

**SUBDIVISION**

**ORDINANCE**

**JERSEY COUNTY,  
ILLINOIS**

**October 14, 2003**

**Amended November 10, 2003**

**Amended November 14, 2004**

**Amended September 11, 2007**

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## **SCOPE AND PURPOSE**

### **Section 100.0 SCOPE AND LEGAL AUTHORITY**

For the purpose of controlling future development of the County of Jersey and for the promotion of the public health, safety, comfort, morals and welfare of persons living within the territory governed, the provisions and regulations hereinafter contained shall govern the subdividing and platting of lands lying within the area of jurisdiction of the County of Jersey.

The rules and regulations governing plats and subdivision of land contained herein shall apply within the county as permitted by State Statutes. In the event of overlapping jurisdiction within the project area, the extent of jurisdiction shall be determined and agreed upon between the county and the municipality or municipalities concerned. Except in the case of re-subdivision, this Ordinance shall not apply to any lot or lots forming a part of a subdivision recorded in the office of the County Recorder of Deeds prior to the effective date of this Ordinance, this Ordinance does not intend to repeal, annul or in any way impair or interfere with existing provisions of other laws or ordinances except those specifically repealed by, or in conflict with this Ordinance, or with restrictive covenants running with the land. Where this Ordinance imposes a greater restriction upon the land than is imposed or required by such existing provisions of law, ordinance, or restrictive covenants, the provisions of this Ordinance shall control.

### **Section 101.0 TITLE**

This Ordinance may be known, referred to and cited as “The Land Subdivision Ordinance of Jersey County, Illinois.”

### **Section 102.0 APPLICATION/EXCEPTION OF ORDINANCE**

From and after the passage of this Ordinance, no plat of any subdivision shall be valid nor entitled to record unless and until same has been approved by the Jersey County Board, in accordance with the procedure hereinafter provided, and no plat of any subdivision shall be approved without compliance with the standards of design and improvements required as hereinafter set forth.

The exercise of plat approval power by the County Board is subject to an exception where a municipality with an adopted subdivision ordinance and operating under a Comprehensive Plan, shall approve all subdivision plats within one and one half (1 ½) miles of the corporate limits. Until approved by the corporate authorities no subdivision plat shall be recorded in Jersey County or have any validity whatever. (Illinois Revised Statutes, Chapter 24, Section 11-15-1 and 11-12-12).

No lot in a subdivision, as defined herein, may be conveyed unless a Final Plat of the property has been approved according to the requirements and provisions of this Ordinance, and recorded in the office of the Jersey County Recorder of Deeds.

### **Section 103.0 INTENT AND PURPOSE**

This Ordinance is intended for the purposes of coordinated, efficient and economic development of the county, providing adequate services and utilities, safe convenient access and a desirable and attractive living environment through good subdivision design. In achieving these purposes, the county shall utilize development standards which are directed toward reasonable costs for initial development and continuing maintenance; such standards shall include the following:

- (a) The proper location and width of streets and the proper location of building setback lines, open spaces, recreational areas and public lands.
- (b) The avoidance of conditions which would lead to the creation of blighted areas.
- (c) The avoidance of overcrowding of population and congestion of vehicular traffic.
- (d) The proper grading and improvement of streets and the provision of water, sewer, storm water and other utility services to be provided.
- (e) The provision of adequate space for traffic and utility facilities for access of emergency apparatus; for the control of the number, spacing, type and design of access points to existing or future streets; for minimum width, depth, and area of lots; for adequate light and air; and for a proper distribution of population.

### **Section 104.0 INTERPRETATION**

This ordinance is intended as **MINIMUM REQUIREMENTS** to achieve the above stated purposes, as specified in Section 103.0.

If any other provision of law relates to any matter covered herein, the regulation providing the higher standard shall apply.

### **Section 105.0 ADMINISTRATION**

This ordinance shall be administered by the Jersey County Board as defined herein. The County Board shall have the authority to appoint a Code Administrator to assist in carrying out the provisions of this Ordinance.

### **Section 106.0 INSTANCES WHEN PLATS WILL NOT BE REQUIRED**

The provisions of these regulations do not apply and no plat is required in the instances listed below. However, the Jersey County Board may require Plats Act compliance when substantial development warrants such (Refer to Section 107.0). Otherwise the following exceptions are in effect:

- (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;

(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;

(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 pipe lines which does not involve any new streets or easements of access;

(e) The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;

(f) 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;

(g) Conveyance made to correct description in prior conveyances;

(h) 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 existing on July 17, 1959 and not involving any new streets or easements of access;

(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 and provided also that this exception does not invalidate any local requirements applicable to the subdivision of land.

### **Section 107.0 SUITABILITY OF LAND FOR SUBDIVISION DEVELOPMENT**

Land unsuitable for subdivision development due to drainage, flood hazard area, hillside area, rock formation or any other conditions constituting a danger to health, life or property shall not be approved for subdivision development unless the subdivider presents evidence or data to the County Board establishing that the methods proposed to meet any such conditions are adequate to avoid any danger to health, life or property.

## ARTICLE II

### DEFINITIONS

#### Section 200.0 GENERAL STATEMENT

Words used in the present tense shall include the future; the singular number shall include the plural and plural the singular; the word “building” shall include the word “structure”; the word “shall” is mandatory; the word “may” is permissive.

#### Section 201.0 DEFINITIONS

For the purpose of this Ordinance, the terms used herein are defined as follows:

**ALLEY:** A minor way used primarily for the vehicular service access to the rear or side of properties otherwise abutting on a street.

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

**BLOCK, NET:** The entire area within the boundary lines of the territory proposed for subdivision, less the area to be dedicated for street and alley rights-of-way and public use.

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

**BUILDING:** Any structure, whether temporary, semi permanent or permanent, designed or intended for the support, enclosure, shelter or protection of persons or property.

**BUILDING LINE:** See SETBACK LINE.

**CLUSTER DEVELOPMENT:** A subdivision development planned and constructed so as to group housing units into relatively dense patterns while providing a unified network of open space and wooded areas, and meeting the requirements of this Ordinance.

**COUNTY CODE ADMINISTRATOR:** An individual appointed by the Jersey County Board to administer the County Subdivision Ordinance.

**COUNTY:** Jersey County, Illinois

**COUNTY ENGINEER:** May mean either the County Superintendent of Highways or such other licensed professional engineer designated by the County Board to conduct business or perform defined professional engineering services of the County in his place instead.

**DENSITY, GROSS:** The total number of dwelling units divided by the total project area. Expressed as gross dwelling units per acre.

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

**DESIGN:** The arrangement of uses on the land and the arrangement of easements, lots and rights-of-way, including specifications of materials, alignment, grade and width of these elements.

**DRAINAGE WAY:** A water course, gully, dry stream, creek, or ditch which carries storm water runoff, which is subject to flooding or ponding, which is fed by street or building gutters or by storm water sewers, or which serves the purpose of draining water from the lands adjacent to such water course, gully dry stream, creek or ditch.

**EASEMENT:** A right to use another person's property, but only for a limited and specifically named purpose.

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

**IMPROVEMENT:** Refers to site grading, street work and utilities (including water, sewer, electric, gas and storm water) to be installed or agreed to be installed by the subdivider on land to be used for public or private streets, and easements or other purposes as are necessary for the general use of lot owners in the subdivision. Including the furnishing of all materials, equipment, work and services such as engineering, staking and supervising, necessary to construct all the improvements that may be provided by the subdivider. All of such materials, equipment and services shall be provided at the subdivider's cost and expense, although he may enter into a contract with individuals and firms to complete such improvements, and the improvements shall be subject to the final approval of the County Board.

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

**LOT:** A parcel of land intended to be separately owned, rented, developed or otherwise used as a unit.

**LOT, BUTT:** A lot at the end of a block and located between two (2) corner lots.

**LOT, CORNER:** A lot abutting upon two (2) or more streets at their intersections.

**LOT, FLAG:** A lot fronting on or abutting a public road and where access to the public road is by a narrow, portion of the lot.

**LOT, DEPTH:** The mean horizontal distance between the front and the rear lot lines measured in the general direction of the lot lines.

**LOT, INTERIOR:** A lot whose side lines do not abut upon any street.

**LOT LINE, FRONT:** The line separating the lot from the street. On a corner lot, the front lot line shall be the frontage having the least dimension.

**LOT LINE, REAR:** The rear lot line is the lot line most nearly parallel to and most remote from the front lot line.

**LOT LINE, SIDE:** Any lot line other than front or rear lot line. A corner side lot line separating a lot from a street is called a street side lot line. A side lot line separating a lot from another lot or lots is called an interior sided lot line.

**LOT OF RECORD:** Any lot, established either by a legally recorded subdivision plat, by a legally recorded instrument of conveyance containing a metes and bounds description, or in any other legal manner.

**LOT, THROUGH:** A lot having frontage on two (2) parallel or approximately parallel streets.

**LOT, WIDTH:** The mean horizontal width of the lot measured at right angle to the general direction of the side lot lines.

**METES AND BOUNDS DESCRIPTION:** A description of real property which is not described by reference to a lot or block shown on a map, but is described by starting at a known point and describing the bearings and distance of the lines forming the boundaries of the property.

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

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

**PERFORMANCE GUARANTEE OR BOND:** A surety issued by an insurance company licensed to do business in Illinois and approved by the County Treasurer to guarantee installation of any improvements.

**PERSON:** Any agent, individual, firm, association, partnership, corporation, syndicate or trust.

**PLANS:** All of the drawings including plats, general plans, cross sections, profiles, working details and specifications, which the subdivider prepares or has prepared to show the character, extent and details of improvements required in Article IV and V of this Ordinance.

**PLAT:** The maps, drawings, charts, and other documents complying with all applicable provisions of this Ordinance which constitute the plan for subdivision.

**PLATS, FINAL:** A formal, detailed map completed and certified by a registered Land Surveyor. It must conform substantially to the preliminary plat which has been approved by the County Board. The final plat legally establishes the individual lots and streets. It is submitted to the County Recorder of Deeds for recording after approval by the County Board.

**PLATS, PRELIMINARY:** As completed by a Registered Land Surveyor, provides information on street right-of-way and pavement width, street design, lot size and configuration, topography, location of utilities and proposed easements in the subdivision. Is subject to approval by the County Board.

**PROJECT AREA:** That territory intended to be subdivided or developed, and portrayed and defined in the Preliminary and Final Plats.

**RESTRICTIVE COVENANTS OR CONTRACTS:** Contracts entered into between private parties and constituting a restriction on the use of all private property within a subdivision for the benefit of the property owners, and to provide mutual protection against undesirable aspects of development which would tend to impair stability of values.

**RE-SUBDIVISION:** See SUBDIVISION

**RIGHT-OF-WAY (ROW):** A strip of parcel of land over which the owner, by dedication or otherwise, has granted the right of use for streets, alleys or other public purposes. Right-of-way is also a land measurement term, meaning the distance between lot property lines which generally contains not only the street pavement, but also the sidewalks, planting strip, underground and sometimes above ground utilities.

**ROADBED:** The graded portion of a street upon which the base course, surface course shoulders and median are constructed.

**ROADWAY:** The entire improved portion of the street, including shoulders, parking lanes, travel way, curbs and gutter.

**SETBACK LINE:** A line that is usually parallel to the front, side or rear lot line establishing the minimum space to be provided as the front, side or rear yard.

**SOIL AND WATER CONSERVATION DISTRICT:** The Jersey County Soil and Water Conservation District.

**SPECIFICATIONS:** The Standard Specifications for Road, Bridge, Sewer and Water Construction, prepared by the Department of Transportation, Department of Public Health and the Environmental Protection Agency of the State of Illinois, as adopted and amended by said agencies, which are in effect at the time area is being subdivided. Any term in such specifications referring to state departments or officials or to persons contracting with the State shall be deemed to refer to applicable departments, officials, or persons in the county of Jersey, and the term “contractor” shall specifically apply to the subdivider who is responsible for installing all of the improvements required in Article IV and V of the Ordinance even though the subdivider may enter into agreements for such installing by other persons, firms or corporations.

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

**STREET, PRIMARY HIGHWAY:** Primary highways interconnect collectors and minor streets with the principal system and vice versa, bring all developed areas within a reasonable distance of principal streets, connect and provided direct access to major traffic generators, provide secondary service to smaller communities, may provide access to abutting property, and have a medium volume design capacity and travel speeds. Primary highways included County and State highways.

**STREET, BUTT OR STUB:** A street that is temporarily terminated but is planned for future continuation; a temporary turn-around area must be provided.

**STREET, COLLECTOR:** Collector streets interconnect the principal street system with the minor streets; provide internal circulation within residential, commercial, and industrial areas; provide access to abutting properties; and have a moderate volume design capacity and travel speeds.

**STREET, DEAD-END:** Minor streets similar to cul-de-sacs except that they provide no turnaround circle at their closed end, and are not permitted in any proposed subdivision.

**STREET, MINOR:** Minor streets provide access to abutting properties, have a relatively short travel distance, and have a low volume design capacity and travel speeds. Sometimes called land access streets, they conduct traffic to and from dwelling units within a subdivision to other streets.

**STREET, LOOPED:** Land access streets having two (2) open ends, each end generally connecting with the same street, no other streets intersecting between its ends, and property fronts on both sides of the street.

**STREET, MARGINAL ACCESS OR SERVICE ROAD:** A land access street parallel and adjacent to area services highways providing access to abutting properties.

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

**SUBDIVIDE:** See SUBDIVISION

**SUBDIVIDER:** “Subdivider” means any person dividing or proposing to divide land in a manner that constitutes a subdivision as herein defined EXCEPT FOR STATE, COUNTY AND TOWNSHIP HIGHWAY DEPARTMENTS.

**SUBDIVISION:** (1) The division of land into two or more lots or parcels for the purpose of either immediate or future sale, rental, or building development or use(s) other than agricultural use or production. (2) Establishment to dedication of a public street or alley through a tract of land regardless of size. The term “subdivision” shall also include all re-subdivisions of land or lots.

**SUBDIVISION, MINOR:** A division of land into two (2) but not more than four (4) lots, all of which front upon an existing street, not involving any new streets or other rights-of-way, easements and improvements, or other provisions for public areas and facilities. No portion of land to be divided has ever been a portion of land previously divided as a “Minor Subdivision”.

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

## **ARTICLE III**

### **GENERAL REGULATIONS**

#### **Section 300.0 PRE-APPLICATION CONFERENCE**

Before submitting a preliminary plat the applicant is encouraged to confer with the Code Administrator to obtain information and guidance before entering into binding commitments or incurring substantial expense in the preparation of detailed plats, surveys and other data. The applicant is further encouraged to consult with city officials, county officials, public utility companies, school districts, fire districts, levee districts, road districts and other agencies or districts concerning the availability of services and facilities in the area proposed to be subdivided.

The applicant is urged to consult with the County Engineer regarding engineering specifications and requirements for street construction.

#### **Section 301.0 PRELIMINARY PLAT PROCEDURES**

**301.1 SUBMISSION OF APPLICATION:** A subdivider desiring to subdivide a tract of land shall file an application with the Code Administrator. Such application shall include:

(a) Two (2) copies of a written request for preliminary review of such subdivision and a general description of the location and size of the tract to be platted; the intent as to character type and use of the property and structures to be developed; the deed restrictions proposed, if any; a statement of mineral rights; the extent and character of the improvements to be made by the subdivider; and any unique hardship or difficulty limiting the physical development of the property under consideration and a description of any past history of the property under consideration which is pertinent thereto.

(b) Eight (8) copies or prints of the preliminary plat and other necessary documentation in accordance with the requirements of Section 302.0 of this article.

The Code Administrator shall review the application to determine whether or not it contains the required items. If the application is found to be incomplete, the Code Administrator shall return it to the applicant with an explanation of what items are missing. Upon receipt of a complete application, the Code Administrator shall forward one copy to the County Engineer and one copy to the Jersey County Soil and Water Conservation District and one copy to the Jersey County Health Department and one copy to the 911 Coordinator.

**301.2 COUNTY ENGINEER'S REVIEW:** The County Engineer shall review the application submitted to him by the Code Administrator and shall return the application to the Code Administrator along with any comments within thirty (30) days of receipt.

**301.3A ILLINOIS DEPARTMENT OF TRANSPORTATION REVIEW:** The County Engineer will submit a copy of the preliminary plat to the Illinois Department of Transportation for the purpose of reviewing points of access for subdivisions that border on State maintained highways.

The County Engineer shall forward a copy of the preliminary plat within five (5) days of receiving the plat. All comments concerning access will be forwarded to the County Engineer within thirty (30) days of receipt by the Department of Transportation.

**301.3B TOWNSHIP ROAD DISTRICT HIGHWAY COMMISSIONER REVIEW:** If the proposed subdivision lies within the jurisdiction of a township road district, the County Engineer will submit a copy of the preliminary plat to the Road District Highway Commissioner for the purpose of reviewing proposed roads that may become a part of the districts road system. The County Engineer shall forward a copy of the preliminary plat within five (5) days of receiving the plat. All comments concerning the proposed roads will be forwarded to the County Engineer within thirty (30) days of receipt by the Township Road District Highway Commissioner.

**301.4A SOIL AND WATER CONSERVATION DISTRICT REVIEW:** The Jersey County Soil and Water Conservation District may comment on the preliminary plat within thirty (30) days after receiving the application. Said comment shall be noted, in writing, and filed with the Code Administrator. If comments are not received within thirty (30) days, it shall be assumed that the Soil and Water Conservation District has no objections to the proposed preliminary plat.

**301.4B LOCAL HEALTH DEPARTMENT REVIEW:** The Jersey County Health Department shall comment on the preliminary plat within thirty (30) days after receiving the application. Said comment shall be noted in writing and filed with the Code Administrator.

**301.4C 911 COORDINATOR REVIEW:** 911 Coordinator will establish address ranges and street designations for the County Clerk and Subdivider within thirty (30) days after receiving the application. Said comment shall be noted in writing and filed with the Code Administrator.

**301.5 SUBDIVISION AND LAND USE COMMITTEE ACTION:** The Code Administrator shall, upon receipt, forward to the Subdivision and Land Use Committee; the copy of the application and any comments received from the County Engineer under Subsection 301.2 and any comments received from the Jersey County Soil and Water Conservation District and any comments from the Jersey County Health Department and any comments from the 911 Coordinator under Subsections 301.4A, 301.4B and 301.4C. The Code Administrator shall publish a notice for one (1) week in a local newspaper of general circulation throughout the county of the proposed application. Letters shall be mailed to all surrounding landowners.

The Subdivision and Land Use Committee shall review the Preliminary Plat considering the results of the public hearing, if held, and either recommends, recommends with changes, or does not recommend within sixty (60) days of the date on which it was filed with the Code Administrator. The Subdivision and Land Use Committee sets forth the grounds for such recommendation in the proceedings and transmits them to the County Board for their consideration. The County Board, in turn, submits findings for non-approval to the subdivider. If such plat is APPROVED, the design is thereby accepted as a basis for the preparation of the Final Plat, and the County Board shall furnish within said sixty (60) days a written notice of such action to the applicant.

**301.6 CERTIFICATION OF APPROVAL:** If the proposed plan of subdivision as shown by the Preliminary Plat is approved, the original of the plat and one print or copy of plat shall be endorsed by the Subdivision and Land Use Committee and the County Board as follows:

“The proposed plan of subdivision as shown on this plat and accompany documents, has received tentative approval by the Subdivision and Land Use Committee” (refer to appendix A-2)

“The proposed plan of subdivision as shown on this plat and accompanying documents, has received tentative approval by the Jersey County Board and said Board is now ready to receive the Final Plat for consideration.” (refer to appendix A-2)

**301.7 FILING:** Two (2) copies of the approved Preliminary Plat shall be filed with the Code Administrator and a signed copy of the approved Preliminary Plat shall be returned to the subdivider.

**301.8 RIGHTS AND PRIVILEGES:** Preliminary Plat approval shall confer upon the subdivider the following rights and privileges:

(a) That the preliminary plat approval will remain in effect for a one (1) year period. The applicant may, during this period, submit all of or part or parts of said preliminary plat for final approval. In the event that the subdivision is being developed in stages, the applicant may, by written, mutual agreement with the County Board have final approval of the last part of the plat delayed for a period not to exceed three (3) years from the date of the preliminary plat approval. Any part of a subdivision which is being developed in stages shall contain a tract of land at least one block in length.

(b) That the general terms and conditions under which the preliminary plat approval was granted will not be changed, unless by mutual agreement of the subdivider and the County Board.

(c) The applicant may also proceed with any detailed improvement plans required for all facilities or utilities intended to be provided.

Actual construction of such facilities and improvements may commence prior to final plat approval if the detailed improvement plans have been accepted by the County Engineer, provided that such facilities and improvements will be inspected by the County Engineer or his duly appointed representative throughout their construction and final plat approval will be contingent in part upon acceptable compliance to county improvement and facilities standards. If the applicant does not submit the improvement plans prior to the submission of the Final Plat, then he shall submit the improvement plans to the Code Administrator at the time that the Final Plat is submitted.

**301.9 SUBDIVISION NEAR MUNICIPALITY:** For any proposed subdivision lying within one and one-half (1 ½) miles of the corporate limits of any municipality that has adopted and filed with the County Clerk an official comprehensive plan, which plan has been implemented by ordinance as provided by State Statutes, the plan shall be submitted to the municipality for approval. However, the subdivider shall submit a copy of the preliminary plat as approved by the municipality to the County Board for review and comment.

(a) The Code Administrator, in consultation with the County Engineer shall determine if said preliminary plat complies with the rules, specifications and regulations regarding location, width, grades, and surface of roads and drainage structures established by the County Board as provided herein. Whenever the preliminary plat does not comply with the above, the County Board shall notify the municipality in writing of the specific instances of non compliance.

(b) The County Board shall also notify the Township Highway Commissioner in writing whenever the preliminary plat contains roads or streets that are less than the specifications and regulations provided herein. The Township Highway Commissioner may refuse to accept any such non complying streets or roads for incorporation into or as a part of the township road system. In such cases, the subdivider shall erect a sign at least four (4) feet by six (6) feet, but not to exceed thirty (30) square feet at each entrance to the subdivision stating that the streets and drainage structures within the subdivision have been refused for maintenance by the township or the County of Jersey. Such information shall also be plainly printed on the plat(s).

### **Section 302.0 PRELIMINARY PLAT REQUIREMENTS**

The preliminary plat to be provided by the subdivider shall meet and include the following specifications:

(a) Name under which the proposed subdivision is to be recorded.

(b) Small key map showing the relation of the proposed subdivision to section or U.S. Survey lines and to platted subdivisions and dedicated streets within three hundred (300) feet of the proposed subdivision. The key map shall show the location of any corporate limits of any municipality lying within one and one half (1 ½) miles or less of the subdivision.

(c) Names and addresses of the owner, subdivider and land planning consultant, and the registered land surveyor who prepared the preliminary plat.

(d) Existing and proposed streets or alleys and rights-of-way on and adjoining the site of the proposed subdivision; showing the names and including street roadway and right-of-way widths, approximate gradients, types and widths of pavement, curbs, sidewalks, crosswalks, planting strips and other pertinent data, including classification of all streets as to function as established herein.

(e) Tract boundary lines, showing their lengths and directions according to available information and references to lines of the public land survey and of other major land divisions.

(f) All lot lines adjacent to and abutting the subdivision, and identification of adjoining lots.

(g) Layout of proposed lots, showing their approximate dimensions, number of lots and their approximate or minimum area, showing an identifying number for each lot.

(h) Parcels of land purposed to be dedicated or reserved for schools, playgrounds or other public, semi-public or community purposes, the use(s) of the area to be subdivided.

(i) Location and size of existing public utilities and drainage ways or facilities within or adjoining the proposed subdivision and the location and size of nearest water trunk mains, interceptor sewer lines and other pertinent utilities.

(j) Location, type and approximate size of utility improvements to be installed.

(k) Easements, existing and proposed, showing locations, widths and purposes.

(l) The gross and net area of the proposed subdivision, the area of street rights-of-way, and the area of any parcels reserved for the common use of the property owners within the subdivision or for public use.

(m) Where the topography has a significant bearing upon the street grades, the plan of public utilities and drainage ways or facilities in the proposed subdivision, contour lines at not greater than five (5) foot intervals shall be shown. Contour lines shall be shown for all areas with slopes of five (5%) percent or greater.

(n) Location of major water courses, ponding areas, natural drainage ways and flood hazard areas.

(o) The preliminary plat shall be drawn on a scale of fifty (50) feet to one (1) inch, or one hundred (100) feet to one (1) inch; provided, however, that if the resulting drawing would be over thirty-six (36) inches in the shortest dimension, a scale as recommended by the County Board may be used.

(p) North arrow and date.

(q) Whenever a large tract is intended to be developed in stages, and only a part of that tract is to be submitted for final plat approval, a preliminary plat for subdivision of the entire tract shall be submitted with notation made of the part to be next submitted for final approval.

(r) A statement to the effect that "this plat is not for record" shall be printed or stamped upon all copies of the preliminary plat.

(s) Location of existing structures and other pertinent features.

(t) Landscaping plan and proposed limits on the location and intensity of signs, advertising and off-street parking shall be included in the case of a proposed subdivision for industrial or commercial use.

(u) Soil information and a soils map, when required.

(v) A comprehensive sewage plan including but not limited to:

1) A soil investigation in accordance with the IL Private Sewage Disposal Licensing Act and Code, consisting of 3 test borings per proposed lot.

2) An interpretation of the soil investigation and recommendations for on-site waste water disposal based on the soil investigation.

3) Location of the soil investigation borings marked reserving this area for on-site waste disposal. Any area reserved for on-site waste disposal shall remain undisturbed during development.

4) All lots served by an on-site waste disposal system shall utilize subsurface waste disposal when possible and practical.

5) All lots utilizing surface discharging waste disposal systems shall designate the point of discharge on the plat. This point of discharge shall be in accordance with all sections of the IL Private Sewage Disposal Licensing Act and Code.

6) Adequate drainage easements shall be established to accommodate for all effluent discharged from on-site waste water disposal systems.

7) When an aerobic treatment unit is utilized for on-site waste disposal it shall be followed by 200 square feet of subsurface absorption field per bedroom when practical in regards to soil characteristics and the water table of the lot.

8) Any lot discharging effluent to the ground surface from an aerobic treatment unit shall maintain a maintenance contract on said system in accordance with terms equal to the initial service policy stated in the IL Private Sewage Disposal Licensing Act and Code.

9) Surface discharging waste water treatment systems shall be permitted only on properties deemed unsuitable for a subsurface waste water treatment system.

10) Common collector lines for receiving effluent shall not serve more than 2 houses and shall meet all requirements set forth in the IL Private Sewage Disposal Licensing Act and Code.

11) Easements and maintenance agreements shall be established in regards to common collector effluent lines.

(w) 911 Address ranges and street designations.

### **Section 303.0 IMPROVEMENT PLAN PROCEDURES**

After the preliminary plat is approved, improvement plans shall be approved by the County Engineer who shall certify to the County Board that the plan is in conformance with these regulations and requirements. Variance from these requirements shall be permitted only by County Board action; no developer, however, shall proceed with any construction work in the project area before obtaining this approval. In minor subdivisions, if in the opinion of the County Board this requirement would create an unnecessary hardship, the County Board may waive improvement plan requirements.

(a) To secure formal action on the improvement plans, the developer shall file four (4) prints or copies of the improvement plans with the County Engineer.

(b) The County Engineer shall review the proposed improvement plans and notify the County Board, in writing, of his approval, conditional approval or denial.

The County Engineer shall notify the applicant by making a copy of his report stating approval, conditional approval or denial. In cases where Township roads will be concerned, the County Engineer shall consult with the Township Highway Commissioner. The County Engineer shall notify the applicant by making a copy of his report stating approval, conditional approval or denial.

**1. APPROVAL** means the applicant is now authorized to proceed with the physical improvements in the subdivision.

**2. CONDITIONAL APPROVAL** means the developer may proceed as outlined in the preceding paragraph, but only after he has submitted three (3) copies of the corrected improvement plans to the County Engineer.

**3. DENIAL** means disapproval of improvement plans. For further consideration the developer must rework his plans to conform to the requirements, and then resubmit the reworked plans to the County Engineer as though they were a completely new set of plans.

## **Section 304.0 IMPROVEMENT PLAN REQUIREMENTS**

After the preliminary plat is approved, improvement plans prepared by a Registered Professional Engineer licensed in the State of Illinois for the subdivision of all or any part of the tract shall be submitted to the County Engineer for review. Improvement plans shall be prepared on an exhibit not to exceed forty eight (48) inches by forty eight (48) inches and shall contain the following information:

**(a)** Title page, which shall include key map showing the relationship of the area to be subdivided to the preliminary plat and which shall reflect areas of the preliminary plant previously subdivided plus adjacent streets.

**(b)** North arrow and scale.

**(c)** Title block showing name and address of developer and engineering firm, as well as the registered engineer's seal.

**(d)** One or more bench marks, in or near the subdivision, to which the subdivision is referenced. The elevation shall be based on the sea level datum.

**(e)** List of the standards and specifications followed, citing volume, section, page or other references.

**(f)** An estimate by the engineer preparing the improvement plans of the cost of the improvement.

**(g)** Existing and proposed survey monuments shall be shown on street plans and on the proposed final plat as required in Section 501.0.

**(h)** Grading plans showing finished grades.

**(i)** Soil information and a soils map, when required.

**(j)** Soil investigation data and locations of test holes, when required.

**(k)** Plans and profiles shall be drawn at a scale not less than one inch equals one hundred feet (1"=100') horizontal; and one inch equals ten feet (1"=10') vertical. All dimensions shall be to the nearest one hundred (1/100) of a foot and angles to the nearest minute.

**(l)** Plans, profiles and cross sections of streets showing right-of-way and surface widths, elevations, paving details, grades, names, curb and gutter, catch basins, sidewalks and any other improvements to be constructed or placed within the street right-of-way.

**(m)** Plan of any water supply system, serving more than one property, showing locations, pipe sizes, pump stations (size, capacity and type), hydrant and valve location. If a private water supply system, serving more than one property, is proposed; then all information required either by the Illinois Environmental Protection Agency for supplies with ten (10) or more connections or by the Jersey County Health Department for supplies with less than ten (10) connections, shall be submitted with the improvement plans.

(n) Plan of any sewage disposal system serving more than one property, showing pipe locations, sizes, force mains, invert elevations, slope, manhole locations, lift stations (size, capacity and type) and points of discharge. If area is subject to flooding or inundation, any additional provisions shall be shown (i.e., anchoring, special pipe, ground water information, etc.). If a private treatment system is proposed that serves more than one property, then all information required by the Illinois Environmental Protection Agency shall be submitted with the improvement plans (i.e., treatment proposed, size, type, capacity, locations, outfall points, etc.).

(o) Plan of drainage systems including watershed outlines with drainage computations, retention basins showing drainage areas, locations of storm sewers, corrugated metal pipe type culverts (sizes and type), drainage channels, swales, indicating slopes, pipe sizes, invert elevations, underground drains, outlet locations and velocity reduction techniques.

**304.1 FINAL MAP:** After the completion of the construction of the improvements, a master copy of a final map of the improvements accompanied by three (3) prints shall be submitted to the Code Administrator. The master copy of the map shall be on heavy, transparent paper, mylar or cloth in a form suitable for providing clear and legible prints or copies there from. The maps shall show the exact location and nature of utilities located under or along streets, alleys or easements. Valves, hydrants, ditches, catch basins, culverts, sewer lines, and special fittings or feature shall be shown and located as they were installed and constructed.

### **Section 305.0 FINAL PLAT PROCEDURES**

**305.1 SUBMISSION OF FINAL PLAT FOR REVIEW:** The Final Plat and six (6) copies shall be filed with the Code Administrator along with a written request for approval. The Final Plat submitted shall include all plans and specifications and other such documents as may be necessary concerning the form of performance guarantee or bond to be used, if any.

The Code Administrator shall review the material submitted to determine whether or not it is complete. If the material is incomplete, the Code Administrator shall return the Final Plat and accompanying documents to the applicant with a written description of what items are missing. Upon receipt of a complete Final Plat application, the Code Administrator shall forward one (1) copy of the Final Plat to the County Engineer and the remaining material to the County Board.

**305.2 COUNTY ENGINEER REVIEW:** The County Engineer and the Township Highway Commissioner shall review the copy of the Final Plat submitted to him by the Code Administrator and shall return any comments to the Code Administrator within fifteen (15) day of receipt.

**305.3 SUBDIVISION AND LAND USE REVIEW AND ACTION:** The Code Administrator shall, upon receipt, forward any comments received from the County Engineer to the Subdivision and Land Use Committee. The Subdivision and Land Use Committee shall review the Final Plat and documentation and shall take action on the Final Plat within ninety (90) days from the date on which the last required document or other supporting data was filed with the Code Administrator, unless such time is extended by mutual consent. The Code Administrator shall publish a notice of Final Plat for four (4) weeks in a local newspaper of general circulation throughout the county. The Subdivision and Land Use Committee shall set forth the grounds for its recommendations and transmits them to the County Board for their consideration. The County Board, in turn, submits finding for non-approval or approval to the subdivider within said ninety (90) days a written notice of such action to the applicant. The County Board shall not approve a Final Plat unless the following conditions are met:

- (a) The Final Plat conforms to the Preliminary Plat approved previously.
- (b) The Final Plat meets the design standards and engineering specifications set forth herein.
- (c) The Final Plat meets all requirements of the laws of the State of Illinois.
- (d) The subdivider or applicant agrees to post a performance guarantee or bond with the County equal to the estimated costs of all improvements to be dedicated to the County, Township or any public body for maintenance and operation.

**305.4 SOIL AND WATER CONSERVATION DISTRICT REVIEW:** The County Board may, if it believes that substantial changes have been made from the Preliminary Plat, request that the Soil and Water Conservation District review the Final Plat.

**305.5 CERTIFICATION OF ACTION:** The County Clerk shall attach to a copy of the Final Plat a certified copy of the County Board's Resolution certifying approval or disapproval.

(a) If the Final Plat is disapproved, the reasons for such action and specific instances where said Plat is not in conformance with the requirements herein shall be noted.

(b) If the Final Plat is approved, the Chairman of the County Board shall be authorized to affix his or her signature to the Plat and attach thereto a notation that the Plat has received final approval of the County Board. The County Clerk shall then attest the signature of the Chairman and affix the County seal thereto. The approved Final Plat shall be held by the County Clerk until such time as the subdivider or applicant pay the recording fee and submits any required performance guarantee or bond as set forth in Section 508.0, which shall be posted within ninety (90) days from date of approval, unless such time is extended by written mutual consent of the subdivider and the County. Upon receiving the recording fee and any required performance bond or other guarantee as mentioned herein, the County Clerk shall record the Plat within ten (10) days thereof.

### **Section 306.0 FINAL PLAT REQUIREMENTS**

The final plat to be provided by the subdivider shall meet the following specifications:

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

(b) The final plat shall be drawn on new linen tracing cloth, mylar or other material of comparable stability with waterproof black ink to a scale of not more than fifty (50) feet to one (1) inch, provided that if the resulting drawing would be greater than thirty six (36) inches in the shortest dimension, a scale of up to one hundred (100) feet to one (1) inch may be used. Six (6) copies or prints shall be provided by the subdivider, with the mylar or linen original.

(c) All dimensions shall be shown in feet and decimals of a foot.

(d) The final plat shall be prepared under the active and personal direction of a registered Illinois Land Surveyor, who shall certify that the plat correctly shows the results of his survey of the boundaries and platting of parcels within the subdivision.

(e) A suitable border line should be placed on all tracings with a margin of not less than one half (1/2) inch on all sides.

(f) The final plat shall portray or present the following:

1) Accurate boundary lines, with dimensions and bearing or angles, which provide a survey of the tract, closing with an error of closure of not more than one (1) foot to five thousand (5000) feet.

2) Accurate metes and bounds description of the boundary and the area of the subdivision (see definition, METES AND BOUND DESCRIPTION).

3) Reference to known and permanent monuments and bench marks from which future surveys may be made together with elevations of any bench marks; and the surveyor must, at the time of making his survey, establish permanent monuments, set in such a manner that they will not be moved by frost, which mark the external boundaries of the tract to be divided or subdivided and must designate upon the plat the locations where they may be found.

4) Reference to recorded subdivision plats of adjoining platted land by record name, date and number, shown by medium dashed and two dotted lines.

5) Accurate locations of all existing and recorded streets intersecting the boundaries of the tract shown by heavy solid lines.

6) Right-of-way line of streets, easements and other rights-of-way and property lines of lots and other tracts, with accurate dimensions, bearing and curve data, including radii, arcs and chords, points of tangency and central angles.

7) Name and right-of-way width, for each street or other right-of-way.

8) Location and dimensions of any easement shown by light based lines and a statement of purpose for each easement.

9) Number to identify each lot or site along with indicating an approved U.S. Post Office E-9-1-1 address for each lot and/or building site.

10) Purpose for which sites, other than residential lots, are dedicated or reserved

11) The size (in square feet) of each lot, lot dimensions of each lot, and building or setback lines and dimensions.

12) Location of all monuments and lot markers.

13) Certification, before a Notary Public, by the owners in fee of all property embraced within the final plat, acknowledging the plat to be their free and voluntary act, dedicating to the public use forever the streets and drainage easements shown thereon, dedicating the easements shown thereon for the construction and maintenance of municipal and public utility services, and stating that building lines shown thereon will be referenced to all future conveyances of lots in the subdivision. In addition, the dedication or reservation to the public of any right-of-way lying along any public road adjacent to the boundaries of the plat.

14) Restrictions of all types which will run with the land and become covenant in the deeds for lots. Restriction lines should be shown by medium dashed lines.

15) Title or name of subdivision; identification of the portion of the Public Lands Survey in which the subdivision is located; and north arrow, scale and date drawn.

16) Certification by registered land surveyor and registered engineer with registration numbers and seal affixed to all final documents prepared by the surveyor and engineer.

17) Certification by registered land surveyor with registration numbers and seal affixed to all final documents prepared by the surveyor. Said certificate shall further certify that no lot is subject to flooding or inundation from internal drainage. If any lot is subject to flooding or inundation then this information must be plainly printed on each plat and recorded on the deeds to all lots so subject. Any lot within five hundred (500) feet of said flooding or inundation area shall be considered a flood hazard.

18) Certificate for sign-off by a Village or City within 1 1/2 miles of their limits.

20) Certificate that all taxes due have been paid.

21) Certificate for approval by the Subdivision and Land Use Committee; County Engineer, County Board, IDOT (if applicable), County Clerk and 911 Coordinator (see appendix).

22) Soil investigation data and location of test holes when required reserving said location for on-site waste water disposal.

23) If the subdivision street design specifications are the minimum as indicated in Section 402.2, the final plat shall include a statement that the streets are not designed to accommodate on street parking.

### **Section 307.0 MINOR SUBDIVISIONS**

Minor subdivisions are subject to the same procedures and requirements as preliminary plats. Final plat procedures and requirements shall be as specified in Section 305.0 and 306.0.

1. The number of lots to be no more than four (4) with minimum road frontage of 150 to 200 feet.
2. The lot size to be no less than two (2) acres.
3. All minor subdivisions to have residential classifications.

4. All entrances must be established and approved before any lots are sold. One entrance shall accommodate two (2) lots. Mail boxes placed together on the same side of the road.
5. A minor subdivision can only be done once per landowner per tax i.d. number. Any variance from this rule will be considered a subdivision in which those rules will apply and existing lots brought up to those specifications.
6. Septic system cannot discharge in ditch system or adjoining properties.
7. All homes in minor subdivisions built by ICC Codes or NFAP 5000 rules and recommendations.

### **Section 308.0 RECORDING**

No subdivision plat or re-plat shall be filed for record or recorded in the Office of the Recorder of Deeds of Jersey County, Illinois, unless and until the approval of the County Board Chairman or appropriate corporate official of a municipality with jurisdiction is endorsed thereon. No lot shall be sold from such subdivision plat or re-plat until it has been approved and filed for record in the Office of the Recorder of Deeds of Jersey County, Illinois, as herein provided.

**308.1 ILLEGAL PLATS:** It shall be unlawful for the County Recorder of Jersey County to accept for recording any plat of a subdivision within the unincorporated area of Jersey County until the plat has been approved as required herein and such approval has been endorsed in writing on the plat or as otherwise provided herein.

**308.2 PUBLIC IMPROVEMENTS:** The County Board shall not permit any public improvements under its jurisdiction to be constructed or maintained with an area that has been subdivided after the adoption of this ordinance unless such subdivision has been approved in accordance with the requirements contained herein.

**308.3 FEES:** Thirty percent (30%) of all fees collected by the Code Administrator shall be deposited into the Code Administrator's fund and the balance deposited to the general corporate fund of Jersey County. The following fees shall apply:

**a)** The review fee for the preliminary plat and final plat shall be a combined fee of six hundred dollars (\$600.00) plus twenty five dollars (\$25.00) per lot or dwelling unit. The fee in the form of a Certified Check shall be collected by the Code Administrator and deposited with the County Treasurer.

**b)** All public improvements proposed to be made under the provisions of this ordinance shall be inspected during course of construction by the county's duly designated representative. The fees and costs connected with such inspections and in reviewing improvement plans and specifications shall be paid by the developer. The fee shall be on percent (1%) of the total estimated cost for all improvements or as determined by the County Board.

## ARTICLE IV

### MINIMUM STANDARDS OF DESIGN AND IMPROVEMENT FOR STREETS

#### Section 400.0 GENERAL STATEMENT

The subdivider shall conform to the following principles and standards of land subdivision in the design of each subdivision or portion thereof. No preliminary plat shall be approved unless it conforms to the following minimum standards of design.

**400.01 BEST USE:** The Code Administrator, in his review of the preliminary plat, will take into consideration the requirements of the county and the best use of the land being subdivided. The Code Administrator shall consult with soil scientists, sanitarian and others during the review process.

#### Section 401.0 STREET PLANNING

The arrangement, character, extent, width and location of all streets shall be considered in their relation to existing and planned streets, to reasonable circulation of traffic, to topographic conditions, to runoff of storm water, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets. Wherever possible and necessary, the arrangement of streets in new subdivisions shall provide for the continuation of existing streets in adjoining areas. Where adjoining unsubdivided areas may be subdivided, the arrangement of streets in a new subdivision shall make provision for the proper projection of streets into adjoining area by carrying the new streets to the boundaries of the new subdivision at appropriate locations. No building shall be allowed in areas within a projected street continuation. In no case shall land be subdivided in such a manner that adjoining property be denied access. All lots and streets shall be arranged so ingress and egress is adequately provided for.

A public street or streets shall be provided to afford convenient access to all property within the subdivision. A private street or thoroughfare may be permitted if access easements are provided for. When streets are required within the subdivision no less than one street of full width shall be provided to furnish the subdivision with access to an existing public highway.

**401.1 CONTINUATION OF ADJOINING STREET SYSTEM:** Where subdivision streets or rights-of-way are continuations or extensions of existing streets or rights-of-way, the width thereof shall be of the same or greater width as the existing street or right-of-way except that in no case shall the street or right-of-way in the subdivision be of less width than the minimum as provided herein. Dedication of half or portions of a street shall be discouraged, but may be permitted whenever there is no other logical method of platting.

**401.2 MARGINAL ACCESS STREET:** Where the subdivision abuts on or contains an existing or proposed primary highway, the County board may require that marginal access streets be provided in order that no lots front on such existing or proposed primary highway. If the subdivision adjoins a non-access highway constructed by the Illinois Department of Transportation, the County Board, upon the recommendation of the Illinois Department of Transportation, may require the reservation of a service road right-of-way with a minimum width of sixty (60) feet, which road shall parallel the highway and may have connections thereto at locations that are jointly approved by the County Board and Illinois Department of Transportation.

If any tract of land proposed to be subdivided (or any part thereof) lies adjacent to any highway over which the Illinois Department of Transportation has jurisdiction with respect to maintenance and upkeep, and an access is desired from such highway to any lot, street, roadway, alley or otherwise in such proposed subdivision, then the subdivider shall be required to obtain and submit to the Code Administrator a written permit for the Illinois Department of Transportation granting him permission to construct such access way.

**401.3 PRIVATE RESERVE STRIPS:** Private reserve strips controlling access to streets shall be prohibited.

**401.4 STREET NAMES:** Proposed streets, which are obviously in alignment with other existing and named, shall bear the assigned name of the existing streets. In no case shall the name of proposed streets duplicate or be phonetically similar to existing street names, irrespective of the use of the suffix, street, avenue, boulevard, drive, place, court, etc.

**401.5 ADDITIONAL RIGHT-OF-WAY REQUIREMENTS:** Wherever the Illinois Department of Transportation or the County of Jersey has gone on record as desiring the relocation and/or the construction of a new highway or whenever a municipality has duly recorded with the County a comprehensive plan and/or adopted an official map defining the location of streets, the subdivider shall reserve rights-of-way alignments and widths as prescribed by the appropriate jurisdictional agency.

(a) In all cases where a subdivision contains or borders an existing or proposed State Highway, a minimum right-of-way width of sixty (60) feet from the centerline of the road shall be reserved.

(b) In all cases where a proposed subdivision borders on or includes a County Highway, such highway, where necessary, shall be relocated or straightened in accordance with the surveys made by the County Engineer. The minimum right-of-way width of such highway shall be fifty (50) feet from the centerline of the road and in no case less than the recorded width of such highway.

(c) In all cases where a proposed subdivision borders on or includes a Township Road, such highway, where necessary, shall be relocated straightened in accordance with surveys made by the County Highway Engineer. The minimum right-of-way width of such highway shall be thirty (30) feet from the centerline of the road.

**401.6 PRIVATE STREETS:** Private roads and streets shall be permitted only when the subdivider submits sufficient evidence to the County Board that there can be no public interest in such private road or street. A subdivision of four (4) lots or less may be provided with a private street or road.

(a) Private road and street construction shall conform to the design standards established in Section 402.0.

(b) When such a private street is provided, the location and width must be shown on the plat; the street must conform to the minimum requirements contained herein.

(c) No additional subdivision may be developed using such a private street as a means of access to a public road or street.

(d) The plat must contain a properly executed certificate by the subdivider (refer to appendix A-3)

(e) The deed must clearly show that said private streets are not dedicated to the public but shall remain private, to be maintained by the adjoining lot owners.

**401.7 PRIVATE STREETS: MAINTAINED BY PROPERTY OWNERS:** These signs shall be installed where they are easily visible to anyone entering the subdivision and maintained in good order by the subdivider until the last lot is sold in the subdivision and by the property owners association thereafter. The minimum size for each sign shall be twelve (12) inches high by eighteen (18) inches wide, with three (3) inch high letters. The contrast between the background and the lettering shall be sufficient to make the sign easily read. The plat must contain a properly executed certificate by the subdivider (refer to appendix A-5)

In addition to the signs, disclosure shall be made to each prospective purchaser and purchaser within the subdivision, in substantially the following form: THE STREETS IN THIS SUBDIVISION ARE PRIVATE AND ARE NOT MAINTAINED BY THE TWP. OF \_\_\_\_\_. THE OWNERS ARE RESPONSIBLE FOR ALL REPAIRS AND MAINTENANCE OF SAID STREETS. This disclosure shall be printed on all purchase and the prospective purchaser shall be made aware of this provision.

**Section 402.0 STREET DESIGN STANDARDS**

The following design standards shall be considered minimum requirements and shall specifically apply to residential subdivision. The requirements for non residential subdivisions shall be such as the County Board deems appropriate for the type of development and use contemplated, but in no event be less than the requirements of residential subdivisions. These provisions shall apply to both public and private streets.

FIGURE A

**MINIMUM STREET DESIGN REQUIREMENTS**

**SUMMARY OF SECTION 402 and 403**

<b>CLASSIFICATION</b>	<b>COLLECTOR</b>	<b>LOCAL STREET</b>	<b>MARGINAL ACCESS</b>	<b>ALLEYS</b>
Minimum Right of Way Width (feet)	60 ft	50 ft.	50 ft.	20 ft.
Minimum Width of Surface (feet)	30 ft.	24 ft.	24 ft.	18 ft.
Minimum Width of Base (feet)	32 ft.	26 ft.	26 ft.	20 ft.
Minimum Width of Roadbed (feet)	36 ft.	30 ft.	30 ft.	18 ft.
Type of Surface	Bituminous Concrete *	A-3 Surface Treatment	A-3 Surface Treatment	A-2 Surface Treatment
Base	Aggregate*	Aggregate 8” compacted	Aggregate 8” compacted	Aggregate 8” compacted
Surface Crown	¼” per foot	¼” per foot	¼” per foot	¼” per foot

Shoulder Slope		¾" per foot	¾" per foot	¾" per foot	not required	
Earth Slope						
	Front	0'-10'	1V:3H	1V:3H	1V:3H	not required
	Back	0'-10'	1V:3H	1V:3H	1V:3H	not required
	Back	Over 10'	1V:2H	1V:2H	1V:2H	not required

\*Thickness of surface and base to be determined by soil type

**402.1 RIGHT-OF-WAY:** Right-of-way width should be determined by expected future extensions, volumes, land use type and density and the topographical conditions. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the right-of-way. When the subdivision is located on only one side of an existing right-of-way, which is less than the required width, the subdivider shall dedicate additional right-of-way to meet the requirements, but not exceeding one-half (½) of the total required width. In minimum width of a street or part thereof impractical, the County Board may modify the right-of-way width requirements.

Additional right-of-way width may be required; the following represents minimums:

- (a) Collector Street 60 feet
- (b) Local Street and Marginal Access 50 feet

**402.2 STREET GRADES:** Street grades shall not exceed the following unless otherwise approved by the County Engineer:

	<b>Maximum</b>	<b>Minimum</b>
(a) Collector Street	6 %	0.50%
(b) Local Street and Marginal Access	7 %	0.50%

(c) Grades approaching intersections shall not exceed five (5 %) percent for a distance of not less than one hundred (100) feet from the centerline of said intersection.

(d) Surface cross-drainage shall not be permitted on any street.

**402.3 HORIZONTAL CURVES:** Where a centerline deflection angle occurs a circular curve shall be introduced having a centerline radius of not less than the following:

- (a) Collector Street 200 feet
- (b) Local Street and Marginal Access 100 feet

**402.4 TANGENTS:** There shall be a tangent of not less than one hundred (100) feet provided between reverse curves on all streets.

**402.5 INTERSECTIONS:** Street intersections shall be laid out as follows:

(a) Streets shall intersect as nearly as possible at right angles and no street shall intersect as less than seventy five (75) degrees.

(b) Intersections with a State Highway shall be at least one thousand three hundred twenty (1,320) feet apart measured from centerline to centerline.

(c) Local street curb intersections shall be rounded by radii of at least twenty five (25) feet; intersections involving collector streets shall have radii of not less than thirty (30) feet.

(d) Street intersections with centerline offsets of less than one hundred fifty (150) feet shall not be permitted.

(e) Intersection of more than two (2) streets at one (1) point shall be prohibited.

**402.6 CUL-DE-SAC STREETS:** Maximum length of permanent cul-de-sac street shall be five hundred (500) feet measured along the center line from the intersection of origin to end of right-of-way. Each cul-de-sac shall be provided at the closed end with a turn around having a radius at the outside of the pavement of at least fifty (50) feet and a radius at the outside of the right-of-way of at least sixty (60) feet.

**402.7 ALLEYS:** When required, alleys shall comply with the following requirements:

(a) Alleys may be required in commercial and industrial district, except that the County Board may waive this requirement where other definite and assured provisions is made for service access, such as off-street loading, unloading, and parking facilities.

(b) Alleys are not permitted in residential district, except when the County Board determines special conditions warrant a secondary means of access.

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

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

**402.8 GENERAL STANDARDS:** The following general standards for street design shall be followed:

(a) In order to provide adequate traffic circulation and to insure adequate access to developed areas, collector streets shall be provided at approximately one-half (1/2) mile intervals.

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

(c) The County Board shall not approve streets which will be subject to frequent inundation or flooding.

**402.9 CURB AND GUTTER:** When combination concrete curb and gutter are proposed instead of open ditches, the surface width shall be 27 feet face curb to face curb for local and marginal access streets and 33 feet face curb to face curb for collector streets. The design standards of the Illinois Department of Transportation in effect at the time of construction shall prevail.

**402.10 SIDEWALKS:** In most rural sections of the County, sidewalks will not be required by the Subdivision Committee. If the subdivision is located near a school or an area where pedestrian traffic will be high, sidewalks may be required at the discretion of the Subdivision Committee.

### **403.0 STREET IMPROVEMENTS**

All new streets, which are created and dedicated for use within a subdivision, shall be graded, drained and surfaced in accordance with the minimum requirements herein set forth and in a manner which will provide complete and adequate drainage of all the streets, alleys and public grounds in the entire subdivision, including any such work which may be necessary in order to provide adequate and satisfactory drainage along the side of any existing public street which lies adjacent to the subdivision.

**403.1 PRIMARY HIGHWAYS:** Construction of primary highways shall conform to the Illinois Department of Transportation Design and Construction Policies, Standards and Specifications as previously amended.

**403.2 LOCAL AND MARGINAL ACCESS STREETS:** Local and marginal access streets shall be designed and surfaced according to the requirements listed below and as summarized in Figure A. The developer shall assume responsibility for maintaining the roadway including the seeding, removal of earth, crushed stone or other debris from the pavement, curb and gutter where required and other drainage facilities until acceptance by the Township Highway Commissioner or by the County Engineer (as applicable) (Refer to 605 ILCS 5/6-325)

(a) Local and marginal access street pavement shall consist of Type A base course crushed stone, eight (8) inches in thickness, conforming to Illinois Department of Transportation Specifications. Street surfacing shall be bituminous surface treatment, conforming to the Illinois Department of Transportation Specifications for Class A-3, and shall be sufficient in the opinion of the Jersey County Engineer and the Township Highway Commissioner to withstand the traffic that the roadway will be subjected to.

(b) Before any paving work is commenced all street grading shall be completed as shown on Grading Plan submitted with the Final Plat of Subdivision.

(c) The surface course of the roadway pavement shall not be laid until the backfilling of all trenches dug for the installation of the utility services has completely settled or compacted to the satisfaction of the Jersey County Engineer and the Township Highway Commissioner.

(d) Before the surface course of the roadway pavement is laid all depressions in the base course shall be properly filled and brought to the required grade so as to create a level surface.

(e) Utility Lines. Underground utility lines in utility easements or rights-of-way shall be installed prior to the construction of such streets and alleys.

### **404.0 STREET SIGNS**

An appropriate street sign shall be erected at each street intersection within the subdivision. The type of sign and location thereof shall be subject to the approval and direction of the Jersey County 911 Coordinator.

## **ARTICLE V**

### **MINIMUM STANDARDS OF DESIGN AND IMPROVEMENT FOR UTILITIES**

#### **Section 500.0 GENERAL STATEMENT**

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

No final plat shall be approved for recording unless (1) the improvements required in this Article have been completed and approved prior to such approval, or (2) the subdivider shall file a performance guarantee or bond as provided in Section 508.0.

#### **Section 501.0 REFERENCE MONUMENTS**

Reference monuments shall be set in accordance with “An Act to revise the law in relation to plats, “Illinois Revised Statutes, 1991, Chapter 109, Section 1 et seq. (The Plat Act, 765 ILCS 205/.01 et seq.), as amended from time to time. All lot corners shall be marked with iron pipes or pins.

#### **502.0 SEWERS, INDIVIDUAL SYSTEMS DESIGN**

The design of a private sewage disposal system shall take into consideration location with respect to wells or other sources of water supply, topography, existing private sewage disposal systems on adjacent properties, water table, soil characteristic, available area, expected volume of domestic sewage, and shall comply with all applicable County regulations as well as those of the Illinois Department of Public Health. The County Board may prohibit installation of sewage disposal facilities requiring soil absorptions systems where such systems will not function due to high groundwater, flooding, or unsuitable soil characteristics. The County Board shall require that the subdivider note on the face of the plat and in any deed of conveyance that soil absorption fields are prohibit in designated areas. All homes utilizing on site aeration waste disposal systems are required to have a maintenance contract with the aeration system inspected and serviced by a company or individual licensed by the State of Illinois to install or service aerobic treatment plants.

Any subdivision lots with private sewage disposal systems need to meet the following criteria:

(1) All subdivision plots to be approved after today’s date must conform to Section 905.55 (0) of the Illinois Private Sewage Disposal Licensing Act and Code.

(2) When designing a subsurface seepage system, the absorption capacity of the soil shall be determined by subsection (a) of this section as follows:

**(a) Soil Investigation**

**(1a)** Soil Investigations shall be conducted in the following manner:

(2b) Determination of soil characteristics on sites proposed for development with private sewage disposal systems shall be based on soil boring data collected by a soil classifier or an Illinois licensed professional engineer.

(3c) Minimum lot size shall be one (1) acre.

(3) Permits, the following addition of regulations shall apply to permits:

(a) Permits for Private Sewage Disposal Systems as described in the Private Sewage Disposal Licensing Act and Code.

Where soil investigations show suitable conditions, only septic tanks with subsurface seepage fields installed in accordance with the State of Illinois Department of Public Health Private Sewage Disposal Licensing Act and Code may be permitted

Where soil investigations show unsuitable conditions to utilize subsurface seepage systems, and if an aerobic treatment plant is installed, the aerobic unit shall be followed by 200 square feet of subsurface absorption field per bedroom served.

**502.1 SOIL INVESTIGATIONS:** Soil investigations, conducted and certified in accordance with the IL Private Sewage Disposal Licensing Act and Code Section 905.55 a, shall be required in all areas where septic tanks or other soil absorption systems are proposed. Soil investigations shall be submitted to secure preliminary plat approval. There shall be at least three borings for each lot and shall be conducted at locations which would show all variable conditions which might affect the treatment of effluent.

**502.2 LOT SIZES AND REQUIRED SETBACKS:** For lots within one thousand (1000) feet of the water level at normal pool of any lake used as a public water supply:

All lots within subdivisions or portions of subdivisions located within one thousand (1000) feet of the water level at normal pool of any lake used as a public water supply shall have a lot size of at least one (1) acre.

No building other than boat docks and related storage building shall be located in any flood plain or flood easement land and all other building shall be fifty (50) feet or more from the water level at normal pool of any lake used as a public water supply.

Minimum lot width of an average of 106 feet

**502.3 DESIGN STANDARDS:** The “Private Sewage Disposal Licensing Act and Code” as adopted, amended and enforced by any Agent of the Illinois Department of Public Health shall be followed in the design and installation of private sewage disposal systems. Should the County Board adopt its own private sewage disposal ordinance as provided for by the “Private Sewage Disposal Act” then the Jersey County Health Department shall enforce the ordained codes of private sewage disposal system design and installation.

## **Section 503.0 SEWER AND WATER UTILITIES-IMPROVEMENT STANDARDS**

All proposed water and sanitary sewer facilities shall comply with the minimum requirement and recommendations of the Environmental Protection Agency of the State of Illinois. When a proposed subdivision is reasonably accessible to a public sewer system and/or water distribution system, the subdivider shall provide the subdivision with a complete sanitary sewer system and/or water distribution system to be connected to the proper public systems(s), when a permit can be secured from the public agency owning the system.

Whenever the subdivider provides a private system of sanitary sewers and a treatment plant, such system and plant shall conform to all standards, specifications and requirements of the Illinois Environmental Protection Agency and the Illinois Commerce Commission.

Where lots cannot, economically or for other reasons, be connected with a public sewer system, provisions must be made for sanitary sewerage facilities approved by the County Board in accordance with Section 502.0.

**503.1 SANITARY SEWERS:** When provided, each lot in the subdivision shall be provided a connection to the private or public sanitary sewer system as required in Subsection 503.4. The construction of the sewer system shall conform to the approved plans and specifications and all work shall be properly inspected and approved by the design engineer. In conventional systems, sewage collection lines shall not be smaller than eight (8) inches in diameter. Innovative and alternative systems will be judged on a case-by-case basis.

**503.2 WATER SYSTEMS:** When provided, each lot in the subdivision shall be provided with a connection to the private or public water system as required in Subsection 503.4. The construction of the water system shall conform to the approved plans and specifications and all work shall be properly inspected and approved by the Jersey County Rural Water Company. Water distribution lines shall not be smaller than four (4) inches in diameter.

**503.3 UTILITIES IN FLOOD PLAIN AREAS:** All water and sewer systems, including individual wells located in flood plain areas, whether public or private, shall be flood proofed to a point at or above the lines and on-site waste disposals systems may be permitted providing all manholes or other above ground openings located below the floodplain are watertight.

**503.4 HOUSE SERVICES:** House services shall be constructed to connect with the utility service mains constructed within any street or thoroughfare, to serve each adjoining lot, tract or building site; such house services shall extend from the main to a point at least two (2) feet beyond the outside lines of the proposed roadway pavement in the street, and at least one (1) foot beyond the outside lines of proposed alley pavement.

All such house services connected with utility mains constructed within any street or thoroughfare, shall be located at the approximate center line of each lot, and no deviation shall be made from this requirement except upon prior approval by the County Engineer.

Upon completion of the construction in place of all such house service connections with utility mains, an accurate map or maps showing the exact location of all such mains, together with manholes, shut off valves and other similar facilities being a part thereof, by distances in feet from street lines, and of all such house service connection in distances in feet from the side lot lines, shall be approved by the County Engineer.

### **Section 504.0 DRAINAGE**

The subdivider shall construct storm water drainage facilities, which may include curbs and gutters, catch basins and inlets, storm sewers, road ditches and open channels as may be required. For storm water drainage facilities the design of the facilities shall be designed to accommodate the surface runoff incident to the ten (10) year design storm by utilization of the “rational method” or the “scs method” or both. All such facilities are to be of adequate size and grad to hydraulically accommodate maximum potential volumes of flow; the type of facility required, the design criteria and the size and grades to be determined by the Subdivision Committee. Cross road culverts must have a minimum diameter of fifteen (15) inches or equivalent. Private entrance culverts must be adequate and have a minimum diameter of twelve (12) inches and be at least thirty (30) feet long. The agency that will have the maintenance of the street system must be consulted as to the acceptance of the storm water drainage facilities system. Storm drainage facilities shall be so designed as to prevent no hazard to life or property; and the size, type and installation of all storm water drains and sewers proposed to be constructed shall be in accordance with the plans and standard specifications approved by a registered engineer and those provided herein.

(a) No plat shall be approved for any subdivision or part thereof which is subject to periodic flooding or which contains inadequate drainage facilities or which makes adequate drainage of streets impossible. However, if the subdivider agrees in writing to make improvements at his expense which will, in the opinion of the county Engineer, make the area safe for human occupancy and use, and further provides adequate drainage for streets, then the preliminary and final plat may be approved.

(b) No existing ditch, stream, drain, slough, retention basin, or drainage canal shall be deepened, widened, filled, rerouted or filled without permission from the County Engineer.

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(c) The drainage system shall be constructed and be operational during construction; or as approved by the County Engineer.

(d) The natural drainage system shall be used as far as is feasible for the storage and flow of runoff.

### **Section 505.0 ELECTRICAL, POWER, TELEPHONE and CABLE ANTENNA TELEVISION (CATV)**

Electrical, telephone and CATV service lines shall be placed underground in a subdivision and the conduit or cables shall be located within easements or public rights-of-way in a manner which will not conflict with other underground services. The location of such services within or over any public right-of-way shall be approved by the County Engineer and the Township Highway Commissioners.

### **Section 506.0 INSPECTION OF PUBLIC IMPROVEMENTS**

All public improvements to be made under the provisions of this Ordinance shall be inspected during the course of construction by the County Engineer or his duly appointed representative.

## **Section 507.0 PERFORMANCE GUARANTEE OR BOND**

Final plats shall be neither approved by the County Board nor recorded by the County Clerk unless the applicable following conditions are met:

(a) The improvements intended to be dedicated to the County, Township, other public body or acceptable private entity have been completed, inspected and accepted prior to such approval; or

(b) A performance guarantee or bond shall be posted by the applicant with the County Clerk before the final plat is recorded. Such performance guarantee or bond shall be in an amount one and one-quarter (1 ¼) times determined by the County Engineer as equal to the estimated construction cost of all improvements intended to be dedicated to the County, other public body or approved private legal entity. Performance of work necessary to complete construction and installation of the required improvements to be dedicated to the County, other public body or approved private legal entity shall be within two (2) years of the date of approval of the final plat, unless such time is extended by written agreement between the subdivider and the County Board. If such improvements are not satisfactorily installed within the time period specified or required, then such guarantee or bond shall be forfeited by the applicant, and the surety shall be used to pay for the completion of installing such improvements in accordance with the requirements specified herein.

**507.1 RELEASE:** The bond shall remain in effect until such time as the County Board shall, by written authorization, release the surety from the obligation of the bond. This release shall take place only after the improvements have been completed and accepted by the County Board.

**507.2 TERM:** The term of the performance bond shall not exceed two (2) years in duration subject to the following:

(a) If at the end of the two (2) year period, all the improvements reflected by the approved improvements plan(s) have not been completed, the County Board may agree to extend the terms of the performance bond for a period not to exceed one (1) additional year at each extension if, after review, such longer period is necessary to facilitate adequate and coordinated provisions for transportation, water, sewerage, schools, parks, playgrounds, or other public requirements. If said improvements have not been completed at the end of the two (2) year period or as extended, the County Board may:

1) Require the surety to perform on the bond and pay to the County such amount as shall be equal to the amount required to complete the improvements.

2) Require the developer to submit a new performance guarantee or bond which has been recalculated in order to allow for any inflation in the case of constructing improvements.

**507.3 ELIGIBLE SURETY:** To be eligible, all sureties shall be approved by the County Treasurer. All sureties shall be subject to spot audits by the County under the supervision of the County Treasurer. If the surety fails to comply with any of the provisions of the performance bond, the surety shall not thereafter be allowed to act surety for any subdivision improvement within the jurisdiction of the County for period of two (2) years.

## **Section 508.0 PROVISIONS FOR MAINTENANCE AND OPERATION OF PRIVATE UTILITIES OR FACILITIES**

Physical facilities that have not been dedicated to and accepted by an existing public agency, adequate provision shall be made for the continuous maintenance, supervision, operation and reconstruction of such facilities by the lot owners in the subdivision, subject to the regulations of the Department of Public Health and the Commerce Commission of the State of Illinois and the Illinois Environmental Protection Agency, where applicable.

## **Section 509.0 EASEMENTS**

Subdivision drainage plans shall be structured so as not to block or obstruct the natural drainage of adjoining areas. The following shall be the required standards to be observed for the design of easements in a subdivision.

(a) Easement of not less than twenty (20) feet in width shall be provided on the front of all lot lines, and not less than ten (10) feet in width shall be provided on each side of all rear lot lines and along side lot lines where necessary for storm and sanitary sewers, gas, water and other mains, and for electric and telephone lines or for other public utilities. Easements of greater width may be required along or across lots when necessary for the extension of main sewers or other utilities or where both water and sewer lines are located in the same easement.

(b) Adequate easements for storm water drainage shall be established along any natural drainage channel and in such other locations as may be necessary to provide satisfactory disposal of storm water from streets, alleys and all other portions of the subdivision. All necessary drainage easements shall be furnished at no expense to the County and meet the following minimum standards:

- 1) Top channel widths from 0' to 50' require top width plus 25'.
- 2) Over 50' top channel widths require top widths plus 25' each side.

Wider drainage easements may be required as is necessary to permit proper construction of drainage facilities based on the drainage system plan of the area. No subdivision shall block or obstruct the natural drainage of an adjoining area.

(c) Pedestrian easements, not less than ten (10) feet wide, may be required where deemed essential to provide circulation, or access to schools, playgrounds, shopping centers, transportation, and other community facilities.

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

## **Section 510.0 BLOCKS**

Blocks shall be no more than one thousand (1000) feet in length, except as the County Board considers necessary to secure efficient use of land or desired features of the street pattern.

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

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

(c) Where a subdivision adjoins a primary or higher type roadway, the greater dimension of the block shall generally front or back upon such highway to avoid unnecessary multiplicity of points of ingress or egress.

## **Section 511.0 LOTS**

Lot area and dimensions shall conform to the following requirements:

(a) Every lot shall have an area of not less than fifteen thousand (15,000) square feet and a minimum width of one hundred (100) feet at the building line, provided, however that in lots which are not served by a public or private sanitary sewer system or public water system shall meet the requirements of Section 502.0.

(b) Lots shall provide for a minimum setback of all structures of twenty five (25) feet from the lot lines parallel to frontage streets, twenty five (25) feet from lot lines parallel to side streets, and then ten (10) feet from all other property lines, easement lines or alleys.

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

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

(e) All remnants of lots below minimum lot area left over after subdividing a larger tract shall be added to adjacent lots rather than being allowed to remain as unusable land.

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

(g) The subdividing of the land shall be such as to provide each lot with access to a public street.

(h) In the subdividing of any land, due regard shall be shown for all natural features, such as tree growth, wetlands, steep slopes, water courses, historic spots, or similar conditions, and plans adjusted to preserve those which will add attractiveness, safety and stability to the proposed development.

(i) No more than four (4) lots shall be served by a private drive.

(j) Flag lots – Flag lots are permitted with the special approval of the Subdivision and Land Use Committee in order to permit development of backland areas while still maintaining their rural character. Requirements for flag lots are, at a minimum.

1. A minimum of 20 feet and maximum of 50 feet is required for entrance way.
2. Only one flag lot is permitted for each right-of-way.
3. Rights-of-way should be a minimum distance apart of at least the minimum lot width in the particular zone.

(k) All residential lots shall be separated from railroad right-of-way by a twenty-five (25) foot buffer strip, which may be in the form of added depth or width of lots backing on or siding on the railroad right-of-way.

### **Section 512.0 PUBLIC RESERVATIONS**

When a school board, park board or governing body of a county or municipality goes on record as desiring to purchase ground in the subdivision for a school, park or other public purpose, such area shall be reserved for acquisition within a twelve (12) month period. If within this twelve (12) month period, an acquisition price cannot be agreed upon or condemnation proceedings have not been instituted, the owner or subdivider may subdivide, sell, or dispose of said ground.

## **ARTICLE VI**

### **VARIANCES**

#### **Section 600.0 CONDITIONS OF VARIATION**

The County Board may grant a variance from the provisions of this Ordinance provided, in each case, the following conditions are met:

(a) any variance or exception shall comply with the Intent and Purpose declared in Section 103.0 of Article I, and

(b) special conditions and circumstances are present which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or building in the same area; and

(c) literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same area under the terms of this Ordinance; and

(d) the special conditions or circumstances do not result from the actions of the applicant; and

(e) granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to owners of other lands, structures in the same area; and

(f) the variance requested is the minimum variance which would alleviate the hardship.

#### **Section 601.0 VARIANCE PROCEDURES**

The following procedures shall be utilized to process a variance:

(a) The subdivider shall apply in writing for such a variance or exception upon filing the preliminary plat with the Code Administrator.

(b) The Code Administrator shall notify the chairman of the Subdivision and Land Use Committee, and shall submit the plat and variance request along with his written opinion to said Committee within ten (10) county working days after receipt of plat and variance request.

(c) The Subdivision and Land Use Committee shall meet and shall make its decisions within sixty (60) days from the date of notification by the Code Administrator.

(d) Any variance granted shall be in writing and clearly state all conditions requiring the variance and shall set forth the exact terms of the variance; a copy of which shall be attached to the preliminary and final plat and included in the minutes of the Subdivision and Land Use Committee with the reasoning set forth upon which the variance was considered justified.

## ARTICLE VII

### VACATIONS, PENALTIES, ADOPTION

#### Section 700.0 PLAT VACATION

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 copy of the plat is attached, declaring it to be vacated. If there are public service facilities in the highways, streets, alleys and other public ways and in easements shown on said plat, the instrument shall reserve to the public body or public utility owning such facilities, the property, rights-of-way and easements necessary for continuing public service by means of those facilities and for the maintenance renewal and reconstruction of the same.

**700.01 SUBMITTAL DOCUMENTS:** The written vacation instrument shall be accompanied by the following plats and plans:

(a) Two (2) copies of the plat of subdivision , on which there shall be shown the part thereof, or street, alley, easement, or part thereof, to be vacated.

(b) A certificate signed by the County Clerk of Jersey County certifying that there are no delinquent general taxes, no unpaid current general taxes, no unpaid forfeited taxes, and no redeemable tax sales against any of the land included in the property to be vacated.

(c) When lots have been sold, the written vacation instrument shall be signed by all the owners of lots in the plat.

**700.02 APPROVAL REQUIRED:** The vacation request must be approved by the appropriate following person(s) or agency(s):

(a) Jersey County Board;

(b) Township Highway Commissioner having jurisdiction;

(c) Jersey County Highway Engineer;

(d) District Engineer of the Illinois Department of Transportation.

**700.3 COUNTY BOARD REVIEW:** The County Board shall determine or require the following:

(a) If any public or private rights or privileges are affected by the proposed vacation.

(b) The County Board may require the petitioner(s) to furnish bond in an amount to be determined by the County Board, indemnifying the County for any suit which may be filed for damages sustained by other owner(s) due to such vacation.

(c) The County Board may require that the County be reimbursed by the owner(s) of property abutting upon a street, alley, easement or part thereof, to be vacated, in an amount which will accrue to such owner(s) by reason of the vacation.

**700.4 VACATION RECORDED:** When any plat or part thereof is vacated, the recorder in whose office the plat is recorded or filed as aforesaid, shall, upon the recording of such vacation, write in plain letters across the plat or part so vacated the word “vacated”, and shall also make a reference on the same to the volume and page in which the instrument of vacation is recorded.

### **Section 701.0 AMENDMENTS**

This Ordinance may be amended, supplemented or repealed by a majority vote of the County Board.

### **Section 702.0 VALIDITY**

If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or void, such decision shall not affect the validity of the remaining portions of this Ordinance.

### **Section 703.0 REPEAL OF CONFLICTING REGULATIONS**

All regulations in conflict with this Ordinance are hereby repealed; the terms and conditions under which preliminary plats were approved prior to the adoption of this Ordinance shall be binding and in effect.

### **Section 704.0 PENALTIES**

Any person, firm or corporation who constructs any public improvements or portion thereof in violation of the provision of this Ordinance shall be, upon conviction, fined not more than Five Hundred (\$500.00) Dollars for each offense, and each day of the continued violation shall constitute a separate additional violation.

**704.1 FINES:** Any person who shall sell or offer for sale, lease or offer for lease, while this Ordinance is in effect, any lot or block or blocks, within the area of jurisdiction of the county, or any re-subdivision of any block or lot therein, before all of the requirements of this Ordinance have been complied with, shall be fined not less than Twenty Five (\$25.00) Dollars nor more than Five Hundred (\$500.00) Dollars for each lot, block or part thereof so sold, offered for sale, leased or offered for lease.

### **Section 705.0 ENFORCEMENT OF ORDINANCE**

The County Board, by resolution, shall appoint the Jersey County Sheriff the enforcing officer of this Ordinance, and it shall be his duty to enforce the provisions hereof. The enforcing officer may call upon any Department or Official of Jersey County to furnish him with such information and assistance as he may deem necessary for the observance or enforcement of this Ordinance, and it shall be the duty of such Department or Officer to furnish such information and assistance whenever required.

**Section 706.0 EFFECTIVE DATE**

This Ordinance shall be in full force and effect ten (10) days after its passage and publication as provided by law.

Passed and approved this 11th day of September 20\_07, A.D.

County Board Chairman /S/ Pam Heitzig

ATTEST:

County Clerk & Recorder /S/ Stephen L. Pohlman

Effective Date: September 21 2007

## **APPENDIX**

### **DIRECTIONS FOR A-1**

1. The plat approval for subdivisions is begun in the office of our Code Administrator. A preliminary application is issued to the person wishing to subdivide, who must follow the guidelines on A-1. (both requirements and necessary reviews)
2. Once the preliminary is completed, the Code Administrator places it on the next Subdivision and Land Use Committee agenda, publishes the notice and sends a letter to all contiguous owners.
3. The Subdivision and Land Use Committee sends their approval or disapproval within sixty (60) days to the County Board .
4. With approval from the Board, the plat may be finalized by having all necessary signatures, notice of school district involved, and any other needed documentation. This is then again brought to the Subdivision and Land Use Committee; they send their approval within ninety (90 days) County Board. Upon approval by the Board, the plat can be recorded.
5. If any change is necessary for the plat, the process begins again.

# Preliminary Plat Application

Subdivision Name \_\_\_\_\_

Case No. \_\_\_\_\_

<b>REQUIREMENT</b>	<b>SECTION</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
Two(2) copies of written request for preliminary review	301.1 (a)			
Eight prints of preliminary plat and required documents	301.1 (b)			
Payment of review fee, copy or receipt	308.3(a)			
Name of proposed Subdivision	302(a)			
Key map showing relation of subdivision to other developments	302(b)			
Name of owner, developer, and registered surveyor/engineer	302(c)			
Existing and proposed streets, rights of way, and other data	302(d)			
Tract boundary lines, showing lengths, directions and references.	302(e)			
All lot lines adjacent to and abutting subdivision with identifications	302(f)			
Layout of proposed lots with dimensions, areas, and identifications	302(g)			
Parcels to be dedicated to public use(s) and its use(s)	302(h)			
Location and size of all existing public utilities and drainage within or adjacent to proposed subdivision	302(i)			
Location and size of all proposed utilities to be installed	302(j)			
Easements, existing and proposed, locations, widths and use	302(k)			
Gross and net area of subdivision, street right-of-ways, and other parcels reserved for common use	302(l)			
Topography map with contour lines as required	302(m)			
Locations of water courses, ponding areas, drainage and flood area	302(n)			
Drawn to scale 50' to 1" or 100' to 1"	302(o)			
North arrow and date of plat	302(p)			
Entire development submitted for approval (no stage approvals)	302(q)			
"PLAT NOT FOR RECORD" printed upon plat	302(r)			
Locations of existing structures and other features	302(s)			
Landscaping plan, proposed signage for advertising	302(t)			
Soil information and map (when required)	302(u)			
Soil investigation test and locations (when required)	302(v)			
<b><u>REVIEWS</u></b>				
County Engineer Review	301.2			
IDOT Review (when required)	301.3A			
Township Road District Review	301.3B			
Soil and Water Conservation District Review	301.4A			
911 Coordinator Review	301.4C			
Submittal to Municipality if within 1.5 miles of limits	301.9			
Subdivision & Land Use Committee Action	301.5			
Jersey County Health Dept. Review	301.4B			

**Preliminary Plat Certificate of Approval**

**Subdivision & Land Use Committee Certification**

“The proposed plan of subdivision as shown on this plat and accompanying documents, has received tentative approval by the Subdivision and Land Use Committee”

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Signed: \_\_\_\_\_  
(Chairman)

Signed: \_\_\_\_\_  
(County Clerk & Recorder of Deeds)

**County Board Certification**

“The proposed plan of subdivision as shown on this plat and accompanying documents, has received tentative approval by the Jersey County Board and said Board is now ready to receive the Final Plat for consideration.”

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Signed: \_\_\_\_\_  
(Chairman of the Board)

Signed: \_\_\_\_\_  
(County Clerk & Recorder of Deeds)



**Surveyor's Certificate**

“I, the undersigned Illinois professional land surveyor, do hereby declare that to the best of my knowledge and belief that this is a correct representation of a survey made under my supervision at the request of and for the exclusive benefit of \_\_\_\_\_(owners), for the purpose of subdividing the property into lots as shown. The land is not within the corporate limits of any city or town which as adopted a city plan and is exercising the special powers authorized by Division 12 of Article 11 of the Illinois Municipal Code, as now or hereafter amended.

I further certify that the parcels included in this record of deed are not located in the special flood hazard area identified for the County of Jersey, Illinois by the Federal Emergency Management Agency on the Flood Insurance Rate Map, Panel No. \_\_\_\_\_, dated \_\_\_\_\_.”

Dated at Jerseyville, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Signed: \_\_\_\_\_  
Surveyor

**County Clerk Certificate**

I, \_\_\_\_\_, County Clerk of Jersey County, Illinois, hereby certify that I find no unpaid or forfeited taxes against any real estate included within this plat.

\_\_\_\_\_ Date \_\_\_\_\_  
County Clerk

**9-1-1 Coordinator Certificate**

“I, \_\_\_\_\_, Jersey County 9-1-1 Coordinator do hereby certify that the street/road/highway names and numbering system on the attached plat have been reviewed and approved for use.”

\_\_\_\_\_ Date \_\_\_\_\_  
9-1-1 Coordinator

**County Engineer Certificate**

“I, \_\_\_\_\_, County Engineer of Jersey County, do hereby certify that the attached plat has been examined by me, as set forth in the regulations governing plats of subdivided land adopted by the County Board of Jersey County, Illinois.”

Dated this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 20\_\_\_\_\_

\_\_\_\_\_  
County Engineer

**Private Road or Street Certificate**

“I/we \_\_\_\_\_, owner(s) of tract \_\_\_\_\_ and the private road or street shown on the plat hereon do hereby declare that said private road or street is not dedicated to the public shall remain private, to be maintained by and for the adjoining lot owners until such time that said street(s) are accepted for dedication by the appropriate Township or Jersey County, Illinois.

Signed: \_\_\_\_\_

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

**Form for Approval of the County Board**

Approved the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Signed: \_\_\_\_\_  
Chairman of the Board

Signed: \_\_\_\_\_  
County Clerk