

CHAPTER 155: SUBDIVISIONS

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GENERAL PROVISIONS

§ 155.001 TITLE.

This chapter shall be known and cited as the “Matteson Subdivision Regulations.”
(’79 Code, § 151.01) (Ord. 876, passed 8-4-75)

§ 155.002 PURPOSE.

This chapter is adopted for the following purposes:

- (A) To promote the public health, safety, morals, comfort, convenience,

prosperity, and general welfare;

(B) To conserve, protect, and enhance property and property values;

(C) To secure the most appropriate use of land, and to facilitate the adequate but economical provision of public improvements;

(D) To provide for orderly growth and development, to afford adequate facilities for the safe, convenient, and efficient means for the traffic circulation of its population, and to safeguard the public against flood damage;

(E) To prescribe reasonable rules and regulations governing the subdivision and platting of land; the preparation of plats; the location, width, and course of streets and highways; the installation of utilities, street pavements, and other essential improvements; and the necessary public grounds for schools, parks, playgrounds, and other public open spaces; and

(F) To establish procedures for the submission, approval, and recording of plats; and to provide the means for enforcement and to provide penalties for violations. ('79 Code, § 151.02) (Ord. 876, passed 8-4-75)

§ 155.003 INTERPRETATION.

(A) In interpreting and applying the provisions of this chapter, they shall be held to be the minimum requirements for the promotion and effectuation of the purposes set forth herein.

(B) Nothing herein shall repeal, abrogate, annul, or in any way interfere with any provision of law or any rules or regulations other than subdivision regulations adopted or issued pursuant to law relating to the subdivision or development of land. Where this chapter imposes greater restrictions or requirements than are imposed or required by other provisions of law, rules, regulations, covenants, or agreements, the provisions of this chapter shall control, but nothing herein shall interfere with, abrogate, or annul any easements, covenants, deed restrictions, or agreements between parties which impose restrictions greater than those imposed by this chapter. ('79 Code, § 151.03) (Ord. 876, passed 8-4-75)

§ 155.004 APPLICATION OF REGULATIONS; AUTHORITY AND JURISDICTION.

These regulations shall apply to all subdivisions made within the corporate limits of the village and to all unincorporated areas located within one and one-half miles of the corporate limits, subsequent to August 4, 1975, in accordance with provisions of ILCS Ch. 65, Act 5, as amended. The subdivisions shall, in all respects, be in full compliance

with the applicable requirements set forth in this chapter with the official map.
(79 Code, § 151.04) (Ord. 876, passed 8-4-75)

§ 155.005 VIOLATION.

Whoever shall sell or offer for sale, or lease for any time exceeding five years, any lot or block in any subdivision before complying with all the requirements of this chapter and the statutes governing plats shall be subject to a fine, as provided in § 155.999, for each lot or block, or part thereof, so disposed of, offered for sale, or leased. (79 Code, § 151.05) (Ord. 876, passed 8-4-75) Penalty, see § 155.999

§ 155.006 DEFINITIONS.

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

ALLEY. A minor way which is used primarily for vehicular access to the back or side of properties abutting on and having access to a street.

ARTERIAL STREET. A street so designated in the major street plan.

COLLECTOR STREET. A street which carries traffic from minor streets to an arterial street, including the principal entrance streets of residential developments, and the principal streets for circulation within such a development.

CUL-DE-SAC. A short minor street ending in a turnaround designed and intended as a permanent terminus.

DEAD-END STREET. Any street, other than a cul-de-sac, which has only one outlet.

DEVELOPMENT. The act of building structures or installing site improvements.

EASEMENT. A grant or reservation of specific rights in land conveyed by the land owner to the public or to persons for a particular purpose or purposes.

ENGINEER. A professional engineer registered as such in this state.

EXPRESSWAY. A street or highway to which access is limited or controlled, designed to move vehicular traffic between communities or other large areas. Included in this definition are tollway, freeway, and turnpike.

HALF-STREET. When a proposed street has as its center line, or within its right-of-way, the boundaries of one or more tracts, that portion of the street on either side

of such tract boundary shall be known as a half-street.

HEALTH OFFICER. The Village Health Officer.

MARGINAL ACCESS STREET. A minor street which is approximately parallel and adjacent to an arterial street or expressway, and which provides access to abutting properties and protection from through traffic.

MAJOR STREET PLAN. The so designated portion of the Official Plan adopted and as may hereafter be amended by the village.

MINOR STREET. A street used primarily for access to the abutting properties.

OFFICIAL MAP. The official map, or any part thereof, as adopted by the Board of Trustees of the village.

OFFICIAL PLAN. The Official Comprehensive Plan, or any part thereof, as adopted by the Board of Trustees of the village.

OWNER. Any person having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this chapter.

PEDESTRIAN WAY. A right-of-way, however designated, across or within a block for use by pedestrian traffic. Included are sidewalks and crosswalks.

PLAN COMMISSION. The Village Plan Commission.

RESUBDIVISION. The relocation of property boundaries, or the reallocation of property in a plat of record. However, the dissolution of property lines, not accompanied by the creation of new property lines, shall not constitute **RESUBDIVISION**.

RIGHT-OF-WAY. A strip of land conveyed or dedicated for street use; or, where appropriate, for other special use such as a crosswalk, railroad, pipeline, utility main, or electric transmission line.

STREET. A way for vehicular traffic, whether designated as a street, highway, thoroughfare, freeway, road, avenue, boulevard, lane, place, or however otherwise indicated.

STREET WIDTH. The shortest distance between the lines delineating the right-of-way of a street.

SUBDIVIDER. Any person commencing proceedings under this chapter to effect a subdivision of land hereunder for himself or for another.

SUBDIVISION. The division of land into two or more lots, parcels, or areas. **SUBDIVISION** shall include resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided. Subdivisions exempted from the terms of the chapter are: 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; the conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access; the conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use; conveyances made to correct descriptions in prior conveyances.

SURVEYOR. A land surveyor registered as such in this state.

VILLAGE ENGINEER. The person or firm so designated by the village.

ZONING CODE. The zoning code of the village, and all maps pertaining thereto for subdivisions located within the corporate limits of Matteson; and shall mean the zoning code of the appropriate county having jurisdiction for subdivisions located in unincorporated areas within one and one-half miles of the village.
(79 Code, § 151.06) (Ord. 876, passed 8-4-75; Am. Ord. 1169, passed 2-7-83)

§ 155.007 DEDICATION OF SCHOOL SITES OR PAYMENTS OF FEES IN LIEU THEREOF.

(A) *Findings.* The President and Board of Trustees hereby find the following:

(1) During the past few years, the village has experienced a population increase due principally to the development of vacant lots, annexation of additional land and the subdivision of vacant land within the jurisdiction of the village; and

(2) The village has found that productive community life depends in a great part on the availability of adequate school facilities to serve the new development; and

(3) The village adopted Ordinance No. 1669 on May 19, 1997, to establish a specific requirement for the dedication of school grounds or the payment of fees-in-lieu of dedication, and that Ordinance requires a periodic update to ensure consistency with current land development and school needs; and

(4) It is hereby found and determined that the public interest, convenience, health, welfare and safety require the establishment of school ground within the village generally in accordance with the following criteria which is consistent with the minimum site recommendations of the office of the State Superintendent of Education

and Elementary School Districts No. 159 and No. 162, and Rich Township High School District No. 227 (hereinafter "School Districts") operating within the jurisdiction of the village:

(a) 600 capacity elementary schools (K-5) on 11 acres of useable land;

(b) 900 capacity junior high schools (6-8) on 29 acres of useable land;

(c) 1,500 capacity high schools (9-12) on 45 acres of useable land;

(5) Demographic studies of the residential portion of a proposed subdivision or planned unit development can be readily and scientifically conducted to determine the number of elementary and secondary school age children and adults typically to be generated therefrom, and provide a method whereby the required dedications of land directly attributable to the activity of the subdivider, developer or builder and the proposed subdivision or planned development may be calculated; and

(6) It is found and determined that the location of the school grounds to serve the immediate and future needs of residents and children of each new development is as essential to proper land development as are streets, water, sewers and sidewalks, and to that end the village has determined that the dedication of land for school grounds or cash contributions in lieu of actual land dedication (where the latter is deemed impractical) or a combination of both, shall be required of each residential builder or each developer of a residential subdivision or a planned residential development.

(B) *Indemnity agreement required.* This section shall be applicable only to those school districts with a valid and enforceable indemnity agreement which will hold the village harmless for any complaints arising out of the implementation of this section.

(C) *Condition of approval.* The provisions of this section shall be a condition of the approval of a final plat of subdivision or approval of a final plat of a planned residential development, or approval of a building permit on a parcel of land within an already approved subdivision (provided the developer of said subdivision has not already paid a fee or donated land for school grounds). Each applicant, builder, subdivider, or developer will be required to dedicate land for school grounds to serve the immediate and future needs of the residents of the development, or make a cash contribution in lieu of actual land dedication, or a combination of both, at the option of the village, in accordance with the following criteria and formula:

(1) *Criteria for requiring school grounds dedication:*

(a) *Requirement and population ratio.* The ultimate number of

students to be generated by a subdivision or planned residential development shall bear directly upon the amount of land required to be dedicated for school grounds. The land dedication requirement shall be determined by obtaining the ratio of: (i) estimated children to be served in each such school classification from the development over the (ii) maximum recommended number of students to be served in each such school classification as stated herein, and then applying such ratio to (iii) said minimum recommended number of acres for a school site of each such school classification as stated herein. The product thereof shall be the acres of land deemed needed to have sufficient land for school grounds to serve the estimated increase in the number of children in each such school classification.

(b) *School classification and size of school grounds.*

Classification and size of school grounds within the village shall be determined in accordance with the following criteria:

School Type/Grade	Maximum Number of Students for Each Such School Classification	Minimum Number of Useable Acres of Land for Each Such School Classification
Elementary Schools, Grades K-5	600 student	11 acres
Junior High Schools, Grades 6-8	900 student	29 acres
High School	1,500 student	45 acres

s, Grades 9-12	s	
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(c) *Location.* Standards adopted by the affected School District shall be used as a guideline in locating sites.

(2) *Criteria for requiring a contribution in lieu of school grounds.* Where the development is small and the potential dedication of school grounds are too small to be practical or when the available land is inappropriate for school grounds, the village shall require the builder, subdivider or developer to pay a cash contribution in lieu of the land dedication required. The cash contributions in lieu of school grounds shall be held in trust by the School District for use in the acquisition of land to serve the immediate or future needs of children from the subdivision or development or for site improvements, which include school buildings or other infrastructure necessitated and specifically and uniquely attributed to the development or subdivision in question.

(a) *Fair market value.* The cash contributions in lieu of land shall be based on the fair market value of the acres of land in the area improved in accordance with all applicable village regulations for subdivisions or planned residential developments that otherwise would have been dedicated as school grounds. It has been determined that the present fair market value of such improved land in and surrounding the village is \$90,000 per acre and such figure shall be used in making any calculation herein unless changed by the President and Board of Trustees by a motion specifically referring to this division (C)(2)(a), or unless a subdivider or a developer files a written objection thereto. In the event of any objection, the fair market value of such improved land shall be determined in the following manner:

1. At the sole cost of the developer, each of the following shall name an appraiser who shall make an appraisal of the fair market value of such acres of land on behalf of the village - the Village President and Board of Trustees, the School District, and the developer;
2. All appraisers shall be MAI appraisers who shall issue bona fide appraisals of the fair market value of the land in question; and
3. The final determination of the "fair market value" shall be the average of the two appraisals which give the highest land value.

(b) *Density formula.*

1. Division (C)(2)(c) establishes the population density formulae which are generally indicative of current and short-range projected trends in family size for new construction and shall be used in calculating the amount of required dedication of acres of land or cash contribution in lieu thereof unless a written objection is filed thereto by the subdivider or developer.

2. The School District shall submit to the President and Board of Trustees for their approval, not less than once every five years, revised population density formulae. Upon their approval, the calculations in division (C)(2)(c) shall be revised.

(c) *Contribution in lieu of school grounds and density formula.*

<i>School Type</i>	<i>Student Capacity</i>	<i>Acres</i>	<i>Acres/Student</i>	<i>Acres per Acre Cost</i>	<i>Cost of Land/Student</i>
Grades K-5	600	11	0.0183	\$90,000	\$1,647
Junior High (6-8)	900	29	0.0322	\$90,000	\$2,898
High School (9-12)	1,500	45	0.0300	\$90,000	\$2,700

<i>Attached Single-Family</i>	<i>Elementary Grade K-5</i>	<i>Junior High Grades 6-8</i>	<i>Total Grades K-8</i>	<i>High School Grades 9-12</i>	<i>Total \$ K-5</i>	<i>Total \$ 6-8</i>	<i>Total \$ Elementary District</i>	<i>Total \$ High School District</i>	<i>Total Fee</i>
	0.136	0.048	0.184	0.020	\$224	\$139	\$363	\$54	\$417
	0.369	0.173	0.542	0.184	\$608	\$501	\$1,109	\$497	\$1,606
	0.530	0.298	0.828	0.360	\$873	\$864	\$1,737	\$972	\$2,709
<i>Single-Family</i>									
	0.088	0.048	0.136	0.038	\$145	\$139	\$284	\$103	\$387
	0.234	0.058	0.292	0.059	\$385	\$168	\$553	\$159	\$712
	0.322	0.154	0.476	0.173	\$530	\$446	\$976	\$467	\$1,443

(3) *Criteria for requiring dedication and a fee.* There will be situations in subdivisions or planned residential developments when a combination of land dedication and a contribution in lieu of land are both necessary. These occasions will arise when:

(a) Only a portion of the land to be developed is proposed as the location for a school grounds. That portion of the land within the subdivision falling within the school location shall be dedicated;

(b) A major part of the school grounds has already been acquired and only a small portion of land is needed from the development to complete the grounds. The remaining portions shall be required by dedication, and a cash contribution in lieu thereof shall be required.

(4) *Objections to density formula.* In the event an applicant, builder, subdivider or developer files a written objection to the population density formulae listed herein, he/she shall submit his/her own demographic study showing the estimated additional population to be generated from the subdivision or planned residential development and in that event final determination of the density formula to be used in such calculation shall be made by the Village Board of Trustees based upon such demographic information submitted by the subdivider or developer and from other sources which may be submitted to the Village Board of Trustees by the school district, or others. It is recognized that population density, age distribution and local conditions change over the years, and the specific formula for the dedication of land, or the payment of fees in lieu thereof, as stated herein, is subject to periodic review and amendment if necessary.

(5) *Reservation of additional land.* Where the Comprehensive Plan of the village calls for a larger amount of school grounds in a particular proposed subdivision or planned residential development than the developer is required to dedicate, the land needed beyond the subdivider's or developer's contribution shall, if so determined by the Village Board of Trustees, be reserved for subsequent purchase by the village or other public body designated by the village provided that such acquisition is made within one year from the date of approval of the final plat.

(6) *Topography and grading.* The slope, topography and geology of the dedicated site as well as its surroundings must be suitable for its intended purposes. Grading on land dedicated for school grounds shall not differ greatly from surrounding land.

(7) *Improved sites.* All school grounds shall be dedicated in a condition ready for full service of electrical, water, sewer and streets as applicable to the location of the property, or acceptable provision made therefor. The sidewalks and trees normally included within the definition of improved grounds may be deleted due to the delay time between dedication of any such school grounds and construction of school facilities thereon.

(8) *Title to grounds.* All school grounds shall be conveyed either by warranty or trustee's deed for the benefit of the School District and conveyed directly to the School District. The subdivider or developer shall be responsible for conveying good, merchantable title to such grounds, and shall be responsible for payment of all real estate taxes to the date of conveyance, including any agricultural roll back taxes which might be extended or levied against such grounds for any tax years or periods prior to the time of conveyance.

(9) *Use of parcel.* When, in the opinion of the School District holding title to any parcel of land dedicated under this section, any such parcel has become unnecessary or unsuitable or inconvenient, such parcel may be sold as provided by applicable statutory authority, and the proceeds shall be held in trust by said unit of local government, solely for such uses as are provided for in this section.

(10) *Dedication and payment of cash contributions.* All dedications shall be made at the time of final plat approval and all cash contributions required herein shall be made prior to the issuance of each building permit by the village.
(Ord. 1669, passed 5-19-97; Am. Ord. 1956, passed 2-2-2004)

PROCEDURE FOR REVIEW OF PLATS

§ 155.015 DUTIES OF SUBDIVIDER AND PLAN COMMISSION.

The prospective subdivider is urged to consult informally with the Plan Commission and, where pertinent, county officials, state agencies, and public utilities, on the availability of services and public facilities in the area to be subdivided. He/she is also encouraged to study the pertinent rules and regulations, including the zoning code, building code, and especially this chapter. The Plan Commission is responsible for discouraging not only premature development, but also development in unsuitable areas that are inaccessible or hazardous or lack services. The Plan Commission is also charged with encouraging replatting of inadequate subdivisions and coordinating the platting of small parcels of adjacent land.

('79 Code, § 151.10) (Ord. 876, passed 8-4-75)

§ 155.016 STAGES OF APPROVAL.

(A) All subdivision plats shall be processed in three stages leading to approval for recording, except that in instances as specified by this chapter, certain stages may be waived or combined. The three stages are the sketch plan, the preliminary plat, and the final plat and engineering plans.

(1) The sketch plan is a sketch proposal, complying with the provisions of §§ 155.030 through 155.033 of this chapter, submitted informally by the developer to the Plan Commission. The purposes of the sketch plan and the preapplication conference with the Plan Commission are to:

- (a) Develop cooperation and confidence;
- (b) Familiarize the developer with requirements;
- (c) Do away with major revisions of the preliminary plats;

(d) Save the developer time and money; and

(e) Provide assistance to small-scale subdividers.

(2) (a) The preliminary plat is a drawing which shall be prepared subsequent to and in accordance with the agreements reached in the sketch plan conference. It shall be prepared in accordance with §§ 155.030 through 155.033 of this chapter and all other applicable provisions of this chapter and other ordinances, and four copies shall be filed with the Director of Community Development, together with an application form in duplicate.

(b) The Plan Commission shall approve or disapprove the application for preliminary approval within 90 days from the date of the application or the filing by the applicant of the last item of required supporting data, whichever date is later, unless the time is extended by mutual consent. If the plat is disapproved, then within the 90 days the Plan Commission shall furnish to the applicant, in writing, a statement setting forth the reason for disapproval and specifying with particularity the aspects in which the proposed plat fails to conform to the ordinances, including the Official Map. If the plat is approved, the corporate authority shall accept or reject the plat within 30 days after its next regular stated meeting following the action of the Plan Commission. Preliminary approval shall not qualify a plat for recording.

(c) If the plat is approved, the Director of Community Development shall attach a certified copy of the order or resolution of approval to a copy of the plat. If the proposed plat is disapproved, the order or resolution shall state the reasons for the disapproval, specifying with particularity the aspects in which the proposed plat fails to conform to the Official Map. A copy of the order or resolution shall be filed in the office of the Director of Community Development.

(3) (a) The final plat is a record of the subdivision as surveyed in the field. It shows property lines and other dimensions important to the subdivider in selling lots, and to the public in keeping records of street lines, easements, and utility locations.

(b) Application for approval of a final plat shall be made not later than one year after approval of a preliminary plat has been granted. This application must be supported by the drawings, specifications, and bond as may be necessary to demonstrate compliance with all requirements of this chapter.

(c) The final plat shall be prepared in accordance with §§ 155.030 through 155.033 and all other applicable provisions of this chapter and other ordinances, and the original and three copies shall be filed with the Village Clerk, together with four copies of all required supporting materials and an application form in duplicate.

(d) It is intended that approval by the Plan Commission and the

Board of Trustees be automatic if the final plat conforms closely to the approved preliminary plat and approved engineering plans. Disapproval is warranted, however, if:

1. There are more than minor deviations from the preliminary plat;
2. More than one year has elapsed since the approval of engineering plans; or
3. A new highway, pipeline, or other major feature has been constructed or has directly affected the site by virtue of the improvement being included in the official map.

(e) When a person submitting a plat of subdivision or resubdivision for final approval has supplied all drawings, maps, and other documents required by this chapter to be furnished in support thereof, and if all the material meets all the requirements, the Village Board shall approve the proposed plat within 60 days from the date of filing the last required document or other paper, or within 60 days from the date of filing application for final approval of the plat, whichever date is later. The applicant and the Board may mutually agree to extend the 60-day period.

(f) If the plat is approved, the Village Clerk shall attach a certified copy of the order or resolution of approval to a copy of the plat. If the proposed plat is disapproved, the order or resolution shall state the reasons for the disapproval, specifying with particularity the aspects in which the proposed plat fails to conform to the official map. A copy of the order or resolution shall be filed in the office of the Village Clerk.

(4) (a) Engineering plans are drawings, specifications, and construction cost estimates for all new construction of facilities in the development, and shall comply with the provisions of §§ 155.030 through 155.033 of this chapter.

(b) The engineering plans may be submitted at the same time as the preliminary plat or at any time up to and including the date of filing the final plat for village approval.

(5) (a) Development in sections. The applicant may elect to have final approval of a geographic part of the plat that received preliminary approval, and may delay application for approval of other parts until a later day or dates beyond one year with the approval of the Village Board, provided all facilities required to serve the part for which final approval is sought have been provided. In such case only the part of the plat as has received final approval shall be recorded.

(b) In no case, except for the final section, shall any section filed for approval under this provision contain less than 50 residential lots.

(B) (1) For the purposes of this chapter, a **MINOR SUBDIVISION** is

defined as any subdivision containing not more than ten lots fronting on an existing, improved, public, minor street, not involving any new street or road or the extension of municipal facilities, not adversely affecting the development of the remainder of the parcel or adjoining property, and not conflicting with any provision or portion of the official plan, zoning code, or this chapter.

(2) Final plats for minor subdivisions may be submitted without going through the preliminary plat stage.
(79 Code, § 151.11) (Ord. 876, passed 8-4-75; Am. Ord. 1147, passed 6-7-82)

§ 155.017 FEES.

(A) *Filing fee.*

(1) The following non-refundable filing fee shall be collected from the applicant at the time of application for site plan review or preliminary plat review for any commercial, industrial, institutional or multi-family development, whether they be new construction or remodeling.

0 to less than three acres	\$1,000
3 to less than 10 acres	\$2,500
10 to less than 35 acres	\$5,000
35 to less than 50 acres	\$8,000
50 or more acres	\$15,000

(2) The filing fee amount shall be deducted from the total of the final engineering review fee and the inspection fees as outlined in divisions (B) and (C) below, and required to be paid in full at the time of recording of the subdivision plat or issuance of a building permit, whichever comes first.

(B) *Final engineering review.* At the time of application for approval of the final engineering site improvement plans, the developer shall pay a fee sufficient to compensate the Village Engineer and/or his/her designee for examination of the final engineering plans and all supporting documents in the amount of 2% of the design engineer's estimate of cost of the entire project.

(C) *Inspection of project improvements.* All improvements approved by the Village Engineer and/or his/her designee shall be inspected during the course of construction by the Village Engineer and/or his/her designee. As compensation for such inspection, the developer shall pay an inspection fee in the amount of 3% of the design engineer's estimate of cost of the entire project. Said inspection fee shall be in addition to the final engineering review fee.

(D) At the time of receiving approval of a final plat, the subdivider shall pay a fee sufficient to cover the cost of recording.

('79 Code, § 151.12) (Ord. 876, passed 8-4-75; Am. Ord. 1905, passed 4-21-2003)

§ 155.018 RECORDING.

(A) Within seven days of receiving the approved final plat from the Village President and the recording fee from the subdivider, the Village Clerk shall submit the plat to the Cook County Recorder for recording, and the final plat shall become the property of Cook County.

(B) Recording of the final plat authorizes the issuance of building permits, but does not constitute acceptance of proffered or required dedications.
(79 Code, § 151.13) (Ord. 876, passed 8-4-75)

§ 155.019 BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY.

Within the village corporate limits:

(A) Building permits shall not be issued until the subdivision final plat has been approved by the Plan Commission and the Board of Trustees and recorded, and the required permits from the Metropolitan Sanitary District of Greater Chicago, Illinois Environmental Protection Agency, or other agencies have been issued.

(B) All building plans shall be approved by the Director of Community Development, and must meet the requirements of the BOCA Code and village additions and deletions, as amended from time to time.
(79 Code, § 151.14) (Ord. 876, passed 8-4-75; Am. Ord. 1147, passed 6-7-82)

SPECIFICATIONS FOR PLANS AND PLATS

§ 155.030 SKETCH PLAN.

The subdivider shall meet with the Plan Commission in a preliminary conference which shall be scheduled by appointment. Prior to the conference, he/she shall submit to the Plan Commission a rough site sketch plan showing:

- (A) The boundaries and dimensions of the property to be subdivided;
- (B) Land characteristics such as natural drainage, swamp areas, wooded areas, and ridges on and adjacent to the tract;
- (C) Existing easements: location, width, and purpose;

(D) Streets on and adjacent to the tract; name and right-of-way width and location; type, width, and approximate elevation of surfacing;

(E) Existing utilities on and adjacent to the tract, location and size of water mains, fire hydrants, gas mains, street lights, storm and sanitary sewers, including invert elevations of sewers to which connections are to be made;

(F) Other conditions on the tract and adjacent land, including: approximate directions and gradient of ground slope, any embankments, or retaining walls; character and locations of buildings and other structures, railroads, power lines, towers, and other nearby nonresidential land uses of adverse influence; and owners of adjacent unplatted land;

(G) Zoning on and adjacent to the tract;

(H) Proposed public improvements; highways or other major improvements planned by public authorities for future construction on or near the tract;

(I) The proposed layout of streets, blocks, and lots;

(J) The proposed location of business, park, and other nonresidential areas;
and

(K) Existing covenants affecting the property.
(79 Code, § 151.20) (Ord. 876, passed 8-4-75)

§ 155.031 PRELIMINARY PLAT.

The preliminary plat shall be prepared by an engineer or surveyor, and shall be drawn or printed on paper at a scale of 100 feet to one inch, unless a different scale was approved at the sketch plan conference. This plat shall show or be accompanied by the following information:

(A) *Title and certificate.* Name under which the proposed subdivision is to be recorded; location and position by quarter-quarter section, section, township, range, meridian, county, and state; names and addresses of subdividers; notation stating scale, north arrow; and the following certificate:

State of Illinois, County of Cook, Village of Matteson

Approved by _____ Matteson Plan Commission at a meeting held this
day of _____, 20__.

Chairman
Matteson Plan Commission

Approved by the President and Board of Trustees of the Village of Matteson,
Illinois, at a meeting held this ___ day of _____ A.D. 20__.

President of the Board of Trustees

Village Clerk

(B) *Description of existing conditions.*

(1) *Boundary lines.* Complete survey data such as angles, bearings, dimensions, and curve data shall be shown for the exterior lines of the subdivision. The error of linear closure of the boundary survey shall not be greater than one in 5,000.

(2) *Easements.* Location, width, and purpose of easements and other existing restrictions, reservations, or covenants.

(3) *Streets.* Name, location, right-of-way width; also curbs, gutters, culverts, sidewalks, and building setbacks.

(4) *Utilities.* Location and size of sanitary and storm sewers, fire hydrants, and water mains; location of gas, electric, and telephone lines. If water mains and sewers are not on or adjacent to the tract, indicate the distance and direction to, and the size of, the nearest ones.

(5) *Physical conditions.* Existing contours at elevation intervals of one foot. Watercourses, marshes, bogs, and areas subject to inundation; wooded areas; isolated preservable trees one foot or more in diameter.

(6) *Man-made features.* Houses, barns, and other structures; other constructed features.

(7) *Conditions on adjacent land.* All of the requirements of plat preparation shall apply equally to the site being subdivided and to all land within 200 feet of its boundaries, waiving accuracy requirements as to scale of features, but not as to boundary lines.

(8) *Proposed public improvements.* Highways or other major improvements planned by public authorities for future construction on or near the tract, according to the information received from the Plan Commission at the sketch plan conference.

(9) *Subsurface conditions.* Depth of groundwater unless test pits are dry at a depth of eight feet; location and results of any tests made to ascertain subsurface soil and rock conditions.

(10) *Percolation tests.* Percolation test data shall be submitted for all subdivisions of three or more lots to be served by individual sewage disposal systems.

(C) All proposals of the subdivider, including:

(1) Name of subdivision. Must be original and not duplicate or be substantially similar to any existing subdivision located in the townships of Bloom, Rich, Thornton, or Bremen in Cook County.

(2) Streets. Unduplicated names to be approved by the Board of Trustees; right-of-way and roadway widths; radius of curvature; length of curve and tangent sections; and similar data for alleys, if any.

(3) Easement rights-of-way. Location, width, and purpose.

(4) Lot lines and approximate dimensions.

(5) Sites, if any, to be used for the following: industrial, commercial, public or semipublic, multi-family, or other than single-family residential.

(6) Sites to be reserved or dedicated for any public or semipublic use.

(7) Minimum building setback lines.

(8) Site data. A tabulation of gross area, street area, other dedicated area, net subdivided area, number of lots, average lot size, typical lot dimensions, and lineal feet of street.

(9) Proposed contours of the finished subdivision for all areas when original ground elevations are changed by more than three feet.

(D) *Additional approval.* Where the preliminary plat contains utility easements, the plat shall be accompanied by a written statement bearing the signature of an authorized employee of the utility company attesting to the suitability of the easements for the purpose shown.

('79 Code, § 151.21) (Ord. 876, passed 8-4-75)

§ 155.032 ENGINEERING PLANS AND DRAWINGS.

(A) *Engineer shall prepare.*

(1) Whenever new construction is required in the development of a subdivision, an engineer shall prepare all plans, specifications, and construction cost estimates. The engineer or engineering firm shall be approved by the Village Board of Trustees.

(2) If he/she so elects, and when so allowed by the Board of Trustees, the subdivider may contract with the village for the preparation of the engineering plans, specifications, and cost estimates. These services will then be performed by the Village Engineer as directed by the Board of Trustees, provided that a deposit is placed in escrow payable to the village in accordance with the schedule then in effect between the village and the Village Engineer to cover the cost of engineering design services.

(3) All engineering plans are subject to the approval of the Plan Commission and the Board of Trustees.

(B) *Required plans and drawings.* The engineer shall submit to the Plan Commission triplicate copies of the aftermentioned plans, specifications, and cost estimates bearing his/her signature and the imprint of his/her seal.

(1) Plans and specifications for street construction, including center line profile and grade line of each street with a typical cross section of the roadway. The street plan shall show the location of drainage structures and their sizes. The profile at grade lines shall be shown to a scale of one inch = 50 feet horizontal and one inch = two feet vertical.

(2) Plans, details, and specifications of proposed storm drainage improvements.

(3) Plans, details, and specifications of proposed water distribution systems and of proposed water supply facilities.

(4) Plans, details, and specifications of sewerage systems.

(5) Plans, details, and specifications of proposed street lighting systems, street signs, and sidewalks.

(C) *Supplementary plans and drawings.* When unusual site conditions exist, the Plan Commission may require such additional plans, specifications, and drawings as are found necessary for an adequate review of the plat. The Plan Commission shall request this additional material from the subdivider by letter, stating therein the information requested and the particular or unusual site conditions which make this information necessary.

('79 Code, § 151.22) (Ord. 876, passed 8-4-75)

§ 155.033 FINAL PLAT.

(A) *Plat form and content.* The final plat shall be drawn in waterproof black (India) ink on tracing cloth, or their equivalents. Scale shall be 100 feet to one inch or larger. Variation in scale may be allowed when determined by the Plan Commission to be necessary for a proper exhibit of the subdivision. When more than one sheet is used for any plat, they shall be numbered consecutively, and each sheet shall contain a notation showing the whole number of sheets in the plat and its relation to the other sheets (such as, sheet one of three sheets). Linear dimensions shall be given in feet and decimals of a foot. The final plat shall show on the face thereof:

- (1) The name of plat;
- (2) The location and position of the subdivision indicated in each of the following ways, by:
 - (a) Quarter-quarter section, section, township, range, meridian, county, and state;
 - (b) Distances and bearings from true north or angles with reference to a corner or corners established in the United States Public Land Survey; and
 - (c) A written legal description of the exterior boundaries of the land as surveyed and divided.
- (3) The top of the plat shall be oriented north and the plat shall contain a north arrow;
- (4) A graphic scale;
- (5) The date of preparation;
- (6) The description and location of all survey monuments;
- (7) Survey data sufficient to reproduce any line or reestablish any monument in the subdivision;
- (8) A graphic presentation of all streets, alleys, blocks, parcels, and public grounds into which the land is divided, and of all easements and rights-of-way;
- (9) The length of boundary lines of all streets, alleys, blocks, lots, parcels, public grounds, easements, and rights-of-way, or enough information so that the length of these lines can be derived by simple calculation. Where a boundary line is an arc of a circle, the length of the chord shall be shown;
- (10) The widths of all streets, alleys, easements, and rights-of-way;
- (11) A graphic presentation of the minimum building setback lines on

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all lots and parcels, and a notation of the distance between such lines and the street right-of-way line. In no case shall the setback line be less than that required by the zoning code or major street plan.

(12) The area of each lot or parcel containing an area of one acre or more;

(13) Consecutive letters or numbers on all blocks and consecutive numbers on all lots throughout the plat;

(14) The name of each street printed on the graphic representation of each street, and an appropriate label designating all other easements, rights-of-way, setback lines, dedications, and reservations (such as, “dedicated for park purposes” or “reserved for public school site”).

(15) Abutting street lines and adjoining lakes or streams at the date of survey, and a graphic presentation and notation of the high-water marks of such lakes or streams. If any portion of the land within a subdivision shown on any final map is subject to inundation or flood hazard by storm waters, such fact and portion shall be clearly shown on the final plat by a prominent note on each sheet of the plat whereon any such portion shall be shown.

(B) *Certificate required.* The final plat shall include the following final plat certificates, in black (India) ink:

Approved by the Matteson Plan Commission at a meeting held this ___ day of A.D. 20__.

Chairman
Matteson Plan Commission

State of Illinois, County of Cook, Village of Matteson, approved by the President and Board of Trustees of the Village of Matteson, Illinois, at a meeting held this ___ day of _____ A.D. 20__.

President of the Board of Trustees

Village Clerk

I find no deferred installments of outstanding unpaid special assessments due against the land included in the above drawn plat. Dated this ___ day of _____ A.D. 20__.

Collector of the Village of Matteson, Illinois

(C) *Signature of owner or owners of property.* If a corporation, it shall be signed by the president and attested to by the secretary, corporate seal to be affixed. All signatures shall be attested to by a notary public and notarial seal affixed. ('79 Code, § 151.23) (Ord. 876, passed 8-4-75)

DESIGN STANDARDS

§ 155.045 GENERAL.

(A) *Conformity to plans.* All subdivisions shall conform to the official plan, or adopted segments thereof; to the zoning code and subdivision code; and to all other pertinent ordinances, resolutions, and plans.

(B) *Interpretations.* In order to promote the best possible development and use of land, the Plan Commission shall interpret the standards, provisions, and specifications contained in this chapter liberally and in favor of the community interest. Exceptions from these standards, provisions, and specifications may be granted when shown conclusively and to the satisfaction of the Plan Commission that the exceptions will bring about a more logical and desirable result than would be obtained by strict compliance.

(C) *Natural features.*

(1) Each subdivision shall be appropriate to the topography, the drainage, and other natural features of the site. Developments shall be so laid out that they will tend to preserve, enhance, and promote the public benefit from natural scenic beauty.

(2) No live tree exceeding three inches in diameter one foot above the ground may be cut down or otherwise removed from the land within any subdivision without the approval of the Plan Commission. In instances where the removal of trees is authorized, the Plan Commission at its option may require the replacement of the trees in accordance with the provisions of §§ 155.060 through 155.071 of this chapter.

(D) *Land subject to inundation.* See Chapter 152 of this title. ('79 Code, § 151.25) (Ord. 876, passed 8-4-75) Penalty, see § 155.999

§ 155.046 STREETS.

(A) *Layout.* The layout of streets in a subdivision plan shall conform to

existing regulations and policies and shall be based on a thorough consideration of:

- (1) Topographic considerations and drainage;
- (2) Public convenience and safety;
- (3) The existing street pattern;
- (4) The future circulation needs of nearby lands; and
- (5) The proposed uses of land to be served.

(B) *Right-of-way.*

(1) Street right-of-way widths shall be as designated on the major street plan. In all other instances, the following table shall apply:

- (a) State highways: 120 feet.
- (b) County highways: 100 feet.
- (c) Township highways: 80 feet.
- (d) Collector streets: 80 feet.
- (e) Minor streets (single-family dwellings): 66 feet.
- (f) Minor streets (multiple-family dwellings): 66 feet.
- (g) Marginal access streets: 66 feet.
- (h) Alleys: 20 feet.

(2) All streets with 66-foot rights-of-way shall have a pavement width of 30 feet face of curb to face of curb.

(3) Greater right-of-way widths may be required where indicated by physical features and sound principles of highway design.

(C) *Minor streets.* Minor streets shall be so designed as to discourage high-speed or through traffic.

(D) *Boundary streets.* Streets shall not be laid out on the boundary of a subdivision. Exceptions to this may be permitted where the streets are desirable for further expansion or where streets shall conform to the existing street system.

(E) *Intersections.* Street intersections with main highways shall be limited to not more than one per quarter mile unless topographic and physical conditions require a lesser distance. Street intersections shall be at right angles. Where unusual conditions exist, the Plan Commission may permit intersections of less than 90° but not less than 60°. In all cases street intersections and junctions shall be laid out so as to facilitate the safe flow of traffic. In no case shall two junctions be offset less than 125 feet.

(F) *Cul-de-sacs.* A cul-de-sac shall be not more than 500 feet in length measured along the centerline from the centerline of the street of origin to the center of the turnaround, and each shall have a terminus generally circular in shape, with a diameter of 120 feet and a center on or within 30 feet of the cul-de-sac centerline.

(G) *Marginal access streets.* Wherever a subdivision borders on or contains the right-of-way of a limited access street, highway, or thoroughfare, or a railroad or a utility right-of-way, a street may be required approximately parallel to and on either side of the right-of-way a distance suitable to the service of such uses as front thereon.

(H) *Half-streets.* Half-streets shall not be permitted except to complete an existing half-street which is dedicated and accepted, or to conform to the major street plan.

(I) *Reserve strips.* Reserve strips controlling access to streets shall not be permitted. All streets intended to provide the subdivision with future means of ingress and egress shall extend to the subdivision boundary.

(79 Code, § 151.26) (Ord. 876, passed 8-4-75) Penalty, see § 155.999

§ 155.047 BLOCKS.

(A) *Design.* The length, width, and shape of blocks shall be determined with due regard for the following:

(1) Provision of adequate building sites suitable to the special needs of the types of use contemplated.

(2) Zoning requirements as to lot size and dimension.

(3) Needs for convenient access, circulation, control, and safety of street traffic.

(4) Limitations and opportunities of topography.

(B) *Length.* No block shall exceed 1,800 feet in length except where required by unusual topographic conditions, nor shall they be less than 600 feet in length.

(C) *Crosswalks.* Where blocks exceed 1,000 feet in length or where

orientation or pedestrian circulation requirements indicate, crosswalks may be required. Crosswalks shall consist of a public right-of-way or easement not less than ten feet in width. In addition, side yards adjacent to the crosswalk right-of-way shall have a minimum width of ten feet.

(79 Code, § 151.27) (Ord. 876, passed 8-4-75) Penalty, see § 155.999

§ 155.048 LOTS.

(A) *Dimensions.* Lot dimensions and area shall be not less than the requirements of the zoning code.

(B) *Frontage.* All lots shall front directly on an improved public street. Lots adjoining state highways, expressways, and arterial streets shall be provided with marginal access streets or shall front on an interior street.

(C) *Lot lines.* Side lot lines shall be at right angles or radial to the street line or substantially so, and along curvilinear street lines, side lot lines so formed shall form a lot having a minimum frontage at the street right-of-way line and at the rear property line equal to the combined width of the two side yards required in the zone in which the lot is located or 25 feet, whichever is greater.

(D) *Deep lots.* Lots abutting an expressway or arterial street, a railroad right-of-way, or other inharmonious use shall have a depth of 20 feet in excess of the typical interior lot in the same subdivision. A dense planting screen easement 20 feet in width, across which there shall be no right of access, shall be required on such deep lots.

(E) *Corner lots.* Corner lots for residential use shall have sufficient gross and buildable area to provide an appropriate building setback from and orientation to both streets.

(F) *Buildable area.* Buildable area is the difference between the gross lot area and the minimum area requirement of front yards, side yards, and rear yards as defined in the zoning code.

(1) *Interior lots.* All residential interior lots shall contain a minimum buildable area.

(2) *Corner lots.* All residential corner lots shall contain a buildable area not less than the buildable area of residential interior lots within the same zoning district of the subdivision.

(79 Code, § 151.28) (Ord. 876, passed 8-4-75) Penalty, see § 155.999

§ 155.049 EASEMENTS.

(A) *Utility easements.*

(1) All utility distribution lines for communication, telephone, electric, and other utility services to be installed in developments or subdivisions shall be installed underground within utility easements or dedicated public ways.

(2) Easements shall be provided for underground utility service. They shall have a minimum width of 15 feet. Where it is intended that all utilities shall share the same underground easement, additional width sufficient to avoid conflict shall be provided. Easements shall be established along rear lot lines and such other lot lines as are required to provide continuity of alignment throughout the area to be served.

(B) *Drainage easements.*

(1) When a subdivision is traversed by a watercourse, established drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of the watercourse, and such further width or construction, or both, as will be adequate for proper drainage. It shall include an additional area at least 15 feet in width adjoining both edges of the established watercourse as certified by the subdivider or his/her engineer.

(2) Where ditch drainage is used in conjunction with storm sewers, the easement shall be of sufficient width to allow future construction of a storm sewer main adequate to carry the ultimate runoff of the watershed.

('79 Code, § 151.29) (Ord. 876, passed 8-4-75) Penalty, see § 155.999

IMPROVEMENTS

§ 155.060 PURPOSE.

It is deemed necessary and essential to require and control the provision and installation of improvements when property is subdivided and developed, in order to:

(A) Endure conformity to the statutes governing the subdivision of land in this state;

(B) Cause the installation of the utilities and public service facilities necessary to serve the property developed;

(C) Provide for the current financing of the facilities;

(D) Spread the cost of required improvements on the property benefitted;

(E) Prevent the dissipation or the improper use of public funds in providing

these improvements or maintaining faulty installation; and

(F) Protect the living standards, public safety, and the common welfare of residents within and without the subdivision.
(’79 Code, § 151.35) (Ord. 876, passed 8-4-75)

§ 155.061 QUALIFICATIONS OF CONTRACTORS.

The Village Engineer shall recommend to the President and the Board of Trustees minimum standards of qualifications for contractors and subcontractors participating in the construction of public improvements. On passage and approval by the President and the Board of an ordinance containing standards of qualifications for contractors and subcontractors, only the contractors and subcontractors who meet the minimum standards of qualifications shall be eligible to participate in the construction of public works.
(’79 Code, § 151.35) (Ord. 876, passed 8-4-75)

§ 155.062 TIME OF CONSTRUCTION.

All improvements required herein shall be completely installed after recording the final plat of the subdivision. The subdivider shall post a performance bond or letter of credit approved by the Village Attorney guaranteeing the installation of these improvements within the time limits established by this chapter. The required approval of the performance bond or letter of credit shall be necessary prerequisites to final plat approval, and shall be in the sum equal to 110% of estimated cost of construction, as approved by the Village Engineer.
(’79 Code, § 151.35) (Ord. 876, passed 8-4-75)

§ 155.063 SEQUENCE OF CONSTRUCTION.

(A) All underground utilities, sanitary sewers, storm sewers, and water mains installed in streets, alleys, service roads, or highways shall be constructed or installed prior to the surfacing of the streets. Service connections to the underground utilities and sewers shall be extended to two feet beyond the property line of each lot so as to obviate disturbing the surface improvements in the public ways when service connections are later made.

(B) All excavations below subgrade of proposed pavements shall be made by drilling or open cut. If done by open cut, granular trench backfill conforming to the latest issue of the “Standard Specifications for Road and Bridge Construction” of the State Department of Transportation shall be used.

(C) All excavations below the subgrade of existing pavements shall be made only by drilling under the existing pavement in such a way that surfacing is not disturbed

or weakened.

('79 Code, § 151.35) (Ord. 876, passed 8-4-75) Penalty, see § 155.999

§ 155.064 DEBRIS REMOVAL.

The subdivider shall clean and maintain all public ways, sewers, and drains free from debris and trash or other extraneous material prior to acceptance, and at such other times during construction as may be deemed necessary to prevent the creation of a public nuisance.

('79 Code, § 151.35) (Ord. 876, passed 8-4-75) Penalty, see § 155.999

§ 155.065 MODIFICATIONS OF DESIGN FOR IMPROVEMENTS DURING CONSTRUCTION.

No changes or modifications to plans previously approved by the village or the Village Engineer will be permitted without the approval of the Village Engineer.

('79 Code, § 151.36) (Ord. 876, passed 8-4-75)

§ 155.066 OVERSIZE IMPROVEMENTS.

Whenever necessary to conform to an overall plan or otherwise to protect or promote the public interest, oversize improvements may be required of the subdivider.

('79 Code, § 151.37) (Ord. 876, passed 8-4-75)

§ 155.067 MONUMENTS.

(A) *Preservation of existing monuments.* All U.S., state, county, or other official bench marks, monuments, or triangulation stations in or adjacent to the subdivision shall be preserved. When a proposed improvement in a subdivision makes necessary the moving of bench marks, monuments, or stations, the authority having jurisdiction shall be notified and given sufficient time to take appropriate action.

(B) *Placement of new monuments.* Permanent monuments shall be erected at all street corners and all points where street lines intersect the exterior lines of the subdivision, and at all lot corners, block corners, angles in the streets or lot lines, and points of beginning or end of curves.

(C) *Monument materials.* Permanent monuments shall be of galvanized iron pipe not less than three-quarter inch in diameter, or solid steel rod not less than one-half inch in diameter, and not less than 24 inches in length; or of stone or concrete not less than four inches in diameter and not less than 24 inches in length. In no case shall thinwall pipe or electrical conduit be permitted.

('79 Code, § 151.38) (Ord. 876, passed 8-4-75) Penalty, see § 155.999

§ 155.068 GRADING.

Where it is proposed to alter ground elevations more than three feet, proposed as well as existing contours shall be shown on the contour map for approval by the Village Engineer. Top soil removed during the course of grading or construction shall be redistributed evenly to a depth of at least four inches. All exposed areas shall be reseeded or sodded to prevent erosion. Seeding and sodding shall conform to the specifications as set forth in § 155.081(F).

('79 Code, § 151.39) (Ord. 876, passed 8-4-75) Penalty, see § 155.999

§ 155.069 IMPROVEMENTS REQUIRED.

(A) *Streets.*

(1) Unless otherwise specified, the type, design, and construction of streets shall be in accordance with the provisions of §§ 155.080 through 155.084.

(2) Where the proposed subdivision fronts lots on only one side of a public street, the subdivider shall be responsible for half of the street to be improved as described above. Whenever land adjacent to an existing public street is subdivided with lots facing thereon, and the street is not improved to a standard as high as that required for an interior street of similar character, the subdivider may be required to improve the public street, but in no case shall the required expenditure for the improvement exceed that required for a similar interior street. Any improvement of an existing public street shall be subject to the approval of the public authority having jurisdiction.

(3) Street profile plans and cross sections for all subdivision streets shall be prepared by an engineer in accordance with the requirements of §§ 155.080 through 155.084, and the engineer, as agent for the subdivider or his/her contractor, shall be responsible for establishing the proper lines and grades for all earth work and drains.

(4) Not less than one street of a width in accordance with the provisions of §§ 155.046 and 155.081(A)(3) shall be provided to furnish the subdivision with access to an existing improved public highway. The access street shall be improved by the subdivider in accordance with the standards appropriate to its function, whether or not it lies partly or entirely outside the subdivision.

(B) *Storm drainage.*

(1) The storm drainage improvements shall conform to the system designed and established by the engineer and approved by the Plan Commission. Computations may be required for the entire watershed or drainage basin of which the

subdivision is a part. The design and construction of such structures shall be in accordance with the specifications of §§ 155.080 through 155.084.

(2) In all residential subdivisions, and in all business and industrial subdivisions, underground storm sewer systems shall be constructed where required, and installation shall be completed prior to the placement of any surfacing material.

(3) Special consideration shall be given to the avoidance of problems which may arise from concentration of storm water runoff onto adjacent properties. All storm drainage shall be conducted or connected to an approved outfall.

(C) *Culverts and bridges.* Adequate drainage structures shall be provided. The design, installation, and construction of drainage structures shall comply with specifications of §§ 155.080 through 155.084.

(D) *Curbs and gutters.* Curbs and gutters shall be provided in all subdivisions.

(E) *Sidewalks.*

(1) Sidewalks shall be required on both sides of all streets in subdivisions containing lots less than 20,000 square feet in size.

(2) In subdivisions containing no lots smaller than 20,000 square feet, sidewalks may be required in accordance with the following standards, to provide:

(a) A reasonable extension of an existing sidewalk system;

(b) Continuity between existing systems of sidewalks;

(c) Adequate pedestrian circulation in the vicinity of schools, shopping centers, or other community facilities; and

(d) For pedestrian safety.

(3) In subdivisions where sidewalks are required, pedestrian ways bisecting blocks shall also be improved with sidewalks constructed to the same standards.

(F) *Street trees.* Street or shade trees shall be planted by the developer within the public right-of-way of all streets of the subdivision and may be planted within lot boundaries of the subdivision. Trees shall have a trunk diameter, measured 12 inches above the ground, of not less than three inches, and shall be spaced not more than 40 feet apart. The plantings shall be restricted to Thornless Honey Locust, Hackberry, Sugar Maple, Red Oak or Pin Oak, Sycamore, Norway Maple, Ironwood, Columnar Maple or Hard Maple, American or European Linden, and any other of the hardwood species approved by the Plan Commission. Chinese Elm, Box Elder, Willow, Poplar, and similar fast-growing brittlewood species are prohibited.

(G) *Street signs.* Signs giving names of streets shall be erected at all street intersections. Street signs shall be provided by the subdivider in accordance with village standards and specifications, and shall be located so as to identify every street within the subdivision.

(H) *Street lights.*

(1) In residential subdivisions, street lighting shall be provided at all street intersections within or abutting the subdivisions and at such other locations designated by the Village Engineer. The street light system shall have a minimum average maintained horizontal illumination of 0.6 foot-candles, or that minimum designated by the latest approval of the American National Standards Institute contained in the “American National Standard Practice for Roadway Lighting,” whichever is greater. Uniformity shall be a ratio not exceeding six to one, as determined in the average level to minimum point method.

(2) Business area street light shall have a minimum average maintained horizontal illumination of 1.2 foot-candles or that minimum designated by the latest approval of the American National Standards Institute contained in the “American National Standard Practice for Roadway Lighting,” whichever is greater. Uniformity shall be a ratio not exceeding three to one, as determined in the average level to minimum point method.

(I) *Water supply facilities.*

(1) A water supply, treatment, and distribution system, including water service pipes to each lot and appurtenances, shall be installed to serve each subdivision.

(2) All water distribution systems shall be designed and constructed in compliance with the standards set forth by the Village of Matteson, Illinois, Environmental Protection Agency, and other applicable governmental agencies.

(3) All water supply systems shall meet the design specifications of §§ 155.080 through 155.084.

(J) *Fire hydrants.* Every water supply system shall have adequate pipe sizes, water pressure and supply, and sufficient fire hydrants to provide adequate fire protection to meet local neighborhood needs in accordance with the specifications set forth in §§ 155.080 through 155.084.

(K) *Sanitary sewage facilities.*

(1) A sanitary sewage system, including service pipes to each lot and appurtenances, shall be installed to serve each subdivision.

(2) All sanitary sewage systems shall be constructed in compliance with the standards set forth by the Metropolitan Sanitary District of Greater Chicago, the Illinois Environmental Protection Agency, and other applicable governmental agencies.

(3) All sanitary sewage systems shall meet the design specifications of §§ 155.080 through 155.084.

(L) *Planting screens.* The subdivider shall plant, install, construct, or otherwise provide all required fences, dense planting strips, or other required buffers along lot lines of houses within any development backing up to or adjoining any existing or future expressway or arterial street; railroads; or commercial area; or to enclose any hazard which, in the opinion of the Plan Commission, might create a public nuisance. ('79 Code, § 151.40) (Ord. 876, passed 8-4-75) Penalty, see § 155.999

§ 155.070 PROTECTION AND REPAIR OF EXISTING IMPROVEMENTS.

(A) The subdivider, his/her contractors, and suppliers shall be jointly and severally responsible that existing improvements and the property of the village are not damaged or rendered less useful or unsightly by the operations of the subdivider, his/her contractors, or suppliers. This provision is intended to include damage or nuisance with respect to the land, improvements, or landscaping of the village; damage to existing streets, sidewalks, curbs and gutters, or parkways by passage thereover of equipment or trucks or by excavation for any purpose; the spillage or tracking of earth, sand, or rock onto existing streets, sidewalks, curbs and gutters, or parkways; the washing by storm water of earth or sand onto streets, sidewalks, curbs and gutters, or parkways, or into catch basins; damage of water mains, sanitary sewers, culverts, or storm sewers. To reduce or localize the possibility of damage to streets by heavy trucking, the Superintendent of Public Works shall instruct the subdivider as to the streets to be used for access to the subdivision by equipment and trucks, and the subdivider shall be responsible for enforcement of this instruction on his/her contractors and their suppliers. The subdivider may be required to construct a temporary construction road in lieu of using local streets for access to and within the subdivision. The subdivider shall make provisions to prevent the washing of earth or sand onto sidewalks, streets, curbs and gutters, and into catch basins by storm water.

(B) Where deemed advisable, the Board of Trustees shall require that the subdivider post a surety to guarantee repair of damages or abatement of nuisance. Where need for surety becomes apparent after construction is in process, the Superintendent of Public Works shall have the power to order construction discontinued until surety has been posted. Expenses incurred by the village in repairing damages, cleaning streets, catch basins, and sewers shall be deducted from the surety. ('79 Code, § 151.41) (Ord. 876, passed 8-4-75) Penalty, see § 155.999

§ 155.071 INSPECTION OF IMPROVEMENTS.

(A) *Required improvements.* On notice from the Village Engineer that work on any improvements is being prosecuted contrary to the provisions of the subdivision code or any other ordinance of the village, and not in compliance with the plans or specifications as previously approved by the Village Engineer, or that the work is being performed in an unsafe and dangerous manner, the work shall be immediately stopped. The stop work order shall be in writing from the Village Engineer, and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work; and shall state the conditions under which work may be resumed. Any person who shall continue any work in or about the improvement after having been served with a stop order by the Village Engineer, except such work as he/she is directed to perform to remove the violation or unsafe conditions, shall be liable to a fine under the general penalties of the code of ordinances of the village.

(B) *Notification.* Before commencing the construction of any improvements, the engineer for the subdivider shall ascertain what persons or governmental agencies, in addition to the Village Engineer, are to be notified and shall be responsible for the notification in compliance with permits issued for construction.

(C) *Reports.* Any inspection which requires the presence of the Village Engineer, the village, or other governmental agency or an authorized representative, shall also be attended by the engineer of the subdivider. The subdivider's engineer shall be responsible for submitting a report on the inspection with copies to each in attendance.

(D) *Subdivider's responsibility.* Regardless of contracts, agreements, or inspections performed, final responsibility for the installation of all improvements, in accordance with the applicable standards, rests with the subdivider.

(E) *Approval and acceptance.*

(1) When all improvements and all appurtenances thereto, based on approved plans, have been constructed or installed, the engineer for the subdivider shall provide the Village Engineer with a letter certifying completion of improvements in substantial compliance with the plans and specifications therefor.

(2) On receipt of the letter of completion, the Village Engineer shall schedule a final inspection of the improvements installed at which representatives of the engineer for the subdivider, the Village Engineer, Superintendent of Public Works, and any other agency having jurisdiction over construction shall be present. When the Village Engineer is satisfied that the improvements have been satisfactorily installed in substantial compliance with the plans and specifications therefor, he/she shall address a letter stating such to the President and the Board of Trustees.

(3) The letter shall not constitute acceptance by the public; it shall be the responsibility of the agency intending to maintain and operate the facility to provide the developer with a letter of acceptance.

(4) All improvements and all appurtenances thereto shall be guaranteed by the developer and contractor against defects and workmanship for one year, subsequent to the date of acceptance by the village by motion adopted at a meeting of the President and the Board of Trustees.

(5) Sewer mains shall be inspected by closed circuit television within two months of the end of the final guarantee period. Inspection shall be at the subdivider's expense, with detailed report in triplicate to the Board of Trustees prior to termination of the one year guarantee. Polaroid pictures shall be included in the report.

(6) Three copies of the "as built" drawings for all utilities installed shall be submitted to the Village Engineer before the Village Engineer writes his/her letter recommending acceptance.

(7) Prior to acceptance by the village, the engineer for the subdivider shall be responsible for the completion, execution, and submission of the necessary final documents required by governmental agencies who have issued permits for the improvements, and a copy of the documents approved by the cognizant agency must be furnished to the village and the Village Engineer.
(79 Code, § 151.42) (Ord. 876, passed 8-4-75; Am. Ord. 891, passed 1-19-76) Penalty, see § 155.999

ENGINEERING SPECIFICATIONS

§ 155.080 COMPLIANCE REQUIRED.

The construction of all improvements required by this chapter shall be in compliance with the specifications set forth herein. Unforeseen construction or improvements, as may be required by unusual topographic, soil, or other conditions, shall be subject to the approval of the Village Engineer. In these special cases, prior to actual construction, drawings, reports, data, work sheets, and estimates of cost may be requested. Unless otherwise specified, all street, sidewalk, storm drainage, sanitary sewer, water, street light, and such other improvements required, shall be designed and constructed in compliance with the latest issue of *Standard Specifications for Road and Bridge Construction* as published by the State Department of Transportation; *Standard Specifications for Traffic Signals* as published by the State Department of Transportation; "The Sewer Permit Ordinance" of the Metropolitan Sanitary District of Greater Chicago; *American National Standard Practice for Roadway Lighting*, sponsored by the Illuminating Engineering Society; regulations published by the Illinois Environmental Protection Agency; *Standard Specifications for Water and Sewer Construction* in Illinois as published by the Illinois Society of Professional Engineers et al; and such other specifications as may be published by governmental agencies having control over design standards in this state. Plans, specifications, and estimates of cost for all improvements must be submitted in quadruplicate to the Village Engineer for his/her review and

approval.

('79 Code, § 151.45) (Ord. 876, passed 8-4-75) Penalty, see § 155.999

§ 155.081 STREETS.

The following specifications for the design, grading, and surfacing of new and existing streets shall be adhered to:

(A) *Design.*

(1) *Grades of streets.* The maximum grades for collector and larger streets shall not exceed 6%. The maximum grades for other streets shall not exceed 8%. In no case shall the grade of any street be less than 0.3%.

(2) *Vertical curvature.* Vertical curves shall be provided at all changes in street grade. Length of vertical curves shall be determined by good engineering judgment. In no case shall the vertical curve at a street intersection be less than 50 feet.

(3) *Horizontal curvature.*

(a) The minimum radius of center line horizontal curvature shall be as follows:

1. Arterial streets: 500 feet.
2. Collector streets: 300 feet.
3. Other streets: 100 feet.

(b) Angles on the center line of a street are not permitted.

(4) *Stopping sight distance.* Stopping sight distance shall be based on a line of sight, one end of which is four and one-half feet above the pavement and the other end four inches above the pavement. In flat topography sight distance of not less than 400 feet is desirable. In rolling topography sight distance shall be not less than 200 feet.

(5) *Width.* Arterial street width shall be as determined by the Plan Commission. Collector streets shall be constructed with a 36-foot width from back to back of the curb. All other streets shall be 30 feet in width from face of curb to face of curb.

(B) *Grading.* All excavations, embankment, and subgrading work shall conform to the *Standard Specifications for Road and Bridge Construction*. In general,

backslopes of all ditches on street rights-of-way shall be as flat as topography will permit. In no instance shall the backslopes of cut sections or ditches be less than two to one (two horizontal to one vertical).

(C) *Construction.* The following types of construction shall be the minimum permitted:

(1) (a) Base construction for residential streets exclusive of collector streets shall be aggregate base course, type A or B, with a minimum compacted thickness of nine inches.

(b) Base construction for collector streets in residential areas shall be bituminous aggregate mixture base course, marshall stability 1,700, with a minimum compacted thickness of six inches.

(c) Base construction for streets in commercial and industrial areas shall be bituminous aggregate mixture base course, marshall stability 1,700, with a minimum compacted thickness of eight inches.

(2) All streets shall be provided with a two course bituminous surface consisting of bituminous concrete binder and surface courses, class 1, each course having an average minimum compacted thickness of one and one-half inches.

(3) The final course (surface course) shall not be constructed until written permission from the President and the Board of Trustees has been granted.

(4) Binder and surface course mixes shall be State Department of Transportation class 1, unless otherwise approved by the Board of Trustees.

(5) The developer may petition for and be granted final acceptance of the streets prior to completion of the final course. In this event he/she will be required to place in escrow with the village an amount sufficient, as determined by the Village Engineer, to cover the cost of the final surfacing course. The village shall then contract to have this work done at such time as it deems necessary.

(D) *Curbs and gutters.* Combination concrete curb and gutter shall be constructed along the outside edges of all street pavements of the type and thickness designated by the Village Engineer.

(E) *Sidewalks.* Sidewalks in residential areas shall be located one foot inside the right-of-way line, and shall be not less than five feet wide and five inches thick. The sidewalk shall be constructed with ready mix concrete that is locally known as a six bag mix, air entrained, placed atop a two inch cushion of CA-6 aggregate, properly compacted by mechanical method. The width, thickness, and location of sidewalks in nonresidential areas shall be subject to the approval of the Plan Commission.

(F) *Erosion control.* All roadway ditches and slopes and all other slopes subject to erosion by runoff waters shall be properly protected by riprap, sod, seeding with rapid-growing grass or vegetation, and ditch checks. All the work shall conform to the applicable provisions of the *Standard Specifications for Road and Bridge Construction*, State of Illinois.

(G) *Street lights.* All poles, bracket arms, luminaires, cables, conduits, and service centers shall conform to the following types or approved equals:

(1) *Poles and brackets.*

(a) Residential streets exclusive of collector streets, spun aluminum, Design 140C Catalogue No. B-704D-220-C2, as manufactured by the Union Metal Co. or approved equal.

(b) Collector, commercial, and industrial streets, spun aluminum, Design 140C Catalogue No. B-804D-270-E2, as manufactured by the Union Metal Co. or approved equal.

(2) *Luminaire, ballast, and lamp.*

(a) Residential streets exclusive of collector streets, mid-block, mercury vapor type luminaire, I.E.S. Type M-S-II distribution between corner lighting, Catalogue No. M-250A-C728G006 with Type H250A37-5 10,700 lumen bulb, as manufactured by the General Electric Co. or approved equal.

(b) Residential streets, exclusive of collector streets, corners, mercury vapor type luminaire, I.E.S. Type four-way distribution, Catalogue No. M-250A-C728G006 with type H250A37-5 10,700 lumen bulb, as manufactured by the General Electric Co. or approved equal.

(c) Collector, commercial, and industrial streets, mid-block, mercury vapor type luminaire, I.E.S. Type II distribution between corner lighting, Catalogue No. M-400A-C72G001 with Type H400A33-1 20,000 lumen bulb, as manufactured by the General Electric Co. or approved equal.

(d) Collector, commercial, and industrial streets, corners, mercury vapor type luminaire, I.E.S. Type four-way distribution, Catalogue No. M-400A-C724G001 with Type H400A33-1 20,000 lumen bulb, as manufactured by the General Electric Co. or approved equal.

(3) *Mounting heights.*

(a) For areas with 250 watt lamp, the nominal mounting height shall be 25 feet.

(b) For areas with 400 watt lamp, the nominal mounting height shall be 30 feet.

(4) *Cables and conduit.* In all areas the design shall include a minimum of a one and one-quarter inch diameter moulded flexible plastic “cable-in-duct” within which there shall be minimum of two each No. 6, 7 strands, single conductor, 600 volt, soft drawn uncoated copper wire, with 4/64 inch Type THW insulation. A single conductor No. 8, 7 strands, soft drawn uncoated copper bare ground conductor will be laid in the same trench as the “cable-in- duct,” but not within the duct. A two-inch galvanized steel conduit shall be placed under existing driveways and under existing or proposed street pavements, and the “cable-in-duct” shall be placed therein. The ends of all galvanized steel conduit shall be protected with a pipe thread insulated conduit end bushing, similar and equal to that manufactured by the Union Insulating Company, Parkersburg, West Virginia. Two No. 10, 7 strands, single conductor, soft drawn copper wire, 3/64 inch Type RHW insulation, 1/64 inch black neoprene sheath shall be used to wire the light standard from the main feeder cable in the base to the luminaire. Main line conduit shall have a minimum cover of two feet below the top of the curb. No splices of electrical cable will be allowed within duct runs. Splices shall only be made in base of light standards, or within handholes, with the use of a splice kit which shall be similar or equal to that manufactured by the Minnesota Mining and Manufacturing Co., No. 82-A1 for straight line splicing and No. 72-B1 for wye splicing. Cable-in-duct splicing shall be accomplished in a manner acceptable to the Village Engineer.

(5) *Placement of light standards.* The center of the light standards shall be 30 inches behind the back of the curb, or at a location approved by the Village Engineer.

(6) *Portland cement concrete foundations.* Portland cement concrete foundations shall be constructed for each light standard. Four each one inch by 72 inch anchor rods shall be installed within each foundation unless a different diameter is recommended by the job manufacturer. The concrete used in the foundation shall be ready mix, locally known as six bag mix. Each foundation shall have constructed integrally two pieces of galvanized steel conduit bends of two inches internal diameter rising to a height of one inch above grade, and entering the base at a depth of 24 inches below the top of the curb and extending six inches beyond the wall of the foundation. The top of the finished foundation shall be not less than one inch nor more than three inches above the top of the curb. The concrete foundation shall be six feet in overall depth and be of a 20-inch diameter cylinder. The top six inches of each foundation shall be formed to the exact dimensions. A one-half inch by eight foot Copperweld ground rod shall be installed in a foundation for each circuit at one-third distance from the end of the circuit. The leveling of light standards shall not be done by the use of shims.

(7) *Service center.* Electric energy for the street light system shall be 240/480 volt, 60 hertz, single phase, alternating current, and shall be transmitted throughout the system by means of 600 volt electrical cables. Service centers shall be contained within a waterproof metal cabinet, similar or equal to that manufactured by

Crouse-Hinds Company as their Catalogue Number 46886. The cabinet shall be mounted on a concrete foundation. Within each service center shall be a main line circuit breaker, branch line circuit breakers, time switch circuit breaker, mechanically held remote control switches, true single pole double throw 240 volt astronomical and synchronous carry over time switch, and main disconnect switch. All service centers shall be approved by Commonwealth Edison Service connection cable from the Commonwealth service point to the service center shall be single conductor No. 2 cables, 7 strands, 600 volt, soft drawn uncoated copper wire, 4/64 inch, Type THW insulation, and shall be placed within a two-inch diameter galvanized steel conduit. Control wire shall be No. 14, 7 strands, single conductor, soft drawn copper wire, 3/64 inch Type RHW insulation, 1/64 inch black neoprene sheath.

(8) *Grounding.* A permanent and continuous equipment ground shall be obtained by connecting each pole ground lug to the bare ground wire, which in turn is connected to the system ground rod and Commonwealth Edison ground at the service center. Grounding of all equipment and systems shall be in accordance with Section 250 of the National Electrical Code.

(9) *Fuses.* In the base of each new light standard and each light standard to be relocated shall be installed one TRON in-the-line waterproof fuseholder, including a 10 ampere fuse as manufactured by the Bussman Mfg. Division of the McGraw-Edison Company.

(10) *Handholes.* Handholes as described in the Standard Specifications shall be installed at locations designated by the Village Engineer.

(11) *Guarantee.*

(a) The subdivider shall furnish a written guarantee stating the work will be free from defects in material and workmanship for a period of one year from the date of completion as determined by the date of the final written acceptance of the job.

(b) The subdivider further agrees that he/she will, at his/her own expense, repair or replace work which becomes defective during the term of the guarantee, and any other work damaged because of the defects.

(12) *Testing.* Prior to acceptance of the installation, the street lighting system shall be put into operation by the installing contractor and witnessed by the subdivider's engineer and the Village Engineer. Any defects which become evident during this test shall be corrected by the contractor at his/her own expense. ('79 Code, § 151.46) (Ord. 876, passed 8-4-75) Penalty, see § 155.999

§ 155.082 STORM DRAINAGE STRUCTURES.

(A) *Bridges and culverts.* The size and capacity of all drainage structures shall be computed using “Talbot’s Formula” for runoff. Wherever practical, pipe culverts shall be used. The minimum length of culverts shall be at least equal to the distance from edge of shoulder to edge of shoulder, plus six times the vertical distance from the edge of shoulder to the flow line of the culvert. No culvert shall have a diameter of less than 12 inches. In no case shall entrance culverts be less than 20 feet in length. The design of all bridges and culverts shall be approved by the Village Engineer.

(B) *Storm sewers.* The storm sewer system shall be designed by the “rational method,” with self-cleaning velocities as follows:

(1) The part of the system which serves as main or terminal collectors shall be of sufficient capacity to carry the maximum storm water flows which may occur in a ten-year period.

(2) The part of the system which serves as lateral collectors, and which can readily be augmented by future additions, shall be of sufficient capacity to carry maximum storm water flows which may occur in a five-year period.

(3) The system shall include all necessary appurtenances such as inlets, catch basins, and manholes as may be required for proper operation and maintenance.

(4) The coefficients of runoff shall be based on the types of development anticipated in all parts of the watershed affecting the drainage structure, and shall be subject to approval of the Village Engineer.

(5) Where the main storm sewer serving a subdivision can be expected to carry a substantial amount of storm water from adjoining lands higher in the drainage area, and where the runoff from these lands can be expected to increase in the future because of more intense development, the developer shall provide an underground storm sewer adequate to serve the entire drainage area above the subdivision. The developer shall provide on-site retention in compliance with the design promulgated by the Metropolitan Sanitary District of Greater Chicago.

(6) No sewer line shall be less than ten inches in diameter.
(‘79 Code, § 151.47) (Ord. 876, passed 8-4-75) Penalty, see § 155.999

§ 155.083 WATER SUPPLY FACILITIES.

(A) *Individual wells.* Wells for individual lots will not be allowed. All properties shall be connected to the village water system.

(B) *Water mains.* All water mains that are to be constructed in the village shall be ductile iron pipe, class 2, cement lined. The water main shall not be less than

eight inches in diameter, and shall have all necessary valves housed within valve vaults having a minimum inside diameter of four feet. The design of the water main layout and appurtenances and the material used shall be subject to the approval of the Village Engineer. The necessary permit shall be obtained from the State Environmental Protection Agency.

(C) *Fire hydrants.* Fire hydrants, subject to the approval of the village, shall be installed throughout the entire subdivision at intervals of not exceeding 300 feet. All fire hydrants shall be equipped with six-inch auxiliary valve and valve box. Fire hydrants shall have a four-inch “steamer” connection, two and one-half inch hose nozzles, and national standard threads. However, all water or fire mains that are ten inches or larger in diameter shall be equipped with a fire hydrant having two four-inch “steamer” connections and no hose nozzles. The “steamer” connections shall be national standard threads. The locations for this type of fire hydrant will include all areas zoned R-3 through R-6, C-1 through C-4, and I-1 through I-3 or other areas as directed by the Chief of the Fire Department.

(’79 Code, § 151.48) (Ord. 1274, passed 9-16-85) Penalty, see § 155.999

§ 155.084 SANITARY SEWAGE SYSTEM.

(A) *Sewerage distribution system.* Sanitary sewerage facilities shall be designed and constructed in compliance with the rules and regulations and permits which must be obtained from the Metropolitan Sanitary District of Greater Chicago and Illinois Environmental Protection Agency. Plans, specifications, and construction work shall be subject to the approval and inspection of both the Metropolitan Sanitary District of Greater Chicago and the Village Engineer. The Village Engineer shall be given not less than three working days’ notice in writing prior to commencement of construction.

(B) *Sanitary sewer house service.*

(1) All sanitary sewer house services that are to be constructed in the village shall be PVC SDR-26 pipe, shall not be less than six inches in diameter, and shall be installed in compliance with the Manual of Procedures for the Administration of the Sewer Permit Ordinance of the Metropolitan Sanitary District of Greater Chicago. The connection of the stub out of the building with the sanitary sewer house service shall be made with what is commonly known as a “mission band coupling.”

(2) The sanitary sewer house service shall be defined as the sewer between the trunk line and the building.

(’79 Code, § 151.49) (Ord. 876, passed 8-4-75) Penalty, see § 155.999

DEDICATIONS, EASEMENTS AND RESERVATIONS

§ 155.095 DEDICATIONS.

(A) *Areas required to be dedicated.*

(1) All new streets created by a subdivision and shown on plats submitted for approval and recording shall be dedicated outright to the public.

(2) Additional street widths shall be dedicated along existing thoroughfares where a width greater than that existing is called for by the major street plan.

(3) Pedestrian ways bisecting long blocks, or wherever else located, shall be dedicated.

(4) Park and playfield sites: One acre per 80 dwelling units, with a minimum site size of one-half acre.

(5) Fire, police, utility services: As required.

(B) *Identification of dedications.* Areas to be dedicated shall be clearly identified on the plat as dedicated to the public.

('79 Code, § 151.55) (Ord. 876, passed 8-4-75; Am. Ord. 1956, passed 2-2-2004)

§ 155.096 EASEMENTS.

(A) *Areas to be shown as easements.*

(1) Public utilities, storm water facilities, and installations shall be located on suitable easements as specified in §§ 155.045 through 155.071.

(2) Planting strips or other buffer zones, located between reverse frontage lots and a thoroughfare, or between incompatible uses, or wherever required.

(B) *Identification of easements.* Easements shall be clearly identified on all plats.

('79 Code, § 151.56) (Ord. 876, passed 8-4-75)

§ 155.097 RESERVATIONS.

(A) *General.*

(1) Whenever the reasonable requirements provided by this chapter, including the Official Map, shall indicate the necessity for providing for a school site, park site, or other public lands within any proposed subdivision for which approval has

been requested, and no such provision has been made therefor, the Village Board shall require that lands be designated for such public purpose before approving the plat. Whenever a final plat of subdivision, or part thereof, has been approved by the Village Board as complying with the Official Map and there is designated therein a school having jurisdiction of the use, be it a school board, park board, or other authority, the authority shall acquire the land so designated by purchase or commence proceedings to acquire the land by condemnation within one year from the date of approval of the plat. If it does not do so within the period of one year, the land so designated may then be used by the owners thereof in any other manner consistent with this chapter, including the Official Map and the zoning code of the village.

(2) Minimum reservations shall consist of the following:

(a) Elementary school sites (for combined school-park use): one acre per 30 dwelling units, with a minimum site size of ten acres.

(b) Park and playfield sites: one acre per 80 dwelling units, with a minimum site size of one-half acre.

(c) Fire, police, utility services: as required.

(d) High school and junior high school sites: as required.

(B) *Reservations and preliminary plats.*

(1) Areas reserved shall be clearly identified on the preliminary plat as reserved in accordance with this subchapter.

(2) The preliminary plat shall also contain the proposals of the subdivider, as they might otherwise be platted, for the areas under reservation, to be applied in the event the land is not acquired by the public within the period of reservation.

(3) On completion of the period of reservation, the preliminary plat shall remain a valid preliminary plat for the formerly reserved areas for a period of one year.

(C) *Reservations and final plats.*

(1) Where practicable, final plats shall not include areas reserved; the final plats should affect only that portion of the subdivider's land which is unrestricted by the reservations.

(2) Where final plats must include areas reserved, the areas shall be clearly identified as reserved in accordance with this chapter, and shall not contain any proposals of the developer.

(3) Final plats may be submitted for reserved land unacquired by the public at the close of the reservation period. The plats will be considered additional units of the subdivisions for which initial final plats were recorded.

(D) *Reversion.* If the appropriate public agency having jurisdiction has not, within the reservation period, acquired the site reserved for a public use by the subdivider, he/she shall regain full and unencumbered title to the same, and may use it in any way and any purpose permitted by the pertinent regulations then in effect.
(79 Code, § 151.57) (Ord. 876, passed 8-4-75)

§ 155.098 RIGHT OF REFUSAL.

The number, size, and location of dedications, reservations, and easements shall be subject to approval, and the Plan Commission shall ascertain that the proposed sites are suitable for the proposed uses. The public retains the right to refuse any and all dedications.

(79 Code, § 151.58) (Ord. 876, passed 8-4-75)

MODIFICATIONS

§ 155.110 HARDSHIP.

When the Plan Commission, in interpreting this chapter, finds that extraordinary hardship or injustice will result from strict compliance with this chapter, the terms thereof may be varied to the extent deemed necessary and proper to grant relief, provided that the modification is:

- (A) Due to physical features of the site;
- (B) The least deviation from this chapter which will mitigate the hardship; and
- (C) Not detrimental to the public interest, and is in keeping with the general spirit and intent of this chapter.

(79 Code, § 151.60) (Ord. 876, passed 8-4-75)

§ 155.111 APPLICATION FOR MODIFICATION.

Application for any modification shall be made in writing by the subdivider at the time the preliminary plat is filed for consideration, stating fully and clearly all facts relied on by the petitioner, and shall be supplemented with maps, plans, or other additional data which may aid the Plan Commission in the analysis of the proposed project. The plans

for the development shall include the covenants, restrictions, or other legal provisions necessary to guarantee the full achievement of the plan. Once the terms of any modification have been agreed on, the review of the subdivision shall proceed as prescribed in §§ 155.015 through 155.019.

('79 Code, § 151.61) (Ord. 876, passed 8-4-75)

§ 155.999 PENALTY.

(A) Whoever violates any provision of this chapter shall be fined not more than \$200 for each offense. Each day's violation shall constitute a separate offense.

(Ord. 1211, passed 6- 7-84)

('79 Code, § 151.99)