads, drives, and walks on a site having previously provided storm water control as part of a larger unit of development consistent with the original development plan.
- (3) Remodeling, repair, replacement, and improvements to any existing structure or facility and appurtenances that does not increase the impervious area on the site in excess of **ten percent (10%)** or add one acre of impervious area.
- (4) Construction of any one new single-family or duplex dwelling unit, irrespective of the site area on which the same may be situated.

(B) **Emergency Spillway.** A device or devices used to discharge water under conditions of inflow that exceed the design inflow. The emergency spillway functions primarily to prevent damage to the detention facility that would permit the sudden release of impounded water. It shall be designed to handle the runoff from a 100-year storm.

(C) **Freeboard.** The difference in elevation between the top of a structure such as a dam or open channel and the maximum design water surface elevation or high water mark and is an allowance against overtopping by waves or other transient disturbances.

(D) **Principal Spillway.** A device such as an inlet, pipe, weir, etc., to discharge water during operation of the facility under the conditions of a **fifteen (15) year** or less return frequency of the existing conditions, before the proposed development.

(E) **Private Detention Facility.** Any detention facility located on and controlling discharge from a site wholly owned and controlled by one owner and not platted for future subdivision of ownership. Also, all facilities incorporating detention storage of storm water in or on any of the following:

- (1) Roofs of buildings or structures also used for other purposes.
- (2) Paved or surfaced areas also used for other purposes.
- (3) Enclosed underground pipes or structures on private property when the surface is used for other purposes.

(F) **Public Detention Facility.** Any detention facility controlling discharge from a tributary area owned by more than one owner and/or platted for future subdivision of ownership, except as defined as a private detention facility herein.

(G) **Rational Method.** An empirical formula for calculating peak rates of runoff resulting from rainfall.

(H) Illinois Procedures and Standards for Urban Soil Erosion and Sedimentation Control Manual, March 1982 (IPSUSESCM).

(I) **Tributary Area.** All land draining to the point of consideration, regardless of ownership.

**34-11-3      RESERVED.**

## **DIVISION II - GENERAL GUIDELINES**

**34-11-4      APPLICABILITY.** This Code shall apply to all development within the limits of the Village. Residential developments having a total area of less than **five (5) acres**, and commercial or industrial developments having a total area of less than **two (2) acres**, may be given a waiver by the Village in accordance with **Section 34-12-3** of this Code, subject to the following conditions.

(A) The Village retains the right to require detention storage in all cases in which the proposed development will generate excess runoff that adversely affects the carrying capacity of the receiving watercourse.

(B) Developments less than **two (2) acres** with less than **thirty percent (30%)** of the area paved and developments generating less than one cubic foot per second (CFS)/acre increased runoff shall not be required to provide detention storage, unless conditions (A) is applicable.

(C) This Code shall apply for all newly platted areas and new developments proposed after the date of passage of this Code. All development that have an approved preliminary plan by the Plan Commission at the time of the approval of this Code will not have to conform to this Code.

**34-11-5 AFFIDAVIT OF DISCLOSURE OF PROPERTY INTEREST.** The effective acreage for a site is not limited to a fractional part of the total. If a project is developed in phases or small plats, the total acreage of the project site must be considered. At the time the owner of any development submits a preliminary plat or preliminary plan, he shall also identify to the Village all contiguous property or property in the watershed that he has interest in.

**34-11-6 METHOD OF EVALUATION.** The storage capacity and discharge rate shall be based upon the calculated volume and peak flow of the storm water runoff, respectively. The calculations for sites having an area of **one hundred (100) acres** or less shall be made using either the Illinois Manual for Soil Erosion and Sedimentation Control Method or the Rational Method. If the site is larger than **one hundred (100) acres** then the Engineer shall use the Illinois Manual for Soil Erosion and Sedimentation Control Method or if another method is desired to be used, the Engineer shall submit a proposed method of evaluation for the calculations for review and approval. The permitted discharge rate of storm water runoff shall be determined by calculating the rate of runoff for the site's pre- and post-development conditions. The Engineer shall determine the most critical storm looking at three different time periods: 1) the time of concentration, 2) a one hour storm and 3) a 24-hour storm.

**34-11-7 DETENTION OF DIFFERENTIAL RUNOFF.** All new developments shall provide a storm water system that insures that the rate of flow of storm water runoff discharged from the site after development does not exceed the rate of flow of storm water runoff discharged from the site before development of a 25-year storm, unless given a waiver by the Village in accordance with **Section 34-12-3** of this Code. Data shall be submitted for the 15-, 25-, and 100-year frequency storm.

**34-11-8 FLOWS FROM UPSTREAM AREAS.** Flows from upstream areas outside the site should be based upon the assumption that those areas are fully developed under forecast land use patterns. The required storage volume will be based upon the site only, with flows from upstream areas being by-passed or discharged via overflow spillways or other devices for the 100-year storm.

**34-11-9 FACILITIES IN FLOODPLAINS.** If detention storage is provided within a floodplain, only the net increase in storage volume above that which naturally existed on the floodplain shall be credited to the development. No credit will be granted for volumes below the elevation of the base flood at that location unless compensatory storage is also provided. Where encroachments in the existing floodplain fill the valley storage areas, an equal amount of detention volume shall be provided.

**34-11-10 LAND CREDIT FOR DETENTION FACILITIES.** The number of units/lots shall be based on the total area of the tract to be developed. All areas to be used as detention facilities shall be included in this total area.

**34-11-11 RESERVED.**

### **DIVISION III - DESIGN CRITERIA**

**34-11-12 GENERAL REQUIREMENTS.** The design shall be accomplished under the direction of a Registered Professional Engineer. The design shall also be based on land use in the tributary area as zoned, actually developed, or indicated by an adopted future land use plan, whichever basis produces the greatest runoff.

**34-11-13 OTHER REFERENCES.** Other agencies have criteria and regulations pertaining to drainage systems which may complement this criteria. When conflicts are encountered the most rigorous criteria shall govern.

(A) **Federal Insurance Agency.** Floodplain Regulations and Implementing Ordinances Adopted by Municipalities: Drainage systems designed within the limits of the designated 100-year floodplain on the principal stream shall be designed to convey the flood as defined by applicable published floodplain information studies. For areas located in FIA Zone "A" outside the detailed study area, the developer shall prepare studies and calculations establishing the floodplain, elevation and width. These calculations shall be submitted to the reviewing agency for approval.

(B) **Illinois Department of Water Resources.** Rules and Regulations of Dams and Reservoirs shall apply to those structures classified as dams thereunder.

**34-11-14 STORM WATER RUNOFF.** The design criteria used in determining the amount of runoff shall be the same as set out in **Section 34-11-1** of this Code.



**34-11-15      HYDRAULIC CONSIDERATIONS FOR DETENTION STORAGE.**

(A)      **Principal Spillways.**      Shall be designed to meet the following requirements:

- (1)      The principal spillway shall be designed to function without requiring attendance or operation of any kind or requiring use of equipment or tools.
- (2)      All discharge from the detention facility when inflow is equal to or less than the 100-year inflow shall be via the principal spillway(s).
- (3)      The design shall allow for discharge of at least **eighty percent (80%)** of the detention storage volume within **twenty-four (24) hours** after the peak or center of mass of the inflow has entered the detention basin. On basins less than **one hundred (100) acres**, this shall not apply.
- (4)      The design discharge rate via the spillway shall continuously increase with increasing head and shall have hydraulic characteristics similar to weirs, orifices or pipes.

(B)      **Emergency Spillways.** The emergency spillway shall be provided to pass a 100-year storm without damaging any property and, where applicable, designed to Illinois Department of Water Resources Dam Safety Requirements.

(C)      **Outlet Works.** Shall have an outlet works consisting of valves, gates, pipes, and other devices as necessary to completely drain the facility in **seventy-two (72) hours** or less when required for maintenance or inspection on normally wet basins.

(D)      **Sediment Storage.** Shall be designed to provide for **five (5) years** of sediment accumulation calculated by using Figure 1. All other detention facilities shall provide storage for **two (2) years** of sediment accumulation by using Figure 1, except for those using roofs of buildings, paved parking areas or other facilities designed to preclude the deposition or accumulation of sediment. Sediment storage volume shall be in addition to the volume required for temporary storage of storm water to properly size the detention facility on normally wet basins.

(E)      **Erosion Control.** Principal spillways and outlet works shall be designed to prevent erosion and if necessary equipped with energy dissipating devices to slow the water to normal velocity as called out in the IPSUSESC Manual. Special measures shall be taken by the developer to not permit sediment from filling the proposed detention basin during all construction of the proposed development.

(F)      **Public Detention Facilities.** The owner shall dedicate the detention facility and easements as set forth upon completion of the one-year warranty period and approval by the Village Engineer, except:

- (1)      When multipurpose wet facilities are planned or are suitable for use for private aquatic recreation or for aesthetic enhancement of the owner's property.
- (2)      When multipurpose dry facilities incorporate surface recreational improvements.

(G)      **Private Detention Facilities.** Shall be designed requiring the same criteria as the public detention facilities.

The amount of easement shall be equal to the land occupied by the facility plus a **twenty (20) foot** wide strip around the perimeter of the highest elevation attained by the design storage volume, plus an excess easement **twenty (20) feet** in width between the facility and public street. This easement shall be shown as common ground or be dedicated to the trustees of the subdivision or owner of the property for the purpose of maintenance of the storm water detention facility.

A plan for perpetual maintenance and designating responsibility for the maintenance shall be provided for its continuing performance to the standards established by this criteria.

**34-11-16     RESERVED.**

**DIVISION IV - PLAN REQUIREMENTS**

**34-11-17     PLAN REQUIREMENTS.** The plan requirements shall be:

(A)            Elevation-area-capacity curves for the storage facility including notation of the storage volumes allocated to runoff, and permanent residual water storage for other uses (wet basins only).

(B)            Inflow hydrographs (detention volumes for rational method) for the 15-, 25-, and 100-year recurrence interval design storms.

(C)            Stage-discharge rating curves for each spillway and for combined spillway discharges.

(D)            Routing curves for the 15-year and all greater criteria recurrence interval design storms with time plotted as the abscissa and the following plotted as ordinates (this item is not required for the rational method):

- (1)    Cumulative inflow volume.
- (2)    Cumulative discharge.
- (3)    Stage elevation.

**34-11-18     CONSTRUCTION ALTERNATIVES.**

(A)            A developer shall build, as part of his development, a detention basin as required by this Code, unless the following sections apply.

(B)            Developers of adjacent tracts may combine to build one detention site large enough to meet the requirements of all the tracts of land with approval of the Village. The basin shall be located in the same drainage basin.

(C)            On-site detention will be required whenever increased runoff from the proposed development creates a hazard down stream as determined by the Village Engineer.

**34-11-19     RESERVED.**

**DIVISION V - INSPECTION, MAINTENANCE AND  
ACCEPTANCE BY VILLAGE**

**34-11-20    INSPECTION.** The developer shall inspect or cause to be inspected, all storm water detention systems constructed within the Village. Through such inspection reports the Village Engineer shall ensure that the facilities under construction are being constructed in accordance with the approved plans for such development.

**34-11-21    MAINTENANCE.** Each owner of the property being developed has the responsibility and duty to properly operate and maintain any storm water management system which has not been accepted for maintenance by the Village. The responsibility of maintenance of the system and subdivision projects shall remain with the developer until such time as the storm water management system escrow for such development has been released at the end of the one-year warranty period. Upon release of escrow, the maintenance responsibility shall be vested in the trustees of the subdivision by virtue of a trust indenture. Indenture of trusts shall clearly indicate resident responsibility for maintenance. All such privately owned maintained systems shall be subject to periodic inspections by the Village Engineer or its representative. After an inspection by the Village Engineer, he determines whether or not the conditions of the privately owned storm water detention system are safe and correct. Any cost incurred by the Village, as a result of the Village Engineer's actions, shall be attest against the owner(s) of the system.

**34-11-22    ACCEPTANCE.** Upon acceptance by the Village Board, the storm water detention system may be dedicated to the Village for perpetual maintenance. Any such system shall include adequate perpetual access and sufficient area for maintenance by the Village personnel and vehicles.

**34-11-23    RESERVED.**

**ARTICLE XII – AMENDMENTS; ENFORCEMENT**

**34-12-1 CHANGES AND AMENDMENTS OF REGULATIONS.** The Plan Commission and Village Engineer shall from time to time prepare and recommend in writing to the Village Board such changes or additions to the provisions and regulations herein contained for subdivision control as the Plan Commission may deem necessary or advisable. Such changes or additions shall become effective after their adoption by the Village Board by its passage of an amendment to this Code.

**34-12-2 BUILDINGS WITHIN PROPOSED MAJOR STREET EXTENSIONS.** After the effective date of this Code, no permanent building or structure shall be erected within the extended street line of proposed extensions of major streets.

**34-12-3 VARIATIONS, ENFORCEMENT, AMENDMENT, VALIDITY.** Whenever the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict enforcement of the regulations would entail practical difficulties or unnecessary hardships, the Village Board by resolution, after public hearing and after report by Commission, may vary or modify them in such a way that the Subdivider is allowed to develop his property in a reasonable manner, but at the same time, the public welfare and interests of the Village and County are protected and the general intent and spirit of the regulations preserved.

In accordance with State law, no deed or other instrument of transfer of real property in the Planning Area shall be accepted by the County Recorder for record unless said deed or other instrument of transfer is to a lot or parcel platted and on file or accompanied with a plat approved by the Plan Commission.

No person owning land composing a subdivision, nor his agent, shall transfer or sell or agree to sell any lot or parcel of land located within such subdivision by reference to, or exhibition of, or by any other use of a plat of such subdivision, before such plat has been approved, filed and recorded as provided in this Code. The description of such lot or parcel by metes and bounds in any contract or instrument of transfer or other document used in the process of selling or transferring same shall not exempt such Owner or Agent from the penalties provided herein.

No building or occupancy permit shall be issued for any lot hereafter platted unless such lot has been approved, filed and recorded in accordance with the requirements of this Code.

The Board of Trustees may from time to time amend this Code through the following procedure:

(A) The Plan Commission shall hold a public hearing on the proposed amendment. Notice of the public hearing shall be published in a newspaper of general circulation in the Village at least **one (1) time, fifteen (15) days** prior to the hearing.

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(B) Following the public hearing, the proposed amendment may be recommended as presented or in modified form by a majority vote of the entire Plan Commission.

(C) Following its adoption of a recommendation, the Plan Commission shall certify such recommended amendment to the Board of Trustees for its adoption.

(D) The Board of Trustees may return the proposed amendment to the Plan Commission for further study or recertification, or by a majority vote of the entire membership may by ordinance or resolution adopt the recommended amendment submitted by the Plan Commission. However, nothing in this Code shall be construed to limit the Village Board's authority to recall the said amending ordinance by a vote of a majority of the Village Board of Trustees.

(E) Following adoption by the Board of Trustees, the adopted amending ordinance shall be filed in the office of the Village Clerk. The Village Clerk shall file with the County Recorder of Champaign County a copy of such amending ordinance.

Before any action shall be taken as provided in this Section, any private party or parties proposing an amendment to this Code shall deposit with the Village Treasurer the sum of **One Hundred Dollars (\$100.00)** to cover the approximate cost of this procedure, and under no condition shall said sum or any part thereof be refunded for failure of said change to be adopted by the Board of Trustees.

**(Ord. No. 80-4; 10-09-80)**

**ARTICLE XIII - PENALTIES FOR VIOLATION**

**34-13-1**     **GENERAL.** Violation of the provisions of this Code or failure to comply with any of its requirements, including conditions and safeguards established shall constitute a misdemeanor. Each day such violation continues shall be considered a separate offense.

**34-13-2**     **CORRECTIVE ACTIONS.** Nothing herein contained shall prevent the Village from taking such other lawful actions as is necessary to forbid or remedy any violations. All such costs connected therewith shall accrue to the person or persons responsible.

**34-13-3**     **PENALTY.** Any person who violates this Code shall be subject to the penalty in **Section 1-1-20** in the Revised Code.

**VILLAGE OF FISHER**  
**ENGINEER'S CERTIFICATE**

State of Illinois            )  
  )  
County of Champaign    )        ss.

I, \_\_\_\_\_ being a Registered Professional Engineer in the State of Illinois, registration number \_\_\_\_\_, do hereby certify that \_\_\_\_\_ (the Project) was constructed in accordance with the Plans and Specifications as approved by the Village of Fisher, Illinois.

I, further certify that all construction operations were inspected by me or someone under my supervision and that the construction performed is satisfactory and in accordance with the Plans and Specifications as approved by the Village of Fisher, Illinois.

Signed and Sealed this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

\_\_\_\_\_

**(SEAL)**

**VILLAGE OF FISHER**

**CONSTRUCTION PERFORMANCE BOND**

**KNOW ALL MEN BY THESE PRESENTS,** that \_\_\_\_\_

\_\_\_\_\_ as Principal, and \_\_\_\_\_

\_\_\_\_\_ with authority to do business in the State of Illinois, as Surety, are firmly bound unto the VILLAGE OF FISHER, State of Illinois, in the penal sum of \_\_\_\_\_

\_\_\_\_\_ lawful money of the United States, well and truly to be paid unto said VILLAGE OF FISHER for the payment of which we bind ourselves, our successors and assigns, jointly and severally by these presents:

THE CONDITION OF THE FOREGOING OBLIGATION is such that:

WHEREAS, the VILLAGE OF FISHER has approved, or will approve, the Principal's proposal to construct a \_\_\_\_\_ known as \_\_\_\_\_

\_\_\_\_\_ the plans and specifications of which are on file in the office of the Village Engineer of the VILLAGE OF FISHER and are referred to herein and made a part hereof, whereby said Principal has promised and agreed to construct said \_\_\_\_\_ in accordance with applicable laws and with applicable ordinances and codes of the VILLAGE OF FISHER.

NOW, THEREFORE, the condition of the above obligation is that the Principal shall:

- (1) Perform and complete, or cause to be performed and completed, all work and improvements related to the construction of said \_\_\_\_\_ in accordance with said plans and specifications and in accordance with applicable laws and with applicable ordinances and codes of the VILLAGE OF FISHER.
- (2) Complete or cause to be completed, within **two (2) years**, from the date of acceptance of this bond, said \_\_\_\_\_ in accordance with said plans and specifications and in accordance with applicable laws and with applicable ordinances and codes of the VILLAGE OF FISHER.

DATED THIS \_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Principal

\_\_\_\_\_  
Surety

\_\_\_\_\_  
Attest

\_\_\_\_\_  
Attest

\_\_\_\_\_

\_\_\_\_\_



State of Illinois )  
County of Champaign ) ss.

I, the undersigned Notary Public in and for the County and State aforesaid, do hereby certify that \_\_\_\_\_

\_\_\_\_\_ personally known to me to be the \_\_\_\_\_

\_\_\_\_\_ and personally known to me to be the person(s) whose name(s) is subscribed to the foregoing instrument as \_\_\_\_\_

\_\_\_\_\_ appeared before me this day in person and severally acknowledged that \_\_\_\_\_ signed the said instrument as Principal, as \_\_\_\_\_ free and voluntary act.

GIVEN under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

State of Illinois )  
County of Champaign ) ss.

I, the undersigned Notary Public in and for the County and State aforesaid, do hereby certify that \_\_\_\_\_

\_\_\_\_\_ personally known to me to be the \_\_\_\_\_

\_\_\_\_\_ and personally known to me to be the person(s) whose name(s) is subscribed to the foregoing instrument as \_\_\_\_\_

\_\_\_\_\_ appeared before me this day in person and severally acknowledged that \_\_\_\_\_ signed the said instrument as Surety, as \_\_\_\_\_ free and voluntary act.

GIVEN under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

**VILLAGE OF FISHER**

**ASSIGNMENT OF CERTIFICATE OF DEPOSIT**

To: \_\_\_\_\_  
Bank Name

\_\_\_\_\_  
Address

FOR VALUE RECEIVED, I/We hereby assign to the Village of Fisher, Illinois, my/our certificate of deposit no. \_\_\_\_\_ as security for Performance Bond with the Village of Fisher, in the amount of \_\_\_\_\_ (\$\_\_\_\_\_) Dollars.

This assignment shall be a continuing one and shall be effective for any renewals of the above until said bond is entirely discharged and the Village of Fisher is hereby authorized to cash or otherwise dispose of said certificate.

\_\_\_\_\_  
Subdivider

Witnessed By:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ / \_\_\_\_\_

The Signatures as shown above compare correctly with our files. Present Balance is (\$\_\_\_\_\_  
\_\_\_\_\_). Above assignment has been properly recorded on register.

\_\_\_\_\_  
Bank Official

\_\_\_\_\_  
Title

**VILLAGE OF FISHER**

**MAINTENANCE BOND**

**KNOW ALL MEN BY THESE PRESENTS**, that \_\_\_\_\_

\_\_\_\_\_ as Principal, and \_\_\_\_\_

\_\_\_\_\_ with authority to do business in the State of Illinois, as Surety, are firmly bound unto the VILLAGE OF FISHER, State of Illinois, in the penal sum of \_\_\_\_\_

\_\_\_\_\_ which is \_\_\_\_\_ of the actual cost of the construction of the public facilities known as \_\_\_\_\_

\_\_\_\_\_ lawful money of the United States, well and truly to be paid unto said VILLAGE OF FISHER for the payment of which we bind ourselves, our successors and assigns, jointly and severally by these presents:

THE CONDITION OF THE FOREGOING OBLIGATION is such that:

WHEREAS, the said Principal has completed the work above described: and

WHEREAS, the work has received final acceptance by the Village Engineer of the Village of Fisher; and

WHEREAS, the Principal is under contract to the \_\_\_\_\_, the owner and developer of said \_\_\_\_\_

\_\_\_\_\_, to guarantee maintenance of the above mentioned facilities in accordance with applicable laws and with applicable ordinances and codes of the Village of Fisher, for a period of **one (1) year** after final acceptance by the said Village.

NOW, THEREFORE, in case said Principal shall maintain the public facilities herein described for a period of **one (1) year** after said final acceptance of said facilities by the Village of Fisher, then this obligation is to be void; otherwise, this obligation shall remain in full force and effect and only that portion of the bond shall be refunded to the Principal which is not required for reimbursement for amounts expended in correcting defective facilities.

DATED THIS \_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Principal

\_\_\_\_\_  
Surety

\_\_\_\_\_  
Attest

\_\_\_\_\_  
Attest

\_\_\_\_\_

\_\_\_\_\_

State of Illinois )  
County of Champaign ) ss.

I, the undersigned Notary Public in and for the County and State aforesaid, do hereby certify that \_\_\_\_\_

\_\_\_\_\_ personally known to me to be the \_\_\_\_\_

\_\_\_\_\_ and personally known to me to be the person(s) whose name(s) is subscribed to the foregoing instrument as \_\_\_\_\_

\_\_\_\_\_ appeared before me this day in person and severally acknowledged that \_\_\_\_\_ signed the said instrument as Principal, as \_\_\_\_\_ free and voluntary act.

GIVEN under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

State of Illinois )  
County of Champaign ) ss.

I, the undersigned Notary Public in and for the County and State aforesaid, do hereby certify that \_\_\_\_\_

\_\_\_\_\_ personally known to me to be the \_\_\_\_\_

\_\_\_\_\_ and personally known to me to be the person(s) whose name(s) is subscribed to the foregoing instrument as \_\_\_\_\_

\_\_\_\_\_ appeared before me this day in person and severally acknowledged that \_\_\_\_\_ signed the said instrument as Surety, as \_\_\_\_\_ free and voluntary act.

GIVEN under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

**VILLAGE OF FISHER**

**DRAINAGE CERTIFICATE AS PER PUBLIC ACT 81-783**

- I. To the best of my knowledge and belief the drainage of surface waters will not be changed by the construction of \_\_\_\_\_ Subdivision or any part thereof.

\_\_\_\_\_  
Engineer's Name and Registration Number

\_\_\_\_\_  
Owner's Name or Attorney

- II. To the best of my knowledge and belief reasonable provisions have been made for the collection and diversion of surface waters into public areas, or drains which the subdivider has the right to use, and that such surface waters will be planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to the adjoining property because of the construction of \_\_\_\_\_ Subdivision.

\_\_\_\_\_  
Engineer's Name and Registration Number

\_\_\_\_\_  
Owner's Name or Attorney

**VILLAGE OF FISHER**

**CERTIFICATE OF OWNER**

The undersigned, being the Owner or Owner's of the following described real estate situated in the Village of Fisher, Champaign County, Illinois, to-wit:

states that the same was caused to be surveyed and platted by a Registered Illinois Land Surveyor, and the undersigned do hereby adopt, ratify and confirm the plat prepared by said surveyor and named an Addition to the Village of Fisher, Illinois, and the undersigned do hereby dedicate the tract marked "Streets", and that part set aside as Easements to the Village of Fisher, Illinois, for public use, and the undersigned does dedicate for public use all of the utilities such as water mains, storm sewers and sanitary sewers to the Village of Fisher, Illinois, and the public, for public use forever.

Each of said lots in said Addition which there appears a broken line designated as "Public Utility Easement" is subject to a permanent easement five, ten or proper feet in width as shown thereon for the installation and maintenance of gas, telephone and power lines, water and sewers, and any other utilities which may be needed for the benefit of any or all of the lots in said Addition.

There are also indicated and shown on said plat certain lines identified as "Building Setback Lines" and no buildings shall be erected on any of said lots in violation of any of said building setback lines, which are uniformly \_\_\_\_\_ feet from the front, sides, or rear, as the case may be, of said lots. No building shall be located nearer than \_\_\_\_\_ feet to an interior lot line, except that only a \_\_\_ foot side yard shall be required for a detached garage. No dwelling shall be located on any interior lot nearer than \_\_\_\_\_ feet to the rear of the lot line. For the purposes of this covenant, eaves, steps and open porches shall not be considered as a part of a building provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach upon another lot or easement. (Other provisions optional).

**VILLAGE OF FISHER**

**COUNTY CLERK'S CERTIFICATE**

State of Illinois        )  
                                  )  
County of Champaign )       ss.

I, the undersigned, County Clerk in and for the County of Champaign and State of Illinois, do hereby certify that I find no delinquent general taxes, unpaid current general taxes, delinquent special assessments or unpaid current special assessments against the following described tract of land, as appears from the records in my office, to-wit:

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
County Clerk of Champaign County

**(SEAL)**

**VILLAGE TREASURER'S CERTIFICATE**

State of Illinois        )  
County of Champaign )       ss.  
Village of Fisher        )

The undersigned, Treasurer of the Village of Fisher, Champaign County, Illinois, do hereby certify that he finds no delinquent or unpaid special assessments levied against the following described real estate, to-wit:

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Treasurer, Village of Fisher  
Champaign County, Illinois