

TITLE XV: LAND USAGE

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CHAPTER 150: BUILDING REGULATIONS

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BUILDING CODE**§ 150.001 ADOPTION OF BUILDING CODE.**

A certain document, three copies of each which are on file in the office of the Village Clerk of the Village of Matteson, Cook County, Illinois, being marked and designated as the International Building Code, 2003 Edition, as published by the International Code Council, Inc. be and is hereby adopted as the Building Code of the Village of Matteson, Cook County, Illinois, for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of said Building Code are hereby referred to, adopted and made a part of, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in § 150.002.

(Ord. 1643, passed 12-2-96; Am. Ord. 1927, 10-6-2003)

§ 150.002 ADDITIONS, INSERTIONS, DELETIONS, AND CHANGES.

(A) *Section 101.1.* Insert: Village of Matteson.

(B) *Section 105.2.* Delete: Items 1 through 6.

(C) *Section 106.1.* Revise the second sentence to read: The construction documents shall be prepared by an Illinois registered design professional.

(D) *Section 112.* Delete in its entirety.

(E) *Section 1003.2.10.1.* Add to end of section: Exit and exit access doors leading from a space that has an occupant load greater than fifty shall be marked with an additional exit sign located on the latch side of the door with the bottom edge of the sign no more than six inches from the floor.

(F) *Section 1805.4.5.* Delete in its entirety.

(G) *Section 1805.4.6.* Delete in its entirety.

(H) *Section 3307.* Add Subsection 3307.2.

Section 3307.2. Hours of Construction. Construction or activities related to construction shall be permitted only during the following times:

Weekdays	7:00 a.m. to 7:00 p.m.
Saturdays	8:00 a.m. to 7:00 p.m.
Sundays and Holidays	9:00 a.m. to 7:00 p.m.

(Ord. 1450, passed 9-17-90; Am. Ord. 1480, passed 9-16-91 and Ord. 1643, passed 12-2-96; Am. Ord. 1927, passed 10-6-2003)

§ 150.003 ADOPTION OF RESIDENTIAL BUILDING CODE.

A certain document, three copies of which are on file in the office of the Village Clerk of the Village of Matteson, Cook County, Illinois, being marked and designated as the International Residential Code, 2003 Edition, including Appendix Chapters A through K, as published by the International Code Council, Inc. be and is hereby adopted as the Residential Building Code of the Village of Matteson, Cook County, Illinois, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses not more than three stories in height in the village, and providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of such International Residential Code, 2003 Edition, published by the International Code Council on file in the office of the Village of Matteson are hereby referred to, adopted and made a part of, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in § 150.004. (Ord. 1926, passed 10-6-2003)

§ 150.004 ADDITIONS, INSERTIONS, DELETIONS, AND CHANGES.

The following sections are hereby revised:

(A) *Section R101.1.* Insert: Village of Matteson.

(B) *Section R105.2.* Delete: Items 1 through 5 under "Building".

(C) *Section R106.1.* Revise the second sentence to read: The construction documents shall be prepared by an Illinois registered design professional.

(D) *Section R106.2.* Delete the first sentence and replace with the following:

The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction/improvements, and existing structures on the site, distances from lot lines, the established street grades, the proposed finished grades, top of foundation, elevations at the property corners and any additional spot elevations required to indicate drainage patterns; and it shall be drawn in accordance with an accurate boundary survey by a registered Illinois Professional Land Surveyor.

(E) Add the following sections:

Section R106.2.1 Spotted Plat of Survey. Upon installation of the foundation the permit holder shall submit a spotted plat of survey showing to scale the size and location of the new construction and existing structures on the site, distances from lot lines, and top of foundation drawn in accordance with an accurate boundary line survey by a registered Illinois Professional Land Surveyor.

Section R106.2.2 Final Plat of Survey. Upon completion of the new construction the permit holder shall submit a final plat of survey showing to scale the size and location all improvements, distances from lot lines, proposed and final grades, spot elevations and elevations at property corners, proposed and existing top of foundation.

Section R107.5 Temporary Driveway. A temporary driveway of a minimum 2-inch stone base shall be installed after the foundation is constructed and before any further construction.

Section R108.4.1 Cash Bond. The Village may request the deposit of a cash bond in an amount determined by the permit fee schedule to insure the restoration of public property that may be damaged during the construction of the improvements for which a permit is sought. In the event there is damage to public property as a result of the construction activities for which the permit was sought and proper restoration was not performed, the bond will be liquidated to pay for such repairs as needed. Such bond or remaining portion thereof will be returned to the applicant upon verification of completion of any required restoration work.

Section R115 Hours of Construction. Construction or activities related to construction shall be permitted only during the following times:

Weekdays	7:00 a.m. to 7:00 p.m.
Saturdays	8:00 a.m. to 7:00 p.m.
Sundays and Holidays	9:00 a.m. to 7:00 p.m.

(F) *Section R309.1.* Add the following sentence at the end of the section: Doors shall be self-closing.

(G) *Section R313.* Renamed to read: Alarms Required.

(H) *Section R313.1.*

Renamed to read: Combination Smoke and Carbon Monoxide Alarms.

The first sentence is amended to read: Combination smoke and carbon monoxide alarms shall be installed in the following locations:

(I) *Section R313.3.* Added and will read:

Alarm Differentiation. The combination smoke/CO detector will issue different alarms to identify the hazard as smoke or carbon monoxide.

(J) *Section R401.3.* Add: All dwellings shall be equipped with gutters, downspouts and splash blocks adequately designed and installed to accommodate roof drainage.

(K) *Section R402.1.* Delete the entire section and replace with the following:

Wood foundation systems shall not be permitted for dwelling units. Detached accessory structures with a footprint of 144 square feet or less may be placed on an approved wood platform provided that wood in direct contact with the ground shall be protected against decay in accordance with Section R319. Such platform shall be anchored to the ground with an approved anchoring system designed to withstand basic wind speed forces as determined by Figure R301.2(4).

(L) Add the following:

Section R506.3 Accessory Structures. Accessory structures exceeding 144 square feet shall be supported by a concrete foundation and floor system as follows: the concrete shall be 12 inches thick at the perimeter of the foundation, which thickness shall extend a minimum of 6 inches inward before sloping at a 45 degree angle to meet the bottom of a 5-inch slab floor. The floor shall be reinforced with a minimum of #10, 6 x 6 wire mesh or equivalent. The structure shall be anchored to the foundation with ½" x 8" anchor bolts, nuts and washers, with bolts extending a minimum of 6" into the concrete and placed 8' on center and within 12" of corners. Accessory structures over 144 square feet shall be provided an electrical circuit for a lighting outlet and a ground fault protected receptacle outlet.

Section R506.4 Concrete Flatwork. Concrete slabs for patios, service walks and similar structures shall consist of 4 inches of concrete placed on a 4-inch base course consisting of clean graded and compacted gravel, crushed stone or crushed blast furnace slag passing a two-inch

sieve. The underlying soil shall be undisturbed and possess adequate load bearing capacity. Disturbed soils such as found in the over dig area surrounding a foundation shall be allowed to settle for minimum of six months or adequate bearing capacity shall be determined by a geotechnical evaluation. The specified compressive strength of concrete shall be as set forth in Section R402.2.

(M) *Chapter 26.* Delete entire chapter.

(N) *Chapter 27.* Delete entire chapter.

(O) *Chapter 28.* Delete entire chapter.

(P) *Chapter 29.* Delete entire chapter.

(Q) *Chapter 30.* Delete entire chapter.

(R) *Chapter 31.* Delete entire chapter.

(S) *Chapter 32.* Delete entire chapter.

(T) Add the following:

Section R324 Sprinkler System Required. An automatic sprinkler system designed to meet the criteria outlined in NFPA 13D shall be installed in all newly constructed single-family homes within the Village of Matteson. The automatic sprinkler system for newly constructed attached single-family shall meet the design criteria found in NFPA 13R.

(U) *Section N1102.1.1.* Delete in its entirety and substitute the following:

Section N1102.1.1 Exterior Walls. The minimum required R-value in Table N1102.1 for an exterior wall assembly shall at a minimum be met by the accumulation of the R-values of materials used in the construction of said wall assembly.

(V) *Section 3002 - Hoistway Enclosures.*

Section 3002.4. Delete in its entirety and substitute the following:

Section 3002.4 Elevator car to accommodate ambulance stretcher. In buildings installing an elevator, at least one elevator shall be provided for fire department emergency access to all floors. Such elevator car shall be of such a size and arrangement to accommodate a 24-inch by 76-inch (610 mm by 1930 mm) ambulance stretcher in the horizontal, open position and shall be identified by the international symbol for emergency medical services (star of life). The

symbol shall not be less than 3 inches (76 mm) high and shall be placed inside on both sides of the hoistway doorframe.

(Ord. 1926, passed 10-6-2003, Am. Ord. 1954, passed 1-20-2004; Am. Ord. 2090, passed 11-20-2006; Am. Ord. 3053, passed 4-7-2008)

PROPERTY MAINTENANCE CODE

§ 150.015 ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE.

A certain document, three copies of which are on file in the office of the Village Clerk of the Village of Matteson, Cook County, Illinois, being marked and designated as the International Property Maintenance Code, 2003 Edition, as published by the International Code Council, Inc. be and is hereby adopted as the Property Maintenance Code of the Village of Matteson, Cook County, Illinois, for regulating and governing the conditions and maintenance of all property and buildings and providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for human occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Village Clerk of the Village of Matteson are hereby referred to, adopted, and made part of, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in § 150.016.
(Ord. 1645, passed 12-2-96; Am. Ord. 1930, passed 10-6-2003)

§ 150.016 ADDITIONS, INSERTIONS, DELETIONS AND CHANGES.

The following sections are revised.

(A) *Section 101.1.* Insert: Village of Matteson.

(B) *Section 103.5.* Revise to read: The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the most recent fee schedule adopted by the President and Board of Trustees.

(C) Add the following:

Section 105.5 Certificate of Occupancy. No owner, agent, or person in charge of a dwelling unit or a commercial or industrial structure or space within shall allow any person to occupy the same as tenant or lessee or for valuable consideration unless said dwelling unit or structure shall have been inspected subsequent to its most recent occupancy and determined to be in

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compliance with all of the provisions of this code as well as all health and building laws as evidenced by a Certificate of Occupancy issued by the Building Official.

Upon request of the owner, agent or other authorized person, an inspector will be available at an appointed time within two working days or some other time as mutually agreed upon to perform an inspection.

If such inspection establishes compliance with all of the provisions of this code and all other health and buildings laws of the Village of Matteson, then the Building Official shall issued a Certificate of Occupancy for said dwelling unit, commercial or industrial structure or space.

Section 105.6 Annual Inspection of Multi-Family Buildings. Every owner, agent or person in charge of a multi-family building within 15 days of notification by the Village shall apply for an annual inspection of said multi-family building. The inspection shall be limited to the exterior and common or public areas. THIS INSPECTION shall be in addition to occupancy inspections.

Section 109.7 Boarding. The windows and doors of all structures, whether occupied or not shall be enclosed by materials customarily used for such purposes and shall not be enclosed by boarding or similar methods of enclosure except that ½-inch wire mesh or hardware cloth may be installed over windows or doors to prevent or minimize damage but not as a substitute for or in place of customary materials used for windows or doors.

(D) *Section 111.2.* Delete and replace with the following:

Section 111.2 Membership of Board. The Board of Appeals shall have the same membership as the Village Zoning Board of Appeals.

(E) Add the following:

Section 302.8.1 Control of Shopping Carts. It shall be the responsibility of the owner or the agent having charge of a shopping establishment to maintain control of shopping carts and similar devices or equipment and to retrieve any such shopping carts removed from the premises or in a location not approved for storage. Shopping carts may be stored outside provided they are stored on the premises of the shopping establishment in a designated area on a paved surface. The Director of Community Development or designee may approve alternate storage arrangements. The Village may remove or cause to be removed any shopping carts that due to their location are causing a public safety hazard. The cost of removal shall be the responsibility of the owner or agent in charge.

(F) *Section 307.3.2.* Change the first sentence to read:

The owner of every establishment producing rubbish or garbage shall provide and at all times cause to be utilized, approved leakproof containers with tight fitting covers.

Add the following:

The occupant of every dwelling unit shall be responsible for placing rubbish and garbage containers out for collection and removing them after collection. Upon removal the containers shall be placed to the rear of the building so that no container is visible from the street in front.

(Ord. 1645, passed 12-2-96; Am. Ord. 1804, passed 5-7-2001; Am. Ord. 1930, passed 10-6-2003)

PLUMBING CODE

§ 150.025 ADOPTION OF PLUMBING CODE.

A certain document, three copies of which are on file in the office of the Village Clerk of the Village of Matteson, Cook County, Illinois, being marked and designated as the Illinois Plumbing Code, 2004 Edition, as published by the Illinois Department of Public Health, be and is hereby adopted as the Plumbing Code of the Village of Matteson, Cook County, Illinois for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Plumbing Code are hereby referred to, adopted and made part of, as if fully set out in this section.

(Ord. 1650, passed 1-6-97; Am. Ord. 1931, passed 10-6-2003; Am. Ord. 2023, passed 4-18-2005)

§ 150.026 RESERVED.

§ 150.027 ADDITIONS, INSERTIONS, DELETIONS AND CHANGES.

Revise Appendix A: Table A to delete any reference to any material other than copper for water service and distribution pipe.

(Ord. 1650, passed 1-6-97; Am. Ord. 1931, passed 10-6-2003; Am. Ord. 2023, passed 4-18-2005)

ELECTRICAL CODE

§ 150.040 ADOPTION OF ELECTRICAL CODE.

A certain document, three copies of which are on file in the office of the Village Clerk of the Village of Matteson, Cook County, Illinois, being marked and designated as the National Electrical Code, 2002 Edition, as published by the National Fire Protection Association be and is hereby adopted as the Electrical Code of the Village of Matteson, Cook County, Illinois, for the control of buildings and

structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Electrical Code are hereby referred to, adopted and made part of, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in § 150.041. (Ord. 1644, passed 12-2-96; Am. Ord. 1929, passed 10-6-2003)

§ 150.041 ADDITIONS, INSERTIONS, DELETIONS AND CHANGES.

Article 300.1(A). Add the following:

For all new work, wiring shall be installed in metal conduit or surface metal raceways appropriate for the intended installation. The use of pvc is permitted with the approval of the Village for underground installations. Flexible metallic cable may be used for extending flexible metallic conduit systems when approved by the Village. All exposed flexible metallic conduit shall be limited to three feet in length.

Unless approved by the Village, all conduit exposed to weather or installed in concrete shall be rigid metal conduit.

(Ord. 1644, passed 12-2-96; Am. Ord. 1929, passed 10-6-2003)

ELEVATOR SAFETY CODE

§ 150.050 ADOPTION OF AN ELEVATOR SAFETY CODE.

The documents listed in the ordinance description of Ordinance No. 3022, passed July 16, 2007, three copies of which are on file in the office of the Village Clerk of the Village of Matteson, Cook County, Illinois, being marked and designated collectively as the Elevator Safety Code, are hereby adopted as the Elevator Safety Code of the Village of Matteson, Cook County, Illinois; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code are hereby referred to, adopted, and made part of, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed by the village.

(Ord. 3022, passed 7-16-2007)

MECHANICAL CODE

§ 150.090 ADOPTION OF MECHANICAL CODE.

A certain document, three copies of which are on file in the office of the Village Clerk of the Village of Matteson, Cook County, Illinois, being marked and designated as the International Mechanical Code, 2003 Edition, as published by the International Code Council, Inc. be and the same is hereby adopted as the Mechanical Code of the Village of Matteson, Cook County, Illinois, for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code are hereby referred to, adopted and made part of, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in § 150.091.

(Ord. 1928, passed 10-6-2003)

§ 150.091 ADDITIONS, INSERTIONS, DELETIONS AND CHANGES.

The following sections are hereby revised:

(A) *Section 101.1.* Insert: The Village of Matteson.

(B) *Section 106.5.2.* Insert: The current fee schedule for the Village of Matteson as adopted by the Board of Trustees and from time to time amended.

(C) *Section 106.5.3.* Insert: [76%]; [75%].

(D) *Section 108.4.* Insert: [code violation]; [\$750]; [none].

(E) *Section 108.5.* Insert: [&100]; [\$750].

(Ord. 1928, passed 10-6-2003)

ADMINISTRATION

§ 150.115 PLUMBING AND SEWERAGE INSPECTORS.

(A) *Offices established.* The Offices of Plumbing Inspector and Sewerage Inspector are established in the municipality. These offices shall be filled by appointment by the President and Board of Trustees or by ordinance, and shall be made on May 1 in each year or as soon thereafter as conveniently may be.

(B) *Duties; qualifications.*

(1) The Plumbing Inspector or Sewerage Inspector shall supervise and inspect all sewerage taps or sewerage connections made by any person, firm, or corporation pursuant to a permit received after first making the proper application.

(2) No person shall be qualified to hold the Office of Plumbing Inspector unless he/she shall be a master plumber or a journeyman plumber with a license of a journeyman plumber in effect for at least five years prior to his/her appointment.

('79 Code, §§ 31.75 and 31.76) (Ord. 297, passed 10-3-38)

Statutory reference:

Authority to promote health and regulate plumbing, see ILCS Ch. 65, Act 5, § 11-20-5

§ 150.116 BUILDING COMMISSIONER.

(A) *Office created; appointment.* The Office of Building Commissioner is established in the municipality which shall be also known as the office of the Chief Building Inspector. This office shall be filled by appointment by the President with the advice and consent of the Board of Trustees. (Ord. 1147, passed 6-7-82)

(B) *Duties; written report.*

(1) There shall be included among the duties of the Building Commissioner the following duties in addition to those otherwise provided for:

- (a) Inspection of footing and foundations.
- (b) Inspection of framing and construction.
- (c) Inspection of plumbing roughing.
- (d) Inspection of heating installation.
- (e) Inspection of finished plumbing.
- (f) Final inspection of building.

(2) The Building Commissioner shall make a written report of each of the above inspections and keep such report on file in his or her office. (Ord. 389, passed 1-16-50)

(C) *Compensation.* The Building Commissioner shall receive from the municipality for his or her services a salary as established by the President and the Board of Trustees.

('79 Code, §§ 31.80 - 31.82) (Am. Ord. 1748, passed 11-15-99)

§ 150.117 ELECTRICAL INSPECTOR.*(A) Authority.*

(1) The Chief Electrical Inspector shall have the right, during reasonable hours, to enter any building or premises in the discharge of his/her official duties, or for the purpose of making any inspection, reinspection, or test of the electrical equipment therein, or its installation.

(2) When any electrical equipment is found by the Chief Electrical Inspector to be dangerous to persons or property because it is defective or improperly installed, the person, firm, or corporation responsible for the electrical equipment shall be notified by him/her in writing and shall make any changes or repairs required by the Inspector to place such equipment in safe condition. If such work is not completed within ten calendar days, or any longer period that may be specified by the Chief Electrical Inspector in said notice, he/she shall have the authority to disconnect or order the discontinuance of electrical service to said electrical equipment.

(3) In cases of emergency, where necessary for safety to persons or property, or where electrical equipment may interfere with the functions of the Municipal Fire Department, the Chief of the Fire Department or the Chief Electrical Inspector shall have the authority to disconnect or cause the disconnection of any electrical equipment or installation.

(B) Condemnation. The Chief Electrical Inspector shall have the power to condemn any electrical installation which is unsafe or hazardous to life and property, and in such case shall serve notice on the person, firm, or corporation owning, using, or installing the same to place the same in a safe and secure condition. Any interested person aggrieved by the action of the Chief Electrical Inspector under this section may, by written request, have the determination of the Chief Electrical Inspector reviewed by the Electrical Commission for the municipality, which Commission may either reverse or concur in the action of the Inspector.

(C) Suspension of permits to contractor. Failure on the part of any registered electrical contractor to correct any defect, error, or deficiency in any work installed under the authority of a permit issued to him/her by the Department of Electrical Inspection, within ten calendar days after written notification thereof by such department, or within such further reasonable time as may, on request, be prescribed, the Chief Electrical Inspector shall, without further notice, stop the issuance of permits to such registered electrical contractor until such corrections have been made, inspected, and approved.

(D) Power of Deputy Inspector. Whenever in this chapter authority is delegated to or duties imposed on the Chief Electrical Inspector, such authority may be exercised and such duties may be performed by a Deputy Inspector when authorized by the Chief Electrical Inspector.
(‘79 Code, §§ 31.83 - 31.86) (Ord. 579, passed 6-17-63)

§ 150.118 VILLAGE ENGINEER.*(A) Office created; appointment; qualification.*

(1) There is created the Office of Village Engineer.

(2) The office of Village Engineer shall be filled by appointment of the Village President, with the advice and consent of the Village Board of Trustees.

(3) The person shall be a registered professional engineer of this state.

(B) *Powers and duties.* The Village Engineer shall:

(1) Be responsible for the design and inspection of construction of all public improvements and facilities in the municipality;

(2) Perform the duties as are prescribed by ordinance, the subdivision code, by other ordinances or statutes relating to this office, or as directed by the Village Administrator and Director of Community Development;

(3) Review and approve all plans, specifications, and any other documents for public or private improvements within the municipality, as prepared by other engineers;

(4) Have the power to order all work stopped on the construction, alteration, or repair of any municipal improvement when the work is being done in violation of any provision of this code or any ordinance relating thereto.

(a) Work shall not be resumed after the issuance of such an order, except on the written permission of the municipality, providing that if the stop order is an oral one, it shall be followed by a written stop order within two hours.

(b) Two full working days' notice shall be given prior to the commencement of any construction of public improvements.

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

PRIVATE IMPROVEMENT. An improvement not for public use, whether or not installed in public rights-of-way or easements, such as connections to buildings for which a permit is required from the Metropolitan Sanitary District of Greater Chicago or some other governmental agency.

PUBLIC IMPROVEMENT. An improvement for public use, whether installed within dedicated rights-of-way or easements, and whether installed by a contract with the municipality or installed by a subdivider or developer with the improvements to be deeded to the municipality at a later date.

(D) *Compensation.* The Village Engineer shall receive payment for services consistent with the village's policies regarding employee compensation.

('79 Code, §§ 31.90 - 31.93) (Ord. 891, passed 1-19-76; Am. Ord. 1762, passed 5-1-2000; Am. Ord. 3078, passed 12-1-2008)

§ 150.999 PENALTY.

Whoever violates any provision of this chapter for which another penalty is not specifically provided, shall be fined as provided in § 10.99 not more than \$750 for each and every violation thereof, and every day the violation continues shall constitute a separate offense.

[Chapter 151 begins on page 53]

CHAPTER 151: NEIGHBORHOOD PRESERVATION PLAN

Section

- 151.01 Neighborhood Preservation Program established
- 151.02 Designation of neighborhoods
- 151.03 Implementation of Neighborhood Preservation Program
- 151.04 Designation of first Neighborhood Preservation Area

§ 151.01 NEIGHBORHOOD PRESERVATION PROGRAM ESTABLISHED.

There is established a Neighborhood Preservation Program to preserve, coordinate, and concentrate maintenance efforts by the village in designated neighborhoods, and to promote community involvement in such activities.

('79 Code, § 158.01) (Ord. 932, passed 3-7-77)

§ 151.02 DESIGNATION OF NEIGHBORHOODS.

The village has conducted studies in consultation with community representatives to determine which neighborhoods within the village should be considered for designation as Neighborhood Preservation Areas, and will develop appropriate programs for such neighborhoods so designated.

('79 Code, § 158.02) (Ord. 932, passed 3-7-77)

§ 151.03 IMPLEMENTATION OF NEIGHBORHOOD PRESERVATION PROGRAM.

(A) On designation of Neighborhood Preservation Areas by the village, the village will transmit a communication to the Cook County Bureau of Administration, Office of the Chief Administrative Officer.

(B) This communication will include the following:

(1) A legal description of the Neighborhood Preservation Areas designated by the village, and an official village map delineating the area.

(2) A statement that the ordinance or resolution designating the Neighborhood Preservation Area did not become final until members of the public had an opportunity to comment on such designation.

('79 Code, § 158.03) (Ord. 932, passed 3-7-77)

§ 151.04 DESIGNATION OF FIRST NEIGHBORHOOD PRESERVATION AREA.

(A) After consultation with community representatives, the following area is designated as a Neighborhood Preservation Area:

On the south by Lincoln Highway (Route 30), on the north by Butterfield Creek, on the east by Interstate I-57, and on the west at the intersection of Amherst Place and Princeton Avenue running north to Colgate Lane, and from thence continuing north in line with an imaginary line where Princeton Avenue continued north to Butterfield Creek (more commonly known as the Butterfield Creek Tributary through the Glenridge and Cricket Hill Subdivisions).

(B) Phases of development.

(1) Phase One - Georgetown north 500 feet ±.

(2) Phase Two - 500 feet north of Georgetown added extension north 500 feet ±.

(3) Phase Three - 1,000 feet north of Georgetown added extension north 500 feet ±.

(4) Phase Four - 1,500 feet north of Georgetown added extension north 500 feet ±.

(5) Phase Five - Georgetown - Lincoln Hwy. (Rt. 30) 650 feet ±.

('79 Code, § 158.04) (Ord. 932, passed 3-7-77)

CHAPTER 152: (RESERVED)

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CHAPTER 153: FLOODPLAIN AND STORMWATER MANAGEMENT CODE

Section

- 153.01 Floodplain and Stormwater Management Code adopted by reference
- 153.02 Additions, insertions, deletions, and changes

§ 153.01 FLOODPLAIN AND STORMWATER MANAGEMENT CODE ADOPTED BY REFERENCE.

The Floodplain and Stormwater Management Code set forth in Ordinance 1471, passed July 3, 1991, is hereby adopted and incorporated by reference as if fully set forth herein. ('79 Code, § 164.01) (Ord. 1471, passed 7-3-91)

§ 153.02 ADDITIONS, INSERTIONS, DELETIONS, AND CHANGES.

(A) Amend Section 164.101 entitled "Purpose" by deleting subparagraph (g) and adding a new paragraph (l) to read as follows:

(g.) to comply with the latest edition of the rules and regulations of the National Flood Insurance Program codified as 44 CFR 59-79, as amended;

(l.) to amend existing regulations to incorporate all requirements of paragraph 60.3 (d) of the NFIP regulations."

(B) Amend Section 164.102 entitled "Definitions and Terms".

For the purpose of this chapter, the following words and phrases shall have the following meanings ascribed to them respectively:

(1) "DESIGNATED FLOODWAY: The channel, including on-stream lakes, and that portion of the floodplain adjacent to a stream or watercourse as designated by IDNR/OWR, which is needed to store and convey the existing 100-year frequency flood discharge with no more than a 0.1 foot increase in stage due to the loss of flood conveyance or storage, and no more than a 10 percent increase in velocities.

(a) The floodways are designated for Butterfield Creek on the following map number 17031C, panels 0718J, 0719J, 0738J, 0739J, 0781J, 0782J, 0801J, and 0802J effective

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August 19, 2008 of the countywide Flood Insurance Rate Map for Cook County prepared by the Federal Emergency Management Agency.

(b) The floodways for those parts of unincorporated Cook County that are within the one and half mile extraterritorial jurisdiction of the Village and may be annexed into the Village are designated for Butterfield Creek on the following map number 17031C and panels 0716J, 0717J, 0736J, and 0737J effective August 19, 2008, of the countywide Flood Insurance Rate Map for Cook County prepared by the Federal Emergency Management Agency.

(c) To locate the designated floodway boundary on any site, the designated floodway boundary should be scaled off the designated floodway map and located on a site plan, using reference marks common to both maps. Where interpretation is needed to determine the exact location of the designated floodway boundary, IDNR/OWR should be contacted for the interpretation."

(2) "FLOODPLAIN: That land typically adjacent to a body of water with ground surface elevations at or below the base flood or the 100-year frequency flood elevation. Floodplains may also include detached Special Flood Hazard Areas, ponding areas, etc. The floodplain is also known as the Special Flood Hazard Area (SFHA).

(a) The SFHA's of the Village are generally identified as such on the following map number 17031C and panels 0718J, 0719J, 0738J, 0739J, 0781J, 0782J, 0801J, and 0802J effective August 19, 2008 of the countywide Flood Insurance Rate Map for Cook County prepared by the Federal Emergency Management Agency.

(b) The SFHA's for those parts of unincorporated Cook County that are within the one and half mile extraterritorial jurisdiction of the Village and may be annexed into the Village are designated for Butterfield Creek on the following map number 17031C and panels 0716J, 0717J, 0736J, and 0737J effective August 19, 2008, of the countywide Flood Insurance Rate Map for Cook County prepared by the Federal Emergency Management Agency."

(3) "REGULATORY FLOODWAY: See DESIGNATED FLOODWAY."

(4) "IDNR/OWR: Illinois Department of Natural Resources Office of Water Resources."

(5) "NFIP: National Flood Insurance Program."

(6) "SHFA: Special Flood Hazard Area."

(C) Delete in its entirety Section 164.307, entitled "Base Flood Elevation", and substitute instead the following:

Section 164.307. BASE FLOOD ELEVATION.

The base flood or 100-year frequency flood elevation for the SFHAs of those parts of unincorporated Cook County that are within the one and one half mile extraterritorial jurisdiction or that may be annexed into the Village shall be as delineated on the 100-year flood profiles in the countywide Flood Insurance Study for Cook County prepared by the Federal Emergency Management Agency effective August 19, 2008, and such amendments or revisions to such study and maps as may be prepared from time to time.

(Ord. 1778, passed 10-16-2000; Am. Ord. 3058, passed 5-5-2008)

CHAPTER 154: SOIL EROSION AND SEDIMENTATION REGULATIONS

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GENERAL PROVISIONS**§ 154.01 FINDINGS AND PURPOSE.**

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

(1) Excessive quantities of soil may erode from areas undergoing development for certain non-agricultural uses including but not limited to the construction of dwelling units, commercial buildings and industrial plants, the building of roads and highways, and the creation of recreational facilities;

(2) The washing, blowing, and falling of eroded soil across and upon roadways endangers the health and safety of users thereof by decreasing vision and reducing traction of road vehicles;

(3) Soil erosion necessitates the costly repairing of gulleys, washed-out fills, and embankments;

(4) Sediment from soil erosion tends to clog sewers and ditches and to pollute and silt rivers, streams, lakes, and reservoirs;

(5) Sediment limits the use of water and waterways for most beneficial purposes, promotes the growth of undesirable aquatic weeds, destroys fish and other desirable aquatic life, and is costly and difficult to remove; and

(6) Sediment reduces the channel capacity of waterways, resulting in increased chances of flooding at risk to public health and safety.

(B) *Purpose.* The President and Board of Trustees of the village therefore declare that the purpose of this chapter is to safeguard persons, protect property, prevent damage to the environment, and promote the public welfare by guiding, regulating, and controlling the design, constructions, use, and maintenance of any development or other activity which disturbs or breaks the topsoil or otherwise results in the movement of earth or land situated in the village.
('79 Code, § 162.01) (Ord. 1141, passed 5-17-82)

§ 154.02 DEFINITIONS.

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

BUILDING PERMIT. A permit issued by the village for the construction, erection, or alteration of a structure or building.

CERTIFY or **CERTIFICATION**. Formally attesting that the specific inspections and tests where required have been performed, and that those tests comply with the applicable requirements of this chapter.

CUBIC YARDS. The amount of material in excavation or fill measured by the method of average end areas.

DIRECTOR OF COMMUNITY DEVELOPMENT. The person charged with the administration and enforcement of this chapter or his/her duly authorized representative, as appointed by the Village President and Village Board of Trustees.

EXCAVATION. Any act by which organic matter, earth, sand, gravel, rock, or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated, or bulldozed and shall include the conditions resulting therefrom.

EXISTING GRADE. The vertical location of the existing ground surface prior to excavation or filling.

FILL. Any act by which earth, sand, gravel, rock, or any other material is deposited, placed, replaced, pushed, dumped, pulled, transported or moved by man to a new location and shall include the conditions resulting therefrom.

FINAL GRADE. The vertical location of the ground or pavement surface after the grading work is completed in accordance with the site development plan.

GRADING. Excavation or fill or any combination thereof and shall include the conditions resulting from any excavation or fill.

NATURAL DRAINAGE. Channels formed in the existing surface topography of the earth prior to changes made by unnatural causes.

PARCEL. All contiguous land in one ownership.

PERMITTEE. Any person to whom a site development permit is issued.

PERSON. Any individual, firm, or corporation, public or private, the State of Illinois and its agencies or political subdivisions, and the United States of America, its agencies and instrumentalities, and any agent, servant, officer, or employee of any of the foregoing.

REMOVAL. Cutting vegetation to the ground or stumps, complete extraction, or killing by spraying.

SITE. A lot or parcel of land, or a contiguous combination thereof, where grading work is performed as a single unified operation.

SITE DEVELOPMENT. Altering terrain or vegetation and constructing improvements.

SITE DEVELOPMENT PERMIT. A permit issued by the village for the construction or alteration of ground improvements and structures for the control of erosion, runoff, and grading.

STRIPPING. Any activities which removes the vegetative surface cover including tree removal, clearing, and storage or removal of top soil.

U.S.G.S. United States Geological Survey.

VACANT. Land on which there are no structures or only-structures which are secondary to the use or maintenance of the land itself.

VILLAGE. The Village of Matteson, Cook County, Illinois.

VILLAGE ENGINEER. A person or firm appointed by the Village President and Village Board of Trustees.
(‘79 Code, § 162.02) (Ord. 1141, passed 5-17-82)

§ 154.03 GENERAL PRINCIPLES.

(A) It is the objective of this chapter to control soil erosion and sedimentation caused by development activities in the village. Measures taken to control erosion and sedimentation should be adequate to assure that sediment is not transported from the site by a storm event of ten-year frequency or less.

(B) The following principles shall apply to all development activities within the village and to the preparation of the submissions required under § 154.18.

(1) Development should be related to the topography and soils of the site so as to create the least potential for erosion. Areas of steep slopes where high cuts and fills may be required should be avoided wherever possible, and natural contours should be followed as closely as possible.

(2) Natural vegetation should be retained and protected wherever possible. Areas immediately adjacent to natural watercourses should be left undisturbed wherever possible.

(3) The smallest practical area of land should be exposed for the shortest practical time during development.

(4) Sediment basins, debris basins, desilting basins, or silt traps or filters should be installed and maintained to remove sediment from run-off waters from land undergoing development.

(5) The selection of erosion and sedimentation control measures should be based on assessment of the probable frequency of climatic and other events likely to contribute to erosion, and on evaluation of the risks, costs, and benefits involved.

(6) In the design of erosion control facilities and practices, aesthetics and the requirements of continuing maintenance should be considered.

(7) Provision should be made to accommodate the increased run-off caused by changed soil and surface conditions during and after development. Drainage ways should be designed so that their final gradients and the resultant velocities of discharges will not create additional erosion.

(8) Permanent vegetation and structures should be installed as soon as practical during development.

('79 Code, § 162.03) (Ord. 1141, passed 5-17-82)

PERMITS

§ 154.15 SITE DEVELOPMENT PERMIT REQUIRED.

Except as otherwise provided in this chapter, no person shall commence or perform any grading, stripping, excavating, or filling of land without having first obtained a site development permit from the Director of Community Development with the approval of the Village Engineer.

('79 Code, § 162.10) (Ord. 1141, passed 5-17-82) Penalty, see § 154.99

§ 154.16 EXCEPTIONS TO REQUIREMENT OF SITE DEVELOPMENT PERMIT.

A permit shall not be required for any of the following reasons:

(A) Development of a site of less than five acres for residential use, or of less than two and one-half acres for commercial or industrial use, provided that the person responsible for any such development shall submit in writing to the Director of Community Development for his/her, and the Village Engineer's, review and approval, the necessary erosion and sedimentation control measures to satisfy the principles set forth in § 154.03 of this chapter.

(B) Excavation below final grade for the basement and footings of a single-family residence and appurtenant structures on a site in excess of five acres for which a building permit has been issued by the village.

(C) Agricultural use of land, including the implementation of conservation measures included in a farm conservation plan approved by the soil and Water Conservation District, and including the construction of agricultural structures.

(D) Installation, renovation, or replacement of a septic system to serve an existing dwelling or structure.

('79 Code, § 162.11) (Ord. 1141, passed 5-17-82)

§ 154.17 APPLICATION FOR PERMIT.

Application for a site development permit shall be made by the owner of the property or his/her authorized agent to the Director of Community Development on a form furnished for that purpose. Each application shall bear the name and address of the owner or developer of the site and of any consulting firm retained by the applicant together with the name of the applicant's principal contact at such firm and shall be accompanied by a fee as established by the Board of Trustees and as indicated on the Community Development Department Fee Schedule. Each application shall include certification that any land clearing, construction or development involving the movement of earth shall be in accordance with the plans approved upon issuance of the permit.

('79 Code, § 162.12) (Ord. 1366, passed 10-17-88)

§ 154.18 ACCOMPANYING INFORMATION.

Each application for a site development permit shall be accompanied by the following information:

(A) A vicinity map in sufficient detail to enable easy location in the field of the site for which the permit is sought, and including the boundary line and approximate acreage of the site, existing zoning, and a legend and scale.

(B) A development plan of the site showing:

(1) Existing topography of the site and adjacent land within approximately 150 feet of the boundaries, drawn at no greater than two-foot contour intervals and clearly portraying the conformation and drainage pattern of the area with a bench mark on datum located on the site.

(2) The location of existing buildings, structures, utilities, water bodies, flood plains, drainage facilities, vegetative cover, paved areas, and other significant natural or man-made features on the site and adjacent land within approximately 150 feet of the boundary.

(3) A general description of the predominant soil types on the site, their location, and their limitations for the proposed use.

(4) Proposed use of the site, including present development and planned utilization, areas of excavation, grading, and filling, proposed contours, finished grades, and street profiles, provisions for storm drainage, including the control of accelerated runoff, with a drainage area map and computations, kinds and locations of utilities, and areas and acreages proposed to be paved, covered, sodded, or seeded, vegetatively stabilized, or left undisturbed.

(C) An erosion and sedimentation control plan showing:

(1) All erosion and sedimentation control measures necessary to meet the objectives of this chapter throughout all phases of construction and permanently after completion of development of the site.

(2) Seeding mixtures and rates, types of sod, method of seedbed preparation expected seeding dates, type and rate of lime and fertilizer application, and kind and quantity of mulching for both temporary and permanent vegetative control measures.

(3) Provisions for maintenance of control facilities, including easements and estimates of the cost of maintenance.

(4) Identification of the person(s) or entity which will have legal responsibility for maintenance of erosion control structures and measures after development is completed.

(D) (1) The proposed phasing of development of the site, including stripping and clearing, rough grading and construction, and final grading and landscaping. Phasing should identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, and the sequence of clearing, installation of temporary sediment control measures, installation of storm drainage, paving streets and parking areas, and establishment of permanent vegetative cover.

(2) These submissions shall be prepared in accordance with the standards and requirements contained in "Procedures and Standards for Soil Erosion and Sedimentation Control in Northeastern Illinois," prepared by the Northeastern Illinois Erosion and Sedimentation Control Steering Committee and adopted by Will-South Cook County Soil and Water Conservation District, which standards and requirements are incorporated into this chapter by reference.

(E) The Director of Community Development with the approval of the Village Engineer may waive specific requirements for the content of submission upon finding that the information submitted is sufficient to show that the work will comply with the objectives and principles of this chapter. ('79 Code, § 162.13) (Ord. 1141, passed 5-17-82)

§ 154.19 BOND REQUIRED.

The applicant shall be required to file with the village a faithful performance bond or bonds, letter of credit, or other improvement security satisfactory to the municipal attorney, in an amount equal to 110% of all costs of improvements, landscaping, maintenance of and landscaping for such period as specified by the village and engineering and inspection costs to cover the cost of failure or repair of improvements installed on the site.

('79 Code, § 162.14) (Ord. 1141, passed 5-17-82)

§ 154.20 REVIEW AND APPROVAL.

(A) Each application for a site development permit shall be reviewed and acted upon according to the following procedures:

(1) The Director of Community Development, with the approval of the Village Engineer, will review each application for a site development permit to determine its conformance with the provisions of this chapter. The Director of Community Development may also refer any application to the Will-South Cook County Soil and Water Conservation District or any other local government or public agency within whose jurisdiction the site is located for review and comment. Within 30 days after receiving an application, the Director of Community Development shall in writing, do the following:

(a) Approve the permit application if it is found to be in conformance with the provisions of this chapter, and issue the permit;

(b) Approve the permit application subject to such reasonable conditions as may be necessary to secure substantially the objectives of this chapter, and issue the permit subject to these conditions; or

(c) Disapprove the permit application, indicating the deficiencies and the procedure for submitting a revised application or submission.

(2) No site development permit shall be issued for an intended development site unless:

(a) The development, including but not limited to subdivisions and planned unit development, has been approved by the village where applicable; or

(b) Such permit is accompanied by or combined with a valid building permit issued by the village; or

(c) The proposed earth moving is coordinated with any overall development program previously approved by the village for the area in which the site is situated.

(B) Failure of the Director of Community Development to act on an original or revised application within 30 days of receipt shall constitute denial of the application unless the time is extended by agreement between the Director of Community Development and the applicant. Pending preparation and approval of a revised plan, development activities shall be allowed to proceed in accordance with conditions established by the Director of Community Development with the approval of the Village Engineer.

('79 Code, § 162.15) (Ord. 1141, passed 5-17-82)

§ 154.21 APPEAL OF DECISION.

The applicant, or any person or agency which received notice of the filing of the application may appeal the decision of the Director of Community Development as provided in § 154.20(B), to the Village Plan Commission. Upon receipt of an appeal, the Village Plan Commission shall schedule and hold a public hearing after giving 15 days public notice thereof. The Village Plan Commission shall forward a written recommendation to the Village President and Village Board of Trustees within ten days of the hearing. The Village President and the Village Board of Trustees shall within 30 days after receipt of the recommendation review the decision on the appeal. Factors to be considered on review shall include, but need not be limited to, the effects of the proposed development activities on the surface water flow to tributary and downstream lands, any comprehensive watershed, management plans, or the use of any retention facilities; possible saturation of fill and unsupported cuts by water, both natural and domestic; runoff surface waters that produce erosion and silting of drainageways; nature and type of soil or rock which when disturbed by the proposed development activities may create earth movement and produce slopes that cannot be landscaped; and excessive and unnecessary scarring of the natural landscape through grading or removal of vegetation.

('79 Code, § 162.16) (Ord. 1141, passed 5-17-82)

§ 154.22 RETENTION OF PLANS.

Plans, specifications, and reports for all site developments shall be retained in original form or on microfilm by the Community Development Department.

('79 Code, § 162.17) (Ord. 1141, passed 5-17-82)

§ 154.23 EXPIRATION OF PERMIT.

Every site development permit shall expire and become null and void if the work authorized by the permit has not been commenced within 90 days, or is not completed within one year from the date of issuance, except that the Director of Community Development may, if the permittee presents satisfactory evidence that unusual difficulties have prevented work being commenced or completed within the specified time limits, grant a reasonable extension of time if written application is made before the expiration date of the permit.

('79 Code, § 162.18) (Ord. 1141, passed 5-17-82)

STANDARDS AND REQUIREMENTS**§ 154.35 OPERATION STANDARDS AND REQUIREMENTS; APPLICABILITY.**

All grading, stripping, excavating, and filling which is subject to the permit requirements of this chapter, and any grading, stripping, excavating, and filling which is exempted from the permit requirement by § 154.16(A) shall be subject to the applicable standards and requirements set forth in this subchapter.

('79 Code, § 162.25) (Ord. 1141, passed 5-17-82) Penalty, see § 154.99

§ 154.36 RESPONSIBILITY FOR DAMAGE.

The permittee shall not be relieved of responsibility for damage to persons or property otherwise imposed by law, and the village or its officers or agents will not be made liable for such damage by:

(A) The issuance of a permit under this chapter;

(B) Compliance with the provisions of that permit or with conditions attached to it by the Director of Community Development and Village Engineer;

(C) Failure of village officials to observe or recognize hazardous or unsightly conditions;

(D) Failure of village officials to recommend denial of or to deny a permit; or

(E) Exemptions from the permit requirements of this chapter.

('79 Code, § 162.26) (Ord. 1141, passed 5-17-82)

§ 154.37 STANDARDS HANDBOOK ADOPTED BY REFERENCE.

The standards and specifications contained in "Procedures and Standards for Soil Erosion and Sedimentation Control in Illinois," cited in § 154.18 are incorporated into this section and made a part hereof by reference for the purpose of delineating procedures and methods of operation under site development and erosion and sedimentation control plans approved under §§ 154.15 through 154.22. In the event of conflict between provisions of the manual and of this chapter, the chapter shall govern.

('79 Code, § 162.27) (Ord. 1141, passed 5-17-82) Penalty, see § 154.99

§ 154.38 INSPECTIONS.

(A) The Director of Community Development or the Village Engineer shall make inspections as hereinafter required and shall either approve that portion of the work completed or shall notify the permittee wherein the work fails to comply with the site development or erosion and sedimentation control plan as approved. Plans for grading, stripping, excavating, and filling work bearing the stamp of approval of the Director of Community Development shall be maintained at the site during progress of the work. In order to obtain inspections, the permittee shall notify the Director of Community Development at least two full working days before the completion of:

- (1) Stripping and clearing.
- (2) Rough grading.
- (3) Final grading.
- (4) Final landscaping.

(B) If stripping, clearing, grading, or landscaping are to be done in phases or areas, the permittee shall give notice and request inspection at the completion of each of the above work stages in each phase or area. If an inspection is not made and notification of the results given within five working days after notice is received by the village from the permittee, the permittee may continue work at this own risk, without presuming acceptance by the village. Notification of the results of the inspection shall be given in writing at the site.

('79 Code, § 162.28) (Ord. 1141, passed 5-17-82)

§ 154.39 SPECIAL PRECAUTIONS.

(A) If at any stage of the grading of any development site the Director of Community Development, or the Village Engineer determines by inspection that the nature of the site is such that further work authorized by an existing permit is likely to imperil any property, public way, watercourse, or drainage structure, the Director of Community Development, or the Village Engineer may require, as a condition of allowing the work to be done, that such reasonable special precautions be taken as is considered advisable to avoid the likelihood of such peril. Special precautions may include, but shall not be limited to, a more level exposed slope, construction of additional drainage facilities, berms, terracing, compaction, or cribbing, installation of plant materials for erosion control, and recommendations of a registered soils engineer or engineering geologist which may be made requirements for further work.

(B) Where it appears that storm damage may result because the grading on any development site is not complete, work may be stopped and the permittee required to install temporary structures or take such other measures as may be required to protect adjoining property or the public safety. On large

developments or where unusual site conditions prevail, the Director of Community Development, or the Village Engineer may specify the time of starting grading and time of completion or may require that the operations be conducted in specific stages so as to insure completion of protective measures or devices prior to the advent of seasonal rains.

('79 Code, § 162.29) (Ord. 1141, passed 5-17-82)

§ 154.40 AMENDMENTS OF PLANS.

Major amendments of the site development or erosion and sedimentation control plans shall be submitted to the Director of Community Development and shall be processed and approved or disapproved in the same manner as the original plans. Field modifications of a minor nature may be authorized by the Director of Community Development, or the Village Engineer by written authorization to the permittee.

('79 Code, § 162.30) (Ord. 1141, passed 5-17-82)

ENFORCEMENT

§ 154.50 EXCEPTIONS TO REQUIREMENTS.

The Village President and Village Board of Trustees may authorize exceptions to any of the requirements and regulations set forth in this chapter in accordance with the following procedures:

(A) Application for any exception shall be made by a verified petition of the applicant for a site development permit, stating fully the grounds of the petition and the facts relied upon by the applicant. The petition shall be filed with the site development permit application. In order for the petition to be granted, it shall be necessary that the Village President and Village Board of Trustees find all of the following facts with respect to the land referred to in the petition:

(1) That the land is of such shape or size or is affected by such physical conditions or is subject to such title limitations of record that it is impossible or impractical for the applicant to comply with all of the requirements of this chapter.

(2) That the exception is necessary for the preservation and enjoyment of a substantial property right of the applicant; and

(3) That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the vicinity of the subject property.

(B) Each application for an exception shall be referred to the Director of Community Development for review the Director of Community Development shall transmit his/her recommendations to the Village President and Village Board of Trustees which shall review the recommendations prior to granting or denying the exception.

(C) The Village President and Village Board of Trustees shall hold a public hearing on each application for exception within 30 days after receiving application, in the manner provided with respect to appeals. After public hearing, the Village President and the Village Board of Trustees may approve the site development permit application with the exceptions and conditions it deems necessary, or it may disapprove the site development permit application and exception application, or it may take such other action as appropriate.

('79 Code, § 162.35) (Ord. 1141, passed 5-17-82)

§ 154.51 STOP WORK ORDER; REVOCATION OF PERMIT.

(A) In the event any person holding a site development permit pursuant to this chapter violates the terms of the permit, or carries on site development in such a manner as to materially adversely affect the health, welfare, or safety of persons residing or working in the neighborhood of the development site, or so as to be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, the Director of Community Development or the Village Engineer may suspend or revoke the site development permit.

(1) Suspension of a permit shall be by a written stop-work order issued by either the Director of Community Development or the Village Engineer and delivered to the permittee or his/her agent or the person performing the work. The stop-work order shall be effective immediately, shall state the specific violations cited, and shall state the conditions under which work may be resumed. A stop-work order shall remain in effect until a hearing is scheduled by the Village President and Village Board of Trustees which shall not be later than 21 days from the issuance of the stop-work order, at which the conditions of subdivision (2) below can be met.

(2) No site development permit shall be permanently suspended or revoked until a hearing is held by the Village President and Village Board of Trustees. Written notice of such hearing shall be served on the permittee, either personally or by registered mail, and shall state:

(a) The grounds for complaint or reasons for suspension or revocation, in clear and concise language.

(b) The time and place the hearing will be held.

(B) Notice shall be served on the permittee at least five days prior to the date set for the hearing. At the hearing, the permittee shall be given an opportunity to be heard and may call witnesses and

present evidence on his/her behalf. At the conclusion of the hearing, the Village President and Village Board of Trustees shall determine whether the permit shall be suspended or revoked. ('79 Code, § 162.36) (Ord. 1141, passed 5-17-82)

§ 154.52 VIOLATIONS.

No person shall construct, enlarge, alter, repair, or maintain any grading, excavation or fill, or cause the same to be done, contrary to or in violation of any terms of this chapter. ('79 Code, § 162.37) (Ord. 1141, passed 5-17-82) Penalty, see § 154.99

§ 154.99 PENALTY.

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and each day during which any violation of any of the provisions of this chapter is committed, continued, or permitted shall constitute a separate offense. Upon conviction of any violation, such person, partnership, or corporation shall be punished by a fine of not more than \$750 for each offense. In addition to any other penalty authorized by this section, any person, partnership, or corporation convicted of violating any of the provisions of this chapter shall be required to restore the site to the condition existing prior to commission of the violation, or to bear the expense of such restoration. ('79 Code, § 162.37) (Ord. 1141, passed 5-17-82)

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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.

CONTRACT PURCHASER. A homebuyer who signs a contract to purchase any residential dwelling unit within the development property.

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.

DEVELOPMENT PROPERTY. All property which any residential development shall be undertaken after the effective date of this section.

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.

HOMEBUYER. Any potential purchaser or purchaser of a single-family dwelling, two-family dwelling, duplex dwelling, multiple-family dwelling, townhouse or condominium, within any development property.

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.

PARK. Open space provided by the developer.

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.

RESIDENTIAL DEVELOPMENT. Any improvement of property that includes five or more single-family dwellings, two-family dwellings, duplex dwellings, multiple-family dwellings, townhouses or condominiums.

RESIDENTIAL DISCLOSURE STATEMENT. The document described in § 155.020, to be prepared and recorded against all of the development property, on a form provided by the village.

RESPONSIBLE PARTY. Every owner, developer and applicant for annexations or subdivision of a development property.

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; Am. Ord. 3020, passed 6-18-2007)

§ 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.

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(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:

<i>School Type/Grades</i>	<i>Maximum Number of Students for Each Such School Classification</i>	<i>Minimum Number of Useable Acres of Land for School Grounds for Each Such Classification</i>
Elementary Schools, Grades K-5	600 students	11 acres
Junior High Schools, Grades 6-8	900 students	29 acres
High Schools, Grades 9-12	1,500 students	45 acres

(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>Acreage 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
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<i>Detached 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>
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<i>Detached 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>
2 bedroom	0.136	0.048	0.184	0.020	\$224	\$139	\$363	\$54	\$417

<i>Detached 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>
3 bedroom	0.369	0.173	0.542	0.184	\$608	\$501	\$1,109	\$497	\$1,606

<i>Detached 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>
4 bedroom (or more)	0.530	0.298	0.828	0.360	\$873	\$864	\$1,737	\$972	\$2,709

<i>Detached 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>
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<i>Attached Single-Family</i>									
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<i>Detached 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>
2 bedroom	0.088	0.048	0.136	0.038	\$145	\$139	\$284	\$103	\$387

<i>Detached 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>
3 bedroom	0.234	0.058	0.292	0.059	\$385	\$168	\$553	\$159	\$712

<i>Detached 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>
4 bedroom (or more)	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)

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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.

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0 to
3 to
10
35
50

(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.

(C) All development property subject to this section shall be in compliance with § 155.020 which requires an executed acknowledgment from the contract purchaser stating they have received the residential disclosure statement, a contract purchaser survey and they have seen the displayed community information in the sales center, sales trailer, and model home related to their subdivision prior to the village's issuance of either a building permit or a certificate of occupancy.
('79 Code, § 151.14) (Ord. 876, passed 8-4-75; Am. Ord. 1147, passed 6-7-82; Am. Ord. 3020, passed 6-18-2007)

§ 155.020 RESIDENTIAL DISCLOSURE STATEMENTS AND HOMEBUYER INFORMATION.

(A) *Residential disclosure statement requirement.* All development property shall be encumbered by a residential disclosure statement as provided in this section.

(B) *Preparation and recording by responsible party.* The responsible party shall prepare and record the residential disclosure statement against the development property. The residential disclosure statement shall be approved by the village prior to execution by the village of any plat or subdivision or annexation agreement for the development property. The residential disclosure statement shall be recorded against all parcels of property within the development property simultaneously with the recording of the final plat of subdivision for the development property.

(C) *Display of residential disclosure statement.* Copies of the residential disclosure statement shall be displayed by, and distributed on request to every homebuyer by the responsible party in each sales center, sales trailer, and model home related to the development property, in the same place and manner as the community information provided for in § 155.019.

(D) *Content of disclosure statement.* Each residential disclosure statement shall include at least all of the following information:

(1) All existing zoning classifications and proposed land uses within and abutting the development property.

(2) The names of all current owners and beneficiaries of the development property.

(3) The names, addresses and telephone numbers of all persons or entities that have maintenance responsibility for any portion of the development property and information relating to the timing and method of any transfer of maintenance responsibilities.

(4) A description of all improvements planned for and features of the development property, including without limitation open space areas, bike trails, parks, school sites, and detention/retention areas and delineation and designation of all wetlands and floodplains.

(5) A description of all public improvements planned for the development property, including without limitation roadways, utilities, pipelines and overhead power lines and the companies and entities that shall own, or have jurisdictional authority over those improvements

(6) Identification of all existing and proposed major public facilities, utilities and other significant features within 1,000 feet of any portion of the development property, including without limitation waste disposal sites, schools, public buildings, parks, thoroughfares, airports and major commercial developments. Most of this information is available to the responsible party from the village.

(7) All governmental entities, including name, address, telephone number, and contact person, with taxing authority and jurisdiction over any portion of the development property, including without limitation the following entities:

(a) The Village of Matteson;

(b) Each applicable school district;

(c) Any library district;

(d) Any sanitary sewer district; and

(e) Rich Township.

(8) A list of available upgrade options, available to the contract purchaser.

(9) An acknowledgment to be signed by the contract purchaser that he or she has received information regarding permissible hours for construction activities in the village.

(10) An acknowledgment to be signed by the contract purchaser that he or she has received all applicable homeowner's association by-laws, covenants, and other documents.

(E) *Display of community information.* The responsible party shall cause to be displayed prominently in each sales center, sales trailer, and model home related to the development property all of the information listed in this division. Such information shall be assembled by the responsible party. The contents of such information and its intended display location shall be reviewed and approved by the village prior to the issuance by the village of any occupancy from any such sales issuance by the village of any occupancy from any such sales center, sales trailer, or model home. The information shall include at least the following:

(1) Current copies of the village's Official Zoning Map, Comprehensive Plan Map and Bike Path Map.

(2) A current village Street Map.

(3) A site plan of the development depicting or describing the zoning, existing and proposed land uses, lot lines, and all major development elements including without limitation open space areas, roadways, sidewalks, bicycle paths, playgrounds, landscaping, detention and retention areas, above-ground utilities and other such improvements. Such site plan shall include the date on which it was prepared.

(4) A map or graphic indicating within 1,000 feet of the development property: existing zoning and land uses and if different the recommended land uses from the Comprehensive Plans of the village, adjoining municipalities and Cook County, all existing and proposed public roadways, public open spaces, bicycle paths, detention and retention areas and major above-ground utilities. Most of the information is available to the responsible party from the village. Such map or graphic shall include the date on which it was prepared.

(5) A list of all taxing districts serving the development, including each district's telephone number and address of its main office.

(F) *Homebuyer acknowledgment requirement.* The responsible party shall obtain an executed and dated acknowledgment from each contract purchaser that such contract purchaser has received the residential disclosure statement, has had the opportunity to review the community information provided for in this section and has received a copy of the contract purchaser survey provided for in this section. The responsible party shall file such executed and dated acknowledgment with the village at the time of application for a building permit for the dwelling for which the contract purchaser has signed a contract and shall provide a copy of such acknowledgment to the contract purchaser. No building permit shall be issued by the village for said dwelling until after such executed and dated acknowledgment has been filed with the village. In the event the dwelling is constructed prior to execution of a contract for that dwelling by a contract purchaser, or in the event that the contract purchaser for a dwelling changes, the responsible party shall obtain an executed and dated acknowledgment from a contract purchaser at least 45 days prior to the respective closing date for the dwelling and file it with the village prior to issuance by the village of any certificate of occupancy for such dwelling.

(G) *Contract purchaser survey.* The responsible party shall provide to each contract purchaser a contract purchaser survey on a form provided by the village. Any contract purchaser may complete and submit to the village a contract purchaser survey at any time within one year after the date of closing of the contract purchaser dwelling within the development property. The village shall cause one copy of all surveys so filed with the village to be kept on file with the village and made available for public inspection on request. The survey form provided by the village may be revised from time to time and generally shall request the following information and questions:

- (1) Name of development/subdivision.
- (2) Name and address of builder/developer.
- (3) Telephone numbers of builder/developer.
- (4) Name of buyers (optional).
- (5) Address of buyers (optional).
- (6) Telephone number of buyers (optional).
- (7) Date of purchase contract.
- (8) Date of closing.
- (9) Was your salesperson knowledgeable about the development and the village?
- (10) Was your salesperson knowledgeable about the residential disclosure? Requirements?
- (11) How did you find the service of the builder/developer during the building of your home?
- (12) Was the builder/developer knowledgeable?
- (13) Did the builder/developer answer your questions to your satisfaction?
- (14) Were there problems completing the house and, if so, what were they?
- (15) Was your home completed at the time of closing and, if not, what work remained to be done?
- (16) How did you find the service of the builder/developer after the closing of your home?
- (17) If there was work remaining to be completed at closing, was the work completed in a reasonable time period?

- (18) Were there problems completing the unfinished work, if so, what were they?
- (19) Did your builder/developer complete the 90-day list within a reasonable period of time?
- (20) Were there problems completing the unfinished work, if so, what were they?
- (21) Did your builder/developer complete the six-month list in a reasonable period of time?
- (22) Were there problems completing the unfinished work, if so, what were they?
- (23) Did the builder/developer have a service department that took care of your problems and questions?
- (24) If the builder/developer did have a service department, how did the department take care of your problems and questions?
- (25) Do you have additional comments?

(H) *Declaration of public nuisance.* Violation of this section is hereby declared a public nuisance, which a court may abate in the manner provided by law including imposition of an injunction terminating any development on any property for which this Chapter 155 has not been complied with as determined by the Village Administrator or his designee.

(I) *Adoption of forms by reference.* The following forms, attached to Ordinance No. 3020, passed June 18, 2007, are hereby adopted by reference as if fully set forth herein:

- (1) Village of Matteson Residential Information and Disclosure Form;
- (2) Village of Matteson Contract Purchaser Acknowledgment Statement; and
- (3) Village of Matteson Contract Purchaser Survey.
(Ord. 3020, passed 6-18-2007)

*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;

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- (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 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 be East Jordan model BR-5 and shall be equipped with two four-inch "steamer" connections. One "steamer" connection shall be national standard threads, and the other shall be a five-inch Storz connection. The locations for this type of fire hydrant will include all areas.
('79 Code, § 151.48) (Ord. 1274, passed 9-16-85; Am. Ord. 3053, passed 4-7-2008) 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.

Whoever violates any provision of this chapter shall be fined not more than \$500 for each offense. Each day's violation shall constitute a separate offense.
(’79 Code, § 151.99) (Ord. 1211, passed 6-7-84; Am. Ord. 3020, passed 6-18-2007)

CHAPTER 156: TRAILERS AND TRAILER CAMPS

Section

156.01 Unlawful to permanently affix trailer to ground

§ 156.01 UNLAWFUL TO PERMANENTLY AFFIX TRAILER TO GROUND.

It shall be unlawful for any person to remove the wheels or other transporting device from any house car trailer or to otherwise fasten the house car trailer, unless a permit to do so has been obtained from the village in accordance with the existing building and zoning codes. Such alteration shall be construed as converting the house car trailer into a class A residence building and shall be subject to the requirements of the building code and zoning code.

('79 Code, § 115.01) (Ord. 322, passed 8-4-41) Penalty, see § 10.99

CHAPTER 157: COMPREHENSIVE DEVELOPMENT PLAN

Section

- 157.01 Short title
- 157.02 Purpose
- 157.03 Maps and standards adopted by reference
- 157.04 Applicability
- 157.05 Adoption of Comprehensive Plan and Land Use Intensity Map
- 157.06 Adoption of standards
- 157.07 Use in other ordinances
- 157.08 Amendments
- 157.09 Administration and enforcement
- 157.10 Availability of copies of ordinances

- 157.99 Penalty

§ 157.01 SHORT TITLE.

This chapter shall be known and may be cited as the Official Comprehensive Development Plan chapter.

(‘79 Code, § 150.01) (Ord. 1340, passed 11-16-87)

§ 157.02 PURPOSE.

It is the purpose of this chapter to do the following:

(A) To adopt, establish and help implement an official Comprehensive Plan.

(B) To adopt and designate an Official Land Use Intensity Map.

(C) To adopt and designate other standards governing future development and redevelopment of the village.

(D) To provide for the filing of copies of such maps and standards in the office of the Village Clerk and Recorder of Deeds of Cook County for the information of the public.

(‘79 Code, § 150.02) (Ord. 1340, passed 11-16-87)

§ 157.03 MAPS AND STANDARDS ADOPTED BY REFERENCE.

Future maps and standards adopted by reference as amendments to this chapter shall be attached hereto, incorporated herein by reference, and identified by the following statement marked or stamped thereon:

“Adopted by reference as a part of the Official Comprehensive Development Plan Ordinance passed on November 16, 1987, by the President and Board of Trustees of the Village of Matteson, Illinois.”

(‘79 Code, § 150.03) (Ord. 1340, passed 11-16-87)

§ 157.04 APPLICABILITY.

This chapter, the Official Comprehensive Plan and all maps and standards adopted herein shall be applicable to land situated within the corporate limits and contiguous territory not more than one and one-half miles beyond the corporate limits and not included in any municipality.

(‘79 Code, § 150.04) (Ord. 1340, passed 11-16-87)

§ 157.05 ADOPTION OF COMPREHENSIVE PLAN AND LAND USE INTENSITY MAP.

(A) The document entitled General Development Plan, as amended, is hereby adopted and designated as the Official Comprehensive Plan of the village.

(B) The Official Land Use Intensity Map of the corporate area of the village and contiguous unincorporated area, attached to Ord. 1340, passed 11-16-87, is hereby adopted and designated as the Official Map of the Village of Matteson.

(‘79 Code, § 150.05) (Ord. 1340, passed 11-16-87; Am. Ord. 2031, passed 5-2-2005)

§ 157.06 ADOPTION OF STANDARDS.

Standards for the following items as set out in the Subdivision Regulations and Zoning Ordinance of the village are hereby incorporated by reference and by reference thereto specifically made a part of this Official Comprehensive Plan and shall be known as the Official Standards of the village.

(A) Streets and sidewalks;

(B) Sanitary sewerage;

(C) Storm water drainage;

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(D) Water supply;

(E) Gas, electric and telephone utilities;

(F) Street lighting;

(G) Land uses; and

(H) Public ways, parks, playgrounds, school sites and other public grounds.

('79 Code, § 150.06) (Ord. 1340, passed 11-16-87)

§ 157.07 USE IN OTHER ORDINANCES.

The maps and standard adopted under §§ 157.04 through 157.06 are hereby adopted by reference to their titles in other ordinances which regulate the development of the village without further filing or publication, except where the statutes require otherwise.

('79 Code, § 150.07) (Ord. 1340, passed 11-16-87)

§ 157.08 AMENDMENTS.

(A) Either the Plan Commission or the corporate authorities may initiate proposed amendments to this chapter, including such previously printed maps and standards the chapter has adopted by reference.

(B) A proposed amendment initiated by the corporate authorities shall be referred to the Plan Commission for consideration and recommendation thereon. The corporate authorities may require the Plan Commission to return its recommendation within 90 days of the date of submission. If not so returned, the corporate authorities may proceed with arrangements for holding a public hearing on the proposed amendment and its adoption in the same manner as if the Plan Commission had made its recommendation.

(C) The corporate authorities, upon receipt of a proposed amendment or a recommendation from the Plan Commission, shall schedule a public hearing thereon before either the corporate authorities or the Plan Commission. Not less than 15 days notice of the time and place of the hearing shall be given by publication in a newspaper of general circulation in the village and in the county in which the incorporated or unincorporated land affected by the proposed amending ordinance is located. At least three copies of the proposed ordinance and any maps or standards it would adopt by reference shall be placed on file in the office of the Village Clerk at least 15 days before the hearing. The notice shall state the hours during which the filed copies will be available for examination by interested persons.

(D) The hearing shall be informal. Proponents and opponents of the proposed amendment shall be given an opportunity to be heard. Their statements may be made orally, be submitted in writing, or

both. The hearing, if not concluded, may be recessed to a time and place announced at the hearing or stated later in a notice published in the same newspaper that carried the original notice no less than five days before the recessed date.

(E) The corporate authorities shall consider the views expressed and information derived from the hearing along with the recommendations of the Plan Commission, and, within 90 days after the conclusion of the hearing, shall either adopt the amending ordinance in whole or in part, or reject it. If within 90 days no formal action is taken by the corporate authorities on the amendment, it may not thereafter act on the amendment without again complying with the requirements of notice and hearing specified in § 157.08 divisions (C) and (D).

('79 Code, § 150.08) (Ord. 1340, passed 11-16-87)

§ 157.09 ADMINISTRATION AND ENFORCEMENT.

Provisions of this chapter, including such maps and standards the chapter adopted by reference, which are incorporated by reference in other regulatory ordinances, shall be administered and enforced by the officers designated in such regulatory ordinances. Those provisions of this chapter not incorporated in other ordinances shall be enforced by the Department of Community Development.

('79 Code, § 150.09) (Ord. 1340, passed 11-16-87)

§ 157.10 AVAILABILITY OF COPIES OF ORDINANCES.

The Village Clerk shall keep in his/her office at least three copies of this chapter, including such maps and standards as are incorporated herein by reference, and any amendment thereof, for inspection by interested persons. The foregoing copies of the chapter shall be in addition to the original copy which the statute require the Village Clerk to keep as a part of his/her official record of enacted ordinances. The Village Clerk shall also make available copies of this chapter as a part of the Subdivision Regulations Ordinance for purchase.

('79 Code, § 150.10) (Ord. 1340, passed 11-16-87)

§ 157.99 PENALTY.

A violator of any provisions of this chapter shall be fined not less than \$25 and not more than \$750. Each day a violation is committed or is permitted to continue shall constitute a separate offense.

('79 Code, § 150.99) (Ord. 1340, passed 11-16-87)

CHAPTER 158: LAND USE PLAN

Section

- 158.01 Adoption of Land Use Plan
- 158.02 Land Use Plan shall not amend zoning code
- 158.03 Areas the Land Use Plan applies

§ 158.01 ADOPTION OF LAND USE PLAN.

The Development and Land Use Plan, attached and made a part of Ordinance 518, as Appendix A thereof, which was prepared by the Plan Commission of the municipality, under authority of ILCS Ch. 65, Act 5, § 11-12-6, is adopted as a part of the Official Plan of the municipality.
(‘79 Code, § 154.01)

§ 158.02 LAND USE PLAN SHALL NOT AMEND ZONING CODE.

The Development and Land Use Plan is not intended to and does not in any way amend the zoning code of the municipality, or in any way constitute a change in zoning districts, but is a guide for future growth and development of the municipality.
(‘79 Code, § 154.02)

§ 158.03 AREAS THE LAND USE PLAN APPLIES.

The Development and Land Use Plan applies only to the municipality and contiguous territory not more than one and one-half miles beyond the corporate limits of the municipality and not included in any other municipality.
(ILCS Ch. 65, Act 5, § 11-12-12) (‘79 Code, § 154.03)

CHAPTER 159: ZONING CODE

Section

159.01 Zoning code adopted by reference

§ 159.01 ZONING CODE ADOPTED BY REFERENCE.

The Zoning Code of the village is hereby adopted by reference as if set forth at length herein. The village Planning Department shall maintain the Zoning Code and make copies available to the public. References in the Index of this Code of Ordinances to sections of the Zoning Code should be referred to the Zoning Code made available through the Planning Department.

(Am. Ord. 1802, passed 4-23-2001; Am. Ord. 1824, passed 9-17-2001; Am. Ord. 1833, passed 12-3-2001; Am. Ord. 1865, passed 9-3-2002; Am. Ord. 1875, passed 11-4-2002; Am. Ord. 1888, passed 1-6-2003; Am. Ord. 1895, passed 3-3-2003; Am. Ord. 1896, passed 3-3-2003; Am. Ord. 1901, passed 4-21-2003; Am. Ord. 1935, passed 10-20-2003; Am. Ord. 1936, passed 10-20-2003; Am. Ord. 2013, passed 12-20-2004; Am. Ord. 2044, passed 7-5-2005; Am. Ord. 2054, passed 9-19-2005; Am. Ord. 3036, passed 12-3-2007; Am. Ord. 3086, passed 2-2-2009)

