

CHAPTER 19

SWANSEA SUBDIVISION CODE

PART 1
GENERAL PROVISIONS

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- SECTION 19-102. PURPOSE AND INTENT.
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SECTION 19-101. TITLE.

This Chapter shall be known and cited as the "Swansea Subdivision Code".

SECTION 19-102. PURPOSE AND INTENT.

In accordance with the Illinois Revised Statutes, this Chapter regulates the subdivision and development of land in order to assist in achieving the following specific objectives:

- (A) To preserve, protect, and promote the public health, safety, and welfare;
- (B) To implement the Village Community Plan and Official Map;
- (C) To provide a pleasant living environment by furthering the orderly layout and development of land;
- (D) To avoid legal and other problems by requiring that subdivided land be properly monumented and recorded;
- (E) To conserve and increase the value of land, improvements, and buildings throughout the Village;
- (F) To preserve the Village's natural beauty and topography to the maximum feasible extent;
- (G) To protect against injury or damage caused by pollution, storm water run-off, or erosion and sedimentation;
- (H) To provide safe and convenient access to new developments and to avoid traffic congestion and unnecessary public expenditures by requiring the

proper location, design, and construction of streets and sidewalks;

- (I) To insure that the proper installation and maintenance of adequate water mains, sanitary sewers, storm water sewers, and other utilities and services; and;
- (J) To insure that in conservation areas adequate parks and similar facilities can be made available to serve the residence of new developments.

SECTION 19-103. JURISDICTION.

This Chapter shall be applicable within the corporate limits of the Village and within all unincorporated territory located within one and one-half (1 1/2) miles of said limits, provided such territory is not located within the subdivision jurisdiction of another municipality. Jurisdictional boundary lines shall be determined in accordance with Illinois Compiled Statutes, Chapter 65, Section 5/11-12-9.

SECTION 19-104. INTERPRETATION.

Every provision of this Chapter shall be construed liberally in favor of the Village, and every regulation set forth herein shall be considered the minimum requirement for the promotion of the public health, safety, and welfare.

SECTION 19-105. CONFLICTING LAWS.

Whenever the requirements of this Chapter differ from those of any statute, other lawfully adopted ordinance or regulation, easement, covenant, or deed

restriction, the more stringent requirement shall prevail. Thus, in accordance with State law whenever this Chapter imposes higher standards than the County Subdivision Ordinance, said higher standards shall supersede the County regulations in the unincorporated territory located within the subdivision jurisdiction of the Village.

SECTION 19-106. DISCLAIMER OF LIABILITY.

- (A) Except as may be provided otherwise by statute or ordinance, no official board member, agent or employee of the Village shall render himself personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this Chapter. (See "Local Governmental and Governmental Employees Tort Immunity Act", Ill. Com. Stat., Chap. 745, Sec. 10/1-101).
- (B) Any suit brought against any official, board member, agent, or employee of this Village as a result of any act required or permitted in the discharge of his duties under this Chapter, shall be defended by the Village Attorney until the final determination of the legal proceedings.

SECTION 19-107. SEVERABILITY.

If any provision of this Chapter is declared unconstitutional or invalid by a court of competent jurisdiction, that judgment shall not affect the validity of any other provision hereof not specifically included in said judgment.

SECTION 19-108. EXPIRATION.

This chapter shall automatically expire and be without effect ten (10) years after its effective date, unless following a comprehensive review by the Village Planning And Zoning Board, it has been re-enacted prior to that date by the Board of Trustees.

CHAPTER 19

SWANSEA SUBDIVISION CODE

PART 2 DEFINITIONS

SECTION 19-201. RULES OF CONSTRUCTION. SECTION 19-202. SELECTED DEFINITIONS.

SECTION 19-201. RULES OF CONSTRUCTION.

In construing the intended meaning of terminology used in this Chapter, the following rules shall be observed.

- (A) Unless the context clearly indicates otherwise, words and phrases shall have the meanings respectively ascribed to them in Section 19-202; terms not defined in Section 19-202 shall have the meaning respectively ascribed to them in the Swansea Zoning Code; if any term is not defined either in Section 19-202 or in the Swansea Zoning Code, said term shall have its standard English dictionary meaning.
- (B) Words denoting the masculine gender shall be deemed to include the feminine and neuter genders.
- (C) Words used in the present tense shall include the future tense.
- (D) Words used in the singular number shall include the plural number, and the plural the singular.
- (E) The word "shall" is mandatory; the word "may" is discretionary.
- (F) All distances shall be measured to the nearest integral foot; six inches (6") or more shall be deemed one foot (1').
- (G) Captions (i.e., titles of sections, subsections, etc.) are intended merely to facilitate general reference and in no way limit the substantive application of the provisions set forth thereunder.
- (H) Reference to sections shall be deemed to include all subsections within that section; but a reference to a particular subsection designates only that subsection.
- (I) A general terms that follows or is followed by enumerations of specific terms shall not be limited to the enumerated class unless expressly limited.

SECTION 19-202. SELECTED DEFINITIONS.

Administrator: The Code Administrator appointed by the Mayor to administer this Chapter, or his duly authorized representative.

Alley: A public right-of-way which affords a secondary means of vehicular access to the side or rear of premises that front on a nearby street.

Amendment: A change in the provisions of this Chapter, properly effected in accordance with State law and the procedures set forth herein.

Area, Gross: The entire area within the lot lines of the property proposed for subdivision/development, including any areas to be dedicated/reserved for street and alley rights-of-way and for public uses.

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

Centerline:

- (A) The centerline of any right-of-way having a uniform width;
- (B) The original centerline, where a right-of-way has been widened irregularly;
- (C) The new centerline, whenever a road has been relocated.

Centerline Offset: The distance between the centerlines of two (2) roughly parallel streets, measured along the third (3) street with which both said "parallel" streets intersect.

Collector Street: A street which carries or is proposed to carry intermediate volumes of traffic from land access streets to minor arterials.

Community Plan: The plan or any portion thereof adopted by the Board of Trustees to guide and coordinate the physical and economic development of the Village of Swansea. The Community Plan includes, but is not limited to, plans and programs regarding the location, character, and extent of streets and related facilities; public buildings and uses; utilities; schools; residential, commercial, or industrial land uses; parks, drainage facilities, etc.

Cross-Slope: The degree of inclination measured across a right-of-way rather than in the direction traffic moves on said right-of-way.

Cul-De-Sac: A short street having only one (1) outlet for vehicular traffic and having the other end permanently terminated by a turn-around for vehicles; the term may also be used to refer solely to said turn-around.

Culvert: A closed conduit, usually exposed on both ends, for the free passage of surface drainage water under a driveway, street, highway, railroad or embankment. (Ord 1448, 04/03/2006)

Curb and Gutter, Integral: The rim forming the edge of a street, plus the channel for leading off surface water, constructed of poured concrete as a single facility.

Dedicate: To transfer the ownership of a right-of-way, parcel of land, or improvement to the Village of Swansea or other public entity without compensation.

Develop: To erect any structure or to install any improvements on a tract of land, or to undertake any activity (such as grading) in preparation therefore.

Dimensions: Refers to both lot depth and lot width.

District, Zoning: A portion of the territory of the Village of Swansea wherein certain uniform requirements or various combinations thereof apply to structures, lots, and uses under the terms of the Swansea Zoning Code.

Easement: A right to use a portion of another person's real property for certain limited purposes.

Escrow Deposit: A deposit in cash or other approved securities to assure the completion of improvements within a subdivision.

Fill: Earth, gravel, small rock or rubble (not to exceed three inches (3") in diameter) used to build up a piece of ground.

Frontage: The lineal extent of the front (street-side) of a lot.

Frontage Road: A minor street, fronting on an arterial street or highway (usually a limited access highway), used for access to abutting lots.

Grade: The degree of inclination of the site or right-of-way, expressed as a percentage. Synonym for "slope".

Improvements: Any street, curb and gutter, sidewalk, drainage ditch, sewer, catchbasin, newly planted tree, off-street parking area, or other facility necessary for the general use of property owners in a subdivision.

Improvement Plans: The engineering plans showing types of materials and construction details for the facilities to be installed in, or in conjunction with, a subdivision.

Inlet: A receptacle, located where a street gutter opens into a storm water sewer, designed to retain matter that would not readily pass through the sewer and to allow storm water runoff to enter the sewer.

Intersection: The point at which two (2) or more public rights-of-way (generally streets) meet.

Land Access Street: A street serving limited amounts of residential traffic, and used for access to abutting property.

Lot: A tract of land intended as a unit for the purpose (whether immediate or future) of development or transfer of ownership. A "lot" may or may not coincide with a "lot of record."

Lot, Corner: A lot having at least two (2) adjacent sides that abut for their full length upon streets. Both such side lines shall be deemed front lot lines.

Lot, Through: A lot having a pair of approximately parallel lot lines that abut two (2) approximately parallel streets. Both such lot lines shall be deemed front lot lines.

Lot Area, Gross: The area of a horizontal plane bounded by the front, side, and rear lines of a lot, but not including any area occupied by the waters of a duly recorded lake or river.

Lot of Record: An area of land designated as a lot on a plat of subdivision recorded with the Recorder of Deeds of the County, in accordance with State law.

Maintenance Bond: A surety bond posted by the developer and approved by the Village of Swansea, guaranteeing the satisfactory condition of installed improvements for the two (2) year period following their dedication.

Maximum Density: A minimum 95% compaction as determined by ASTM Specifications D-698 for clayey materials and a minimum relative density of 75% as

determined by ASTM Specifications D2049 for granular materials.

Minor Arterial: A street designed or utilized primarily for high vehicular speeds or for heavy volumes of traffic on a continuous route with intersections at grade, and on which traffic control devices are usually installed to expedite the safe movement of through traffic.

Official Map: A graphic statement of existing facilities and the capital improvements planned by the Village of Swansea which require the acquisition of land; such as streets, drainage systems, parks, etc.

Performance Bond: A surety bond posted by the developer and approved by the Village of Swansea guaranteeing the installation of required improvements within or in conjunction with a subdivision.

Planning and Zoning Board: The Planning and Zoning Board of the Village of Swansea.

Plat, Final: The final engineering and architectural maps, drawings, and supporting material indicating the subdivider's plan of the subdivision which, if approved, may be filed with the County Recorder of Deeds.

Plat, Preliminary: Preliminary engineering and architectural maps, drawings, and supportive material indicating the proposed layout of a subdivision.

Reserve: To set aside a parcel of land in anticipation of its acquisition by the Village of Swansea (or other governmental entity) for public purposes.

Reserve Strip: A narrow strip of land between a public street and adjacent lots which is designated on a recorded subdivision plat, or property deed as land over which vehicular travel is not permitted.

Reverse Curve: A curve in a street heading in approximately the opposite direction from the curve immediately preceding it so as to form an "S" shape.

Right-of-Way, Public: A strip of land which the owner/subdivider has dedicated to the Village of Swansea or other unit of government for streets, alleys, and other public improvements.

Setback Front: The horizontal distance between the street right-of-way line and the building line. Minimum setback requirements are set forth in the Swansea Zoning Code.

Sewerage System, Private: A sewer system including collection and treatment facilities established by the developer to serve a new subdivision in an outlying area.

Sidewalk: A pedestrian way constructed in compliance with the standards of this Chapter generally abutting or near the curb line of the street.

Standard Specifications: The Standard Specifications for Road & Bridge Construction, prepared by the Illinois Department of Transportation, as adopted and amended by the Department, which are in effect at the time the subdivision is being constructed, and the related "Highway Standards".

Stop Work Order: An order used by the Code Administrator to halt work-in-progress that is in violation of this Chapter.

Storm Sewer: A sewer which carries surface runoff of storm water and subsurface waters. (Ord 1448, 04/03/2006)

Street: A public or private way for motor vehicle travel. The term "street" includes a highway, thoroughfare, parkway, through way, road, pike, avenue, boulevard, lane, place, drive, court, and similar designations, but excludes an alley or a way for pedestrian use only.

Structure: Anything constructed or erected on the ground, or attached to something having a fixed location on the ground. All buildings are structures, but not all structures are buildings.

Stub Street: A street that is temporarily terminated, but that is planned for future continuation.

Subdivider: Any person, firm, partnership, association, corporation, estate or other group or combination acting as a unit, to create a subdivision as defined in this Section.

Subdivision: Any division of land into two (2) or more lots, except as set forth in the Plats Act, Illinois Compiled Statutes, Chapter 765, Section 205/1.

Subdivision, Minor: A division of land into two (2), but not more than four (4) lots, all of which front upon an existing street, and not involving any new streets, other rights-of-way, easements, improvements, or other provisions for public areas and facilities.

Topography: The relief features or surface configuration of an area of land.

Vacate: To terminate the legal existence of right-of-way or subdivision, and to so note on the final plat recorded with the County Recorder of Deeds.

Variation, Subdivision: A relaxation in the strict application of the design and improvement standards set forth in this Chapter.

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CHAPTER 19

SWANSEA SUBDIVISION CODE

PART 3
DESIGN AND IMPROVEMENT STANDARDS

- SECTION 19-301. GENERAL PROHIBITION.
- SECTION 19-302. GENERAL SUITABILITY FOR SUBDIVISION.
- SECTION 19-303. STANDARDS FOR GRADING AND CLEARING.
- SECTION 19-304. CLEARING AND GRUBBING.
- SECTION 19-305. EMBANKMENTS.
- SECTION 19-306. SUBGRADES.
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SECTION 19-301. GENERAL PROHIBITION.

- (A) No land within the subdivision jurisdiction of the Village; other than land that is specifically exempted from the requirements of the Illinois Plats Act (Ill. Com. Stat., Ch. 765, Sec. 205/1 (b)), shall be subdivided or developed except in compliance with the regulations of this Article and the applicable provisions of State law. (See Ill. Com. Stat., Ch. 65, Sec. 5/11-12-8; Ch. 765, Sec. 205/1, et seq.)
- (B) No lot in any subdivision shall be conveyed until:
 - (1) The final plat of said subdivision has been approved by the Village Board of Trustees

and recorded in the office of the County Recorder of Deeds; and

- (2) The portion of said subdivision of which the lot is located has been improved in accordance with the requirements of this Article or until a performance bond or other security has been posted to assure the completion of such improvements.
- (C) No building permit shall be issued to allow construction on any lot conveyed in violation of this Section, and any so issued shall be made invalid by said violation.

SECTION 19-302. GENERAL SUITABILITY FOR SUBDIVISION.

Land which the Board of Trustees determines to be unsuitable for development due to poor drainage, rough topography, adverse soil conditions, flooding potential, or other conditions that will likely prove injurious to the inhabitants of the subdivision and/or surrounding areas shall not be subdivided or developed unless adequate plans/methods are formulated to resolve or avoid the problems caused by the adverse land conditions.

SECTION 19-303. STANDARDS FOR GRADING AND CLEARING.

Grading and clearing necessitated for the construction of roadway and drainage facilities shall be done in such a manner as to assure uniform subgrade support with adequate bearing capacity to properly support the loading/structures to be superimposed. In order to help achieve this result, the subdivider shall comply with the requirements of this Section.

SECTION 19-304. CLEARING AND GRUBBING.

Prior to grading within the limits of the right-of-way, the entire area to be affected with improvements (i.e., pavement, water, sewer, drainage, etc.) shall be cleared of all tree stumps, roots, brush, and other objectionable materials and of all trees not intended for preservation.

SECTION 19-305. EMBANKMENTS.

Embankments to be constructed within the roadway right-of-way by the subdivider shall be done in a manner compatible with good road construction practices and in accordance with the following provisions:

- (A) Fills shall be constructed in lifts not to exceed eight inches (8") loose and each lift shall be properly compacted to a density not less than ninety-five percent (95%) of maximum density, as defined.
- (B) No wood, trash, or other objectionable material shall be placed in fills;
- (C) Large clods and excessively wet fill material shall be dishd and/or in fills;
- (D) Compaction shall be achieved with a roller capable of properly compacting the given type of embankment material; in the case of fine-grained soils, a sheeps-foot roller shall be deemed suitable.

SECTION 19-306. SUBGRADES.

In areas where embankment is to be placed, the material shall be properly compacted upon to subgrade elevation. In the case of cut section, the subgrade shall be cleared of all unsuitable material, including, but not limited to, vegetation, tree stumps and roots, trash, debris, soft spongy soil, etc., for a minimum depth of eighteen inches (18") below subgrade elevation.

- (A) All replaced material shall be compacted to a density of not less than 95 percent (95%) of the maximum density, as defined.
- (B) The upper twelve inches (12") of the entire length of subgrade (cut or fill) shall be lime subsidized in accordance with the provisions in the Standard Specifications, as defined, and shall be compacted to at least ninety-five percent (95%) of maximum standard lab density.

SECTION 19-307. COMPACTION VERIFICATION.

The subdivider shall furnish, to the Village engineer, field compaction tests verifying that proper compaction has been uniformly achieved throughout the embankment and subgrade material.

- (A) Such tests shall be performed and certified by a qualified testing lab or engineering firm.

SECTION 19-308. EROSION CONTROL.

The design of every subdivision shall be consistent with the natural limitations presented by topography and soil so as to create the least potential for soil erosion. Soil shall be exposed during construction for the shortest feasible period of time. In addition:

- (A) The subdivider shall install temporary erosion control measures to prevent siltation of adjacent streams, roads, private property, etc.
- (B) The subdivider shall be expected to incorporate the appropriate permanent devices to prevent long-term erosion and siltation. Such installations may include sediment basins, desilting basins, rip rap, energy dissipaters, etc.
- (C) All development and improvements to be made within any subdivision shall comply with any and all municipal, county, or state laws, regulations or ordinances relative to soil erosion and sediment control, in so far as they are applicable.
- (D) In the event that siltation occurs onto adjacent roads, private property, etc. cleaning and/or removal shall be completed in accordance with the provisions as set forth in Section 13-712.

SECTION 19-309. PRESERVATION OF TREES.

Existing vegetation, specifically trees having a diameter of four inches (4") or more when measured at a point twelve inches (12") above the ground, should be retained and protected to the maximum extent consistent with the development of the site.

SECTION 19-310. STANDARDS FOR LOTS.

The planning and development of lots shall be done in such a manner as to assure compliance with the Swansea Zoning Code. In order to help achieve this result, every subdivider shall comply with the requirements of this Section.

SECTION 19-311. MINIMUM LOT SIZE.

- (A) All lots in any subdivision within the Village, shall conform to the minimum lot area and dimension requirements of the zoning district in which said subdivision is located.
- (B) All lots in any subdivision outside the Village shall conform to the minimum lot area and dimension requirements of the Village's zoning district, which is most appropriate, as determined by the Code Administrator.
- (C) Land that is under water or reserved for street improvements shall not be counted in determining compliance with minimum lot size requirements.
- (D) Every corner and through lot shall be large enough to permit compliance with the zoning district's front setback requirement on every side of the lot that faces a street.
- (E) All lot remnants shall be added to adjacent lots to avoid the creation of unbuildable parcels, or used for utility easements, or dedicated to the Village for public purposes.
- (F) All side lot lines shall be at right angles to straight street right-of-way lines or radial to curved street right-of-way lines, except where the Village Engineer has determined that a deviation from this requirement will provide a street and lot design more beneficial to the Village.
- (G) All side lot lines of lots which front a cul-de-sac shall be at right angles to the centerline of said cul-de-sac until the point at which the centerline meets the center of the cul-de-sac turnaround. Side lot lines beyond that point shall be radial to the center of the cul-de-sac turnaround except where the Village Engineer has determined that a deviation from this requirement will provide a street and lot design more beneficial to the Village.

All land to be subdivided, shall be divided in such a way that each lot abuts a public street meeting the requirements of Sections 19-314 and 19-315.

SECTION 19-312. STREET FRONTAGE REQUIRED.

All land to be subdivided, shall be divided in such a way that each lot abuts a public street meeting the requirements of Sections 19-314 and 19-315.

SECTION 19-313. REFERENCE MONUMENTS REQUIRED.

In accordance with "An Act to Revise the Law in Relation to Plats", Illinois Compiled Statutes, Chapter 765, Section 205/1 (a), et seq., as amended from time to time, reference monuments shall be erected by each subdivider as follows:

- (A) **In the Field.** Stone or reinforced concrete reference monuments, set in the ground in such a manner that they will not be moved by frost, shall be placed in the field, at opposite corners of the subdivision.
- (B) **At Lot Corners.** Every lot corner shall be marked by an iron pin or pipe, at least one-half inch (1/2") in diameter and not less than twenty-four inches (24") long, driven into the ground deep enough that they do not protrude above the surface more than one and one-half inches (1 1/2").
 - (1) No lot in any subdivision shall be sold unless the corners of said lot are marked as specified above at the time of sale.

SECTION 19-314. STANDARDS FOR STREETS.

All streets shall be properly integrated with the existing and proposed street system indicated on the Village's Official Map, shall be improved in accordance with the specifications contained in the current State of Illinois Department of Transportation "Standard Specifications for Road and Bridge Construction", hereinafter referred to as IDOT Standard Specifications, and the provisions of this Part, and shall meet the specifications set forth below:

- (A) **Minimum Right-of-Way Width.**
 - (1) Streets 50 feet
 - (2) Alleys 20 feet
- (B) **Minimum Pavement Width.**
 - (1) Streets 30 feet
 - (2) Alleys 18 feet

- (1) Both streets and alleys 5 Percent
- (D) **Maximum Grade.**
 - (1) Both streets and alleys 10 percent
- (E) **Minimum Crown.**
 - (1) Both streets and alleys 3 inches
- (F) Measurement of pavement width for streets shall be made from back-to-back of the curbs. Measurement of pavement width for alleys, where curbs are not required, shall be from edge-to-edge.
- (G) Grades shall conform as closely as possible to the natural topography without exceeding the minimum or maximum standards specified above.
- (H) All streets shall be designed so that as many building sites as is possible, are at or above street grade.
- (I) Alleys may be provided in single-family residential districts at the option of the developer, but may be required in other districts in the absence of other provisions for service access.
 - (1) When provided, alleys shall not intersect with each other or change sharply in alignment.
 - (2) Adequate vehicular turnaround space shall be provided at the terminus of every dead-end alley.
- (J) Every concrete street, curb, and gutter, hereafter constructed in the Village, shall have a compressive strength of four thousand (4000) P.S.I. at twenty-eight (28) days.
 - (1) The sub-divider or developer shall provide to the Village Engineer at no expense to the Village, concrete tests verifying compressive strength. The number of such tests shall be determined by the Village Engineer. The Village Engineer shall also have the right to request other tests, including air entrainment and slump tests, as he deems necessary.

SECTION 19-315. PAVEMENT CONSTRUCTION, RIGID.

- (A) All rigid pavement shall consist of a minimum of six inches (6") of un-reinforced Portland Cement Concrete over twelve inches (12") of lime stabilized sub-grade, in accordance with the applicable provisions of the Standard

Specifications, as defined, and the illustrations provided herein.

- (1) The Village may, on a case by case basis, review and approve the use of pavement cross section alternatives including, fiber mesh steel reinforcement, compacted crushed stone, and thicker Portland Cement Concrete if, in the opinion of the Village Engineer, traffic volume or type warrants such requirement.
- (B) Longitudinal joints shall be constructed, sawed and sealed in accordance with the Standard specifications, and the illustrations included herein as Illustration 19-A.
- (C) Transverse joint spacing shall not exceed fifteen feet (15') and shall be constructed, sawed and sealed in accordance with the Standard Specifications, and the illustrations included herein as Illustration 19-A.
- (D) Construction joints shall be constructed at the end of each day's run or at locations where a "cold" joint will occur due to a delay or interruption in placement operations. All transverse construction joints shall be "tied" with #4 deformed bars, thirty-six inches (36") long, spaced at twelve inch (12") centers. Construction joints must be at least five (5) feet from a contraction joint.
- (E) Traffic shall be restricted on newly poured concrete streets by barricades and appropriate signs for the time period specified below, provided that the Village Engineer may increase the time period depending upon site location and conditions such as weather:
 - (1) No traffic shall be permitted for seven (7) days;
 - (2) Only automobiles and trucks up to one-half (1/2) ton shall be allowed after seven days;
 - (3) All other vehicles shall be allowed after ten (10) days.

SECTION 19-316. PAVEMENT CONSTRUCTION, FLEXIBLE.

- (A) All flexible pavement shall be constructed of two inches (2") of Class I Surface over four inches (4") of Class I binder course over twelve inches (12") of lime stabilized sub-grade in accordance with the Standard Specifications and the illustrations provided herein.
- (B) Should the Village Engineer or Code Administrator, or the developer's engineer, determine that the Village's minimum pavement standards are not adequate for a given condition,

including, traffic volume, size of loads, sub-grade support, and drainage, the required pavement design shall be determined by the developer's engineer on the basis of current pavement design procedure subject to the approval of the Village Engineer or Code Administrator.

SECTION 19-317. CURB AND GUTTER CONSTRUCTION.

All streets, except alleys, constructed after the effective date of this Chapter, shall include mountable curb and gutter and/or vertical curb and guttering of Portland Cement Concrete, in accordance with the dimensions depicted herein, IDOT Standard Specifications, and the dimensions as Illustration 19-B, Illustration 19-C, and Illustration 19-D.

(A) Curb and/or gutter may be constructed either integrally or separately in conjunction with Portland Cement Concrete pavement.

(1) If constructed separately, the gutter flag shall be "tied" to Portland Cement Concrete pavement with #4 reinforcing bars at least thirty inches (30") long and spaced at thirty inch (30") centers.

(B) Contraction joints and expansion joints shall be installed in the curb, or curb and gutter, in prolongation with joints in adjacent Portland Cement Concrete pavement or base course, except that dowel bars shall not be required in contraction joints.

(1) Contraction joints, when sawed or template formed, shall be sealed in accordance with IDOT Standard Specifications.

(C) When curb and gutter is constructed adjacent to flexible pavement, a one inch (1") expansion joint shall be installed at points of curvature for short-radius curves and at construction joints.

(1) Contraction joints shall be placed between expansion joints at distances not to exceed twenty-five feet (25').

(D) All expansion joints shall be constructed with a minimum one inch (1") thick performed expansion joint filler conforming to the cross section of the curb and gutter, and shall be provided with a one and one-fourth inch (1 1/4") diameter by eighteen inch (18") long, coated smooth dowel bar conforming to standard specifications. The dowel bar shall be fitted with a cap having a inched stop that will provide a minimum one inch (1") of expansion.

(E) Construction joints constructed in curb and gutter adjacent to Portland Cement Concrete pavement and Portland Cement Concrete base course, shall be provided with #4 deformed steel tie bars

at least thirty inches (30") long, and placed on nine inch (9") or more centers with a minimum of two (2) bars per joint.

SECTION 19-318. RELATIONSHIP TO EXISTING STREETS.

(A) Whenever any subdivision abuts an existing street that is narrower than the standards indicated in the this section, the developer shall dedicate sufficient right-of-way on the side abutting the subdivision to permit compliance with those standards at some future date.

(B) Every developer shall, at his own expense, improve existing streets within his subdivision to the standards imposed herein.

(C) Where a subdivision abuts or contains an existing or proposed minor arterial street, the Board of Trustees may require that access to said street be limited by one (1) of the following means:

(1) That lots be subdivided so that they back onto the minor arterial street and front onto a parallel land access street, thereby creating double frontage lots, and that the developer install screening in a reserve strip along the rear lot lines of such lots; or

(2) That the developer create a series of cul-de-sacs, U-shaped streets, or short loops entered from and generally at right angles to the minor arterial street, with the rear lot lines of the lots at the termini of such streets backing onto the minor arterial; or

(3) That the developer create a frontage road, separated from the minor arterial street by a planting strip, but having access thereto at suitable points.

(D) New residential streets shall be planned and laid out to discourage traffic through the subdivision, by avoiding a rigid rectangular street pattern, and by instead utilizing curvilinear streets, cul-de-sacs, or U-shaped streets to effect a more desirable street layout, and minimize traffic between streets outside the subdivision.

SECTION 19-319. DESIGNING BLOCKS.

(A) **Block Width.** Wherever practicable, blocks shall be sufficiently wide to accommodate two (2) tiers of lots having the minimum depth required by the applicable zoning district regulations.

(B) **Block Length.** No block shall be longer than one thousand four hundred feet (1,400'), nor shorter than five hundred feet (500'); provided,

however, that wherever practicable, blocks along collector streets shall not be less than one thousand feet (1,000') in length.

SECTION 19-320. DESIGNING INTERSECTIONS.

- (A) No more than two (2) streets shall intersect at any one (1) point.
- (B) Streets shall be laid out so as to intersect as nearly as possible at right angles.
 - (1) In no case shall two (2) streets intersect at an angle of less than seventy-five (75) degrees.
 - (2) An oblique street shall be approximately at right angles with said intersection for at least one hundred feet (100') there from.
- (C) Proposed new intersections along one (1) side of an existing street shall, wherever practicable, align with any existing intersection on the opposite side of such street.
 - (1) Street jogs with centerline offsets of less than one hundred fifty feet (150') shall not be permitted, except where the intersected street has divided lanes without median breaks at either intersection.
 - (2) Intersections involving collector or minor arterial streets shall be at least one thousand feet (1,000') apart.
- (D) Returns at intersections shall be made concentric and shall be rounded by a radius of not less than twenty feet (20') at the right-of-way line, and not less than thirty feet (30') at the back of curb line.
- (E) All street intersections shall be built in such a way that whenever practical, the cross-slopes thereon do not exceed three percent (3%).
- (F) Where any street intersection will involve earth banks or existing vegetation in a triangular area depicted herein, as Illustration 19-E, the developer shall cut such ground and/or vegetation, including trees, in connection with the grading of the public right-of-way.
- (G) Street name signs shall be erected by the developer at all intersections within or abutting any subdivision.
 - (1) Said signs shall be of embossed steel, U.S. Standard Street Name Signs, or the equivalent thereof, and measure six inches (6") by twenty-four inches (24") with lettering at least four inches (4") high.

- (2) All street name signs shall be mounted on two inch (2") diameter galvanized pipe set in concrete to a depth of at least three feet (3') and extending above the surface to a height of at least seven feet (7').

- (3) The names of new streets shall be significantly different in sound and spelling from the names of existing streets in the Village so as to avoid confusion.

- (4) A street, which is a continuation of an existing street, shall bear the same name as the existing street.

- (H) The Developer, at his own expense, shall provide street lights at all intersections and at intermittent locations in accordance with the design standards of the local electrical utility company and as approved by the Board of Trustees. Street lights shall be a minimum of 150 watt sodium vapor carriage lights on 18' fiberglass poles.

SECTION 19-321. DESIGNING CURVES.

- (A) Where curvilinear horizontal alignment is utilized for subdivision streets, the minimum centerline radius shall be as indicated below, unless otherwise dictated by site constraints and approved by the Village engineer:

(1) Collector Street	150 feet
(2) Alley	75 feet

- (B) If reverse curves are to be utilized on any collector street or arterial street, the radii of which are less than three hundred feet (300'), a tangent at least one hundred feet (100') in length shall be introduced between the curves, as depicted in Illustration 19-F.

SECTION 19-322. DESIGNING DEAD-END STREETS.

- (A) **Temporary Stub Streets.** Streets shall be so arranged to provide for the continuation of collector streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire and police protection, efficient provision of utilities, and where such continuation is in accord with the Village's Official Map.

- (1) If the adjacent property is undeveloped and any street must dead-end temporarily, the right-of-way shall be extended to the property line, a temporary turnabout shall be provided at the terminus, and no strip that would prevent connections with future streets shall be reserved.

(B) **Permanent Dead-End Streets.** For greater convenience to traffic and more effective police and fire protection, permanent dead-end streets shall be limited to one thousand feet (1,000') in length.

- (1) The terminus of a permanent dead-end street shall not be closer than fifty feet (50') to the boundary of an adjacent tract.
- (2) A cul-de-sac turnaround, having a minimum right-of-way radius of fifty feet (50') and a minimum pavement radius of forty-five feet (45'), shall be provided at the end of every permanent dead-end street, as depicted in illustration 19-G.

SECTION 19-323. DESIGNING SIDEWALKS.

(A) In an effort to ensure the safety of the walking public, sidewalks shall be required along both sides of streets in all zoning districts. This regulation shall apply to all streets located within and adjacent to a subdivision. (Ord 1576, 05/17/10)

Exception: In residential subdivisions with densities of one (1) housing unit, or less, per acre of gross area, sidewalks shall be required on one side of the street only.

- (1) No variation from the above requirements shall be granted unless the Village Board, having considered the Planning And Zoning Board's advisory report, determines that, in the area in question, sidewalks are not needed to ensure public safety, or that topographical conditions make the installation of sidewalks impractical.
- (B) In commercial areas, the sidewalk shall be located as far as practical from the traffic lanes (usually close to the right-of-way line). In residential areas, the sidewalk shall be located thirty inches (30") from the back of the curb along streets, and twelve inches (12") from the back of the curb around the radii of cul-de-sacs and half cul-de-sacs. The minimum unobstructed width shall be as follows:
- (1) Residential Districts - four feet (4') wide
 - (2) Nonresidential Districts - five feet (5') wide
 - (3) Sidewalks abutting curbs - six feet (6') wide
- (C) Every sidewalk shall be constructed of concrete at least four (4") inches thick that has a minimum compressive strength of 3500 PSI after 28 days. The finished surface of all sidewalks shall have a lightly brushed texture. Control joints shall be trowelled in at minimum 6' intervals. Expansion joints shall be placed at driveway crossings, at

both ends of the sidewalk, and, in the event of excessively long runs, as determined by the Village Engineer.

- (D) No sidewalk shall be constructed at a grade steeper than eight percent (8%) unless steps, and/or ramps, approved by the Village Engineer, are provided. The cross slope shall not exceed 1:50.
- (E) Curbs shall be cut and sidewalks ramped at all intersections and driveways so as to enhance the mobility of handicapped individuals. All ramps at intersections and other hazardous vehicular ways shall have a detectable warning texture.
- (F) When a sidewalk passes over a storm sewer inlet, the inlet cover depth shall be increased to five feet (5'). (See Illustration 19K)

SECTION 19-324. DEDICATION FOR PUBLIC USE.

Upon the effective date of this Chapter, it shall be unlawful to create any private street within the subdivision jurisdiction of the Village except as stipulated below.

(A) Every subdivider shall dedicate for public use, at least the minimum right-of-way indicated in the street design specifications contained herein.

Exception: In lieu of dedicating the minimum right-of-way for public use, private streets may be provided under the following circumstances:

1. Only one means of ingress and egress shall be constructed into the development.
 2. If more than one ingress/egress points are constructed, gates shall be installed to prohibit public thoroughfare.
 3. The method of operation of the gates shall be approved by the Village of Swansea Board of Trustees upon the recommendation of the Police and Fire chiefs.
 4. Adequate maneuverability must be provided throughout the development for all emergency vehicles.
 5. All streets must be kept in good repair at all times.
- (B) The Village engineer may require a subdivider to dedicate right-of-way in excess of the stated minimum if, in his professional opinion, he feels that:
- (1) Due to topography, additional width is necessary to provide adequate site lines; or

- (2) Due to the location of streams and railroads tracks, additional width is needed to construct bridges, underpasses, and/or safe approaches thereto.
- (C) Whenever a subdivision abuts an existing street that does not meet the street design specifications contained herein, the subdivider shall reserve sufficient right-of-way along the street abutting the subdivision so that, when additional right-of-way is acquired on the other site, compliance with said standards will be possible.
- (D) Any land that is dedicated or reserved for public rights-of-way, shall not be counted in determining compliance with the lot size and setback requirements set forth in the Swansea Zoning Code.

SECTION 19-325. STANDARDS FOR DRAINAGE AND STORM SEWERS.

Every residential, commercial and industrial development, having a gross aggregate area of one half (.5) acre or more, shall be provided with drainage facilities which can satisfactorily accommodate the storm water surface runoff, will effectively and satisfactorily manage storm water surface runoff, and provide for storm water detention. (Ord 1448, 04/03/2006)

~~(A) In order to insure compliance, every developer shall provide the following:~~

- ~~(1) Topography plans showing all existing and proposed grades, culverts, ditches, inlets, etc.;~~
- ~~(2) Detention calculations detailing total drainage area and breakdown of land usages, time of concentration, existing peak discharge for each design storm, existing and proposed runoff coefficient, and total required detention;~~
- ~~(3) Location of proposed detention detailing limits of ponding for each design storm and total available volume, detail of outlet structure(s), calculations showing peak discharge from outlet structure(s) for each design storm;~~

~~(B) The Village Engineer, on a case by case basis, shall have the authority to require additional information for a proper review and to grant variations from those requirements in this Section which may not apply.~~

~~(C) Any storm water design calculations reviewed and approved by the Illinois Department of Transportation shall serve as fulfilling the~~

~~requirements in this Section provided that the developer submits documentation of such approval.~~

~~(D) The minimal design requirements of this Chapter, shall not be construed to relieve the subdivider of any legal responsibilities for downstream/upstream storm water damages inflicted by runoff or backup from the development.~~

(A) In order to insure each development or re-development is in compliance, every developer shall provide the following:

1. Existing and proposed drainage plans delineating the existing topography and proposed grading topography of the site and at a distance of fifty (50) feet surrounding the site at a maximum of two (2) foot contour intervals showing the following:

- (a) A vicinity map showing the relationship of the site to its general surroundings at a scale of not less than 2,000 feet to one inch (1:24,000)
- (b) Title, scale, north arrow, legend, seal of Illinois Licensed Professional Engineer, date, and name of person preparing plans
- (c) Property boundary, dimensions, and approximate acreage
- (d) Building setback lines
- (e) All existing, or proposed easements
- (f) All existing and proposed structures and sizes
- (g) Location, size, and slope of storm water conduits and drainage swales
- (h) Shoreline of lakes, ponds, and detention basins with normal pool water level elevation
- (i) The banks and centerline of streams and channels
- (j) Roads, streets and associated storm water inlets including finished grades
- (k) Base flood elevation, flood fringe, and regulatory floodway
- (l) FEMA Map Panel, as appropriate
- (m) Existing and proposed watershed area divisions, and designated overland flow paths
- (n) Cross-section data for open channel flow paths
- (o) "Area" in square feet, or acres of existing and proposed impervious surface within each watershed
- (p) All known existing, abandoned, or proposed water or monitoring well head locations
- (q) All known sanitary or combined sewer lines
- (r) All known septic systems, aeration systems, and private disposal systems
- (s) Known farm drains and tiles

- (t) Detention facilities
- (u) The limits of designated regulatory and non-regulatory wetland areas
- (v) Depressional storage areas
- (w) The location and limits of known sinkholes (Karst areas)
- (x) Any known designated natural areas, prime farmland
- (y) Any known proposed environmental mitigation features.

2. A hydrologic/hydraulic drainage report prepared by a professional engineer licensed in the State of Illinois shall be provided with design calculations to substantiate the design for all proposed storm sewers; pipe culverts, cross road culverts; and swales and ditches. Hydraulic encroachment computations shall also be provided to ensure storm water does not unduly encroach onto pavement areas. Proposed drainage areas, land uses, runoff coefficients, flow rates, capacities, velocities, and hydraulic grade lines are to be calculated and included in the report. The design of erosion control devices shall also be included in the report. A clearly legible drainage area map shall be provided with the hydraulic calculations indicating existing and proposed watershed and sub-watershed areas.

The drainage report shall also include hydrologic/hydraulic storm water detention calculations detailing existing and proposed watershed drainage areas; design summary of land usages and runoff coefficients; time of concentration computations; computation of peak discharge runoff rates for each design storm and identifying the critical storm event; computation of detention volumes delineating the stage vs. storage for the detention facility in a tabular chart, and a flow rating table of the outflow structure delineating stage vs. flow capacity in a tabular chart.

3. The location of proposed detention basins detailing the limits of ponding for each design storm and the total available volume, details of outlet structure(s), and details of erosion control device(s) shall be provided.

4. A statement of certification of all drainage plans, exhibits, calculations, and supporting data by an Illinois Licensed Professional Engineer.

(B) The Village Engineer, on a case by case basis, shall have the authority to require additional information for a proper review and to grant variations from those requirements in this Section which may not apply.

C) Any storm water design calculations reviewed and approved by the Illinois Department of Transportation or Illinois Department of Natural

Resources – Office of Water Resources shall serve as fulfilling the requirements in this Section provided that the developer submits documentation of such approval.

(D) The minimal design requirements of this Chapter shall not be construed to relieve the subdivider of any legal responsibilities for downstream/upstream storm water damages inflicted by runoff or backup from the development. (Ord 1448, 04/03/2006)

SECTION 19-326. GENERAL DESIGN CONSIDERATIONS.

~~The plans and specifications of every drainage and storm sewer system shall include provisions to show compliance with the drainage laws of the state and any subdivision thereof in effect at that time. By requiring that the subdivider evidence planned compliance with drainage laws, the Village assumes no responsibility to landowners or others for damage caused by noncompliance with such laws. In addition:~~

~~(A) Properly sized storm sewers shall be provided to carry surface runoff from streets and curb and/or gutters and shall be of sufficient length that they transport the runoff at least sixty feet (60') from the street pavement.~~

~~(B) Natural drainage swales may be utilized to accommodate surface runoff providing they are located near lot lines and the flows induced therein do not pose health or safety hazards for residents;~~

~~(C) Drainage facilities shall be adequate to accommodate potential runoff from the entire drainage area upstream of the proposed subdivision.~~

~~(1) Potential runoff shall be determined on the basis of maximum land use of the upstream area that is consistent with current zoning or adjacent land use trends;~~

~~(D) In order to protect downstream property from potential damages by increased flows or greater velocities, the Village may require any subdivider to install drainage detention facilities, where such facilities are deemed necessary in the interest of public safety and welfare.~~

~~(1) Drainage detention facilities shall be designed to accommodate the excess runoff, due to the proposed development, from the ten and one hundred year design storm. All drainage calculations shall be accompanied by the "Engineer's Hydraulic/Hydrologic Drainage Summary~~

~~and Certification" as listed in Illustration 10-L.~~

SECTION 19-326. GENERAL DESIGN CONSIDERATIONS.

The design, plans, and specifications of every storm sewer system, cross road culvert, storm water detention facility, ditch, swale, and channel shall include provisions to show compliance with the drainage laws of the State of Illinois and any subdivision thereof in effect at that time. By requiring that the subdivider or developer evidence planned compliance with drainage laws, the Village assumes no responsibility to landowners or others for damage caused by noncompliance with such laws.

In general, all drainage system design and construction shall conform to the Illinois Department of Transportation Standard Specifications for Road Construction (latest edition) unless otherwise modified herein.

Sump pumps may be connected to the storm sewer system but shall only enter the system above the hydraulic grade line for the twenty-five (25) year design storm event. By connection of the sump pump to the Village's storm sewer system, the Village takes no responsibility for the operation, maintenance, or ownership of the sump pump system.

All sump pumps shall be fitted with an appropriate check valve to prevent backflow of storm water. The Village shall not be liable for any damage due to backup of storm water due to failure of the sump pump check valve and appurtenances. (Ord 1448, 04/03/2006)

Place aggregate in maximum 8 inch layers and compact to 95 percent, maximum dry density ASTM D698, Standard Proctor, except for the top 4 feet of trench, which shall be compacted to 97 percent maximum dry density, ASTM D698, Standard Proctor. Lift size may be increased when it is demonstrated that compaction requirements can be met using other methods. (Ord 1622, 08/01/2011)

SECTION 19-327. SPECIFIC DESIGN REQUIREMENTS.

(A) All pipe sewers shall be determined by utilization of either the "rational method," or the SCS method, or both, for the design storms previously specified. In addition:

- (1) The minimum diameter permitted shall be twelve inches (12"). The minimum diameter permitted shall be twelve inches (12");
- (2) Pipes/storm sewers located under paved surfaces and right-of-way shall be of

~~reinforced concrete pipe with rubber gasket joints and sufficient wall thickness and reinforcement to carry the intended loading, and with materials meeting the requirements of ASTM C-76 and ASTM C-443; or of pre-coated galvanized steel pipe meeting the requirements of AASHTO M245-78 and M246.~~

~~(3) If pre-coated galvanized steel pipe is utilized, no joints shall be allowed under paved surfaces, unless approved by the Village engineer.~~

~~(4) Pipes/storm sewers shall be provided to satisfactorily accommodate the surface runoff incident to the ten(10)-year design storm.~~

~~(B) Pipes/storm sewers located outside paved surfaces and right-of-way may be of any of the following materials;~~

~~(1) Reinforced concrete pipe with sufficient wall thickness and reinforcement to carry the intended loading and meeting the requirements of ASTM C-76;~~

~~(2) Pre-coated, galvanized steel pipe meeting the requirements of AASHTO M245-78 and M246; provided, the subdivider shall be reasonable for providing plate thicknesses in accordance with IDOT standard specifications.~~

~~(C) All trenches for pipe/storm sewers that are located under paved surfaces shall be properly backfilled and properly compacted to a density not less than ninety-five percent (95%) of maximum density, as defined. Manholes shall be constructed as depicted in Illustration 10-H.~~

~~(D) The spacings for inlets/catch basins shall be calculated so that the runoff from the design storm shall not encroach upon the pavement by more than eight feet (8'); provided, however, that under no circumstances shall such spacing exceed five hundred feet (500').~~

~~(1) Inlets/catch basins shall be constructed in accordance with the standards depicted herein as Illustration 10-I, Illustration 10-J, and Illustration 10-K.~~

~~(E) The minimum and maximum gradients of pipes/storm sewers shall conform to the following criteria:~~

~~(1) Minimum grade shall be three tenths percent (.3%);~~

~~(2) There is no maximum grade; provided, however, that rip rap and/or energy~~

~~dissipaters shall be utilized at discharge points, as needed, to minimize erosion.~~

~~(F) The minimum and maximum gradients of earth drainage ways and/or swales shall conform to the following criteria:~~

~~(1) Minimum grade shall be one percent (1%), which may be reduced to thirty-five hundredths percent (.35%) if paved with concrete.~~

~~(2) Maximum grade shall be three percent (3%) with no protection other than sod, or twelve percent (12%) with paving, rip-rap, and/or energy dissipaters.~~

SECTION 19-327. SPECIFIC DESIGN REQUIREMENTS.

STORM SEWERS and INLETS

A. Design Methodology

- ~~(1) All storm sewer piping systems, roadway ditches, and appurtenant pipe culverts shall be sized utilizing the "Rational Method" of design as described in Chapter 4 -Hydrology of the Illinois Department of Transportation Drainage Manual for drainage areas less than 200 acres.~~
- ~~(2) Storm sewer pipes, pipe culverts, and inlet devices shall be provided to satisfactorily accommodate the surface runoff incident to the twenty-five (25) year design storm event.~~
- ~~(3) The hydraulic grade line of the system at any inlet or storm manhole shall not be higher than two (2) feet below the inlet sill or the top of a manhole or junction box.~~
- ~~(4) An overland flow path shall be provided to safely pass flows which cannot be accommodated by the design storm event.~~

B. Rainfall Intensities

~~All design rainfall events for storm sewer design shall be based on the Illinois State Water Survey's - Bulletin 70 (Refer to Table 13, Sectional Frequency Distributions for Storm Periods of 5 Minutes to 10 Days and Recurrence Intervals of 2 Months to 100 Years) . The total rainfall value for the design storm shall be adjusted for the "St. Louis Urban Effect" as given in Table 4, Illinois State Water Survey Circular 172.~~

C. Runoff Coefficients

The proposed impervious surface (paved and building areas) runoff coefficient shall be 0.95 and the runoff coefficient for lawns shall be 0.20. Wooded and forested area runoff coefficients shall be 0.12. For a typical subdivision the runoff coefficient shall be determined by calculating a composite street and lot coefficient for the area that flows toward the street. A separate composite lot coefficient may be computed for yard inlets. If the engineer wishes to use only one coefficient for the storm sewer design, the most conservative composite runoff coefficient shall be used.

D. Storm Sewer Materials

- (1) Storm sewer pipes located under paved surfaces and within right-of-way shall be reinforced concrete pipe with rubber gasket joints and with sufficient wall thickness and reinforcement to carry the design loading, and with materials conforming to the requirements of ASTM C-76 Reinforced Concrete Culvert, Storm Drain and Sewer Pipe with joints conforming to ASTM C-443 Joints for Circular Concrete and Culvert Pipe utilizing Rubber Gaskets.
- (2) The type of storm sewer pipe materials used when replacing or repairing existing storm sewer pipes shall be at the discretion of the Village Engineer.
- (3) Storm sewer pipes and pipe culverts located outside of paved surfaces and right-of-way may be of any of the following materials:
 - (a) Reinforced concrete pipe with sufficient wall thickness and reinforcement to carry the intended loading and meeting the requirements of ASTM C-76 Reinforced Concrete Culvert, Storm Drain and Sewer Pipe.
 - (b) Pre-coated, galvanized steel pipe meeting the requirements of AASHTO M245-78 and M246; provided the plate thicknesses conform to IDOT standard specifications
 - (c) Aluminized steel Type 2 corrugated culvert pipe meeting the requirements of AASHTO M274 and M36 and conforming to IDOT standard specifications.
 - (d) Polyethylene pipe conforming to AASHTO M294-94. This pipe shall have an integrally formed smooth wall interior. Joints shall be elastomeric gasketed in conformance with ASTM F477-93. Pipe shall not be exposed to direct sunlight for more than six months. Pipe shall have metal end sections.

E. Storm Sewer Construction

- (1) Properly sized storm sewer(s) shall be provided to carry surface runoff from streets and curb and/or/gutters and shall be of sufficient length that they transport the runoff at least sixty feet (60') from the street pavement back of curb.
- (2) The minimum diameter of storm sewers shall be twelve inches (12") and the minimum diameter of pipe culverts shall be fifteen inches (15").
- (3) The minimum and maximum gradients of pipes/storm sewers shall conform to the following criteria:
 - (a) Minimum grade shall be three tenths percent (0.3%).
 - (b) There is no maximum grade; provided that erosion control devices shall be utilized for all outfalls of storm sewers or pipe culverts in accordance with the design requirements of HEC-11.
- (4) All site drainage design, including outfalls of storm sewers and storm water detention facilities, shall take into account the effects of downstream tailwater conditions.
- (5) All trenches for storm sewer pipes and pipe culverts that are located under paved surfaces shall be properly backfilled and properly compacted to a density not less than ninety-five percent (95%) of maximum density, as defined in ASTM D2321. Manholes shall be constructed as depicted in Illustration 19-H.

F. Inlet/Catch Basins Construction

- (1) Inlets/catch basins shall be constructed in accordance with the standards depicted herein as Illustration 19-I, Illustration 19-J, and Illustration 19-K.
- (2) The spacing for inlets/catch basins shall be calculated so that the runoff from the design storm shall not encroach upon the pavement by more than five feet (5') from the back of curb provided, however, that under no circumstances shall such inlet/catch basin spacing exceed three hundred feet (300'). Calculations should include curb and gutter and inlet capacity and consideration of bypass flows
- (3) The intersection of inlet tops with sidewalks should be detailed for each location to ensure continuity in the sidewalk jointing, expansion joint placement, and final surface elevation.

CROSS ROAD CULVERTS, BRIDGES, AND CHANNELS

A. Design Methodology

- (1) In general, all cross road culverts, bridges, and channels shall be sized utilizing the USGS Regression Equation. The rural USGS Regression Equation shall be utilized for watersheds from 0.02 square miles to 10,000 square miles. In urbanized areas, the urban USGS Regression Equation methodology shall be utilized for watersheds from 0.7 to 630 square miles. Since the USGS Regression Equation may produce conservative results in watersheds less than 320 acres, it may be necessary to compare the results computed to other methodologies such as the Rational Method, SCS TR-55 or HEC-1 computer analysis. In complex watersheds, SCS TR-55, or HEC-1 Flood Hydrograph Computer modeling shall be utilized to compute peak storm water flows. A HEC-RAS analysis shall be developed to size the structures or channel and establish water surface profiles created by the proposed drainage system based on the aforementioned hydrologic models.
- (2) Watersheds over one square mile are subject to review by the Illinois Department of Natural Resources (IDNR) Office of Water Resources (OWR) and should be designed under the specific requirements of the IDNR-OWR.
- (3) All cross road culverts, bridges and channels shall be provided to satisfactorily accommodate the runoff incident to the one-hundred (100) year design storm event. A minimum of two feet of freeboard shall be provided below roadway shoulders to the 100-year flood elevation, taking into account the headwater and tailwater effects of the culvert.
- (4) For a new culvert crossings, the water surface profile increase shall not exceed 0.5 feet at the structure, nor 0.1 foot at a point 1000 feet upstream of the structure as determined by the horizontal projection of the maximum created head and the slope of the hydraulic grade line.

B. Rainfall Intensities

- (1) For HEC-1 and SCS TR-55 modeling of cross road culverts, channels, and bridges, the design rainfall intensities shall be based on Illinois State Water Survey Bulletin 70 (Refer to Table 13. Sectional Frequency Distributions for Storm Periods of 5 Minutes to 10 Days and Recurrence Intervals of 2

Months to 100 Years). The total rainfall value for the design storm shall be adjusted for the "St. Louis Urban Effect" as given in Table 4, Illinois State Water Survey Circular 172.

- (2) Rainfall shall be distributed utilizing the Huff distributions in Illinois State Water Survey Circular 173 (Table 3. Median Time Distributions of Heavy Storm Rainfall at a Point). The first quartile point rainfall distribution shall be used for durations less than or equal to six hours. The second quartile distribution shall be used for storms greater than six hours and less than or equal to twelve hours. The third quartile point rainfall distribution shall be used for durations greater than 12 and less than or equal to 24 hours. The fourth quartile distribution shall be used for durations greater than 24 hours. All quartiles should be run for each required frequency to determine the controlling peak storm duration, for each frequency.

C. Cross Road Culvert Materials

- (1) Cross road culverts shall be reinforced concrete pipe with rubber gasket joints and with sufficient wall thickness and reinforcement to carry the design loading, and with materials conforming to the requirements of ASTM C-76 Reinforced Concrete Culvert, Storm Drain and Sewer Pipe with joints conforming to ASTM C-443 Joints for Circular Concrete and Culvert Pipe utilizing Rubber Gaskets, or reinforced concrete box culverts conforming to ASTM C-789 Pre-cast Reinforced Concrete Box Sections for Culverts, Storm Drains and Sewers, or ASTM C850 Pre-cast Reinforced Concrete Box Culverts, Storm Drains, and Sewers with less than 2 feet of Cover Subjected to Highway Loadings.
- (2) All cross road culverts shall be constructed with appropriate end sections conforming to the roadway embankment slope or be constructed with headwalls.
- (3) The type of culvert pipe material used when replacing or repairing existing cross road culverts shall be at the discretion of the Village Engineer.

D. DRAINAGE SWALES

- (1) Natural drainage swales may be utilized to accommodate surface runoff providing they are located near lot lines and the flows induced therein do not pose health or safety hazards for residents.

- (2) In general, all drainage swales having less than 1.0% slope shall be paved with Portland Cement Concrete or shall utilize storm sewers to transport storm water flows.
- (3) The minimum and maximum gradients of earth drainage ways and/or swales shall conform to the following criteria:
 - (a) Minimum grade shall be one percent (1%), which may be reduced to thirty five hundredths percent (0.35%) if paved with concrete, or as approved by the Village engineer.
 - (b) Maximum grade shall be three percent (3%) with no protection other than sod, or twelve percent (12%) with paving, rip rap, and/or energy dissipaters.
- (4) All new or improved storm water drainage swales created in new developments shall not allow overland drainage to exceed 250 feet without being captured by a storm sewer system. The velocity of flow in these drainage swales shall not exceed 5 fps unless measures are taken to avoid erosion.
- (5) Area inlets shall be required to intercept flows greater than four (4) cfs in paved or un-paved swale areas.

STORM WATER DETENTION FACILITIES

In order to protect downstream property from potential damages by increased flow rates or greater velocities, the Village may require the installation of drainage detention facilities, where such facilities are deemed necessary in the interest of public safety and welfare.

All detention facilities shall be located in outlots.

A. Design Methodology

- (1) Storm water detention systems for new developments or re-developments as a minimum shall be designed to control the peak rate of discharge from the property for the 2-year, 24-hour and 100-year, 24-hour storm events to discharge rates at or below those which existed prior to development utilizing approved runoff hydrograph methods as outlined herein. In addition, the storm water detention system shall be designed to control the peak rate of discharge from the property for the 1-hour, 2-hour, 3-hour, 6-hour, 12-hour, and 24-hour storm event, whichever is determined to be the most critical. Additionally, the discharge from a storm water detention facility shall not cause an increase in flooding or channel instability downstream when considered in aggregate

with other developed properties and downstream drainage capacities.

- (2) All hydrologic/hydraulic drainage calculations shall be accompanied by the "Engineer's Hydraulic/Hydrologic Drainage Summary and Certification" as listed in Illustration 19-L.
- (3) For detention basins with drainage areas less than 200 acres the modified rational method as described in the IDOT Drainage Manual in Chapter 4 – Hydrology and Chapter 12 – Detention. In addition, the existing and proposed impervious surface (paved and building areas) runoff coefficient shall be 0.95, and existing and proposed agricultural, pastures, wooded areas, and lawns shall be 0.20. Wooded and forested area runoff coefficients shall be 0.12.
- (4) Detention basins with more complex watersheds or watersheds exceeding 200 acres shall be analyzed utilizing a hydrograph routing method that is generally acceptable to the Illinois Department of Natural Resources Office of Water Resources such as the Soil Conservation Service TR-20 and TR-55 Methodology, or the Corps of Engineers HEC-1 computer model to develop inflow and outflow hydrographs for the existing and proposed condition runoff and for routing through the detention basin.

B. Rainfall Intensities

- (1) Design rainfall events for storm water detention design utilizing the "Rational Method" of analysis shall be based on the Illinois State Water Survey's - Bulletin 70 (Refer to Table 13. Sectional Frequency Distributions for Storm Periods of 5 Minutes to 10 Days and Recurrence Intervals of 2 Months to 100 Years) . The total rainfall value for the design storm shall be adjusted for the "St. Louis Urban Effect" as given in Table 4, Illinois State Water Survey Circular 172.
- (2) For SCS-TR-55 and TR-20 methodology and HEC-1 Methodology, Rainfall shall be distributed utilizing the Huff distributions in Illinois State Water Survey Circular 173 (Table 3. Median Time Distributions of Heavy Storm Rainfall at a Point). The first quartile point rainfall distribution shall be used for durations less than or equal to six hours. The second quartile distribution shall be used for storms greater than six hours and less than or equal to twelve hours. The third quartile point rainfall distribution shall be used for durations greater than 12 and less than or equal to 24 hours. The fourth quartile distribution shall be used for durations greater than 24 hours. All

quartiles should be run for each required frequency to determine the controlling peak storm duration, for each frequency.

C. Storm Water Detention Basin Construction

- (1) Where detention or retention basins are to be used as part of the drainage system for a property, they shall be constructed as the first element of the initial earthwork program. Any eroded sediment captured in these facilities shall be removed by the applicant on a regular basis and before project completion in order to maintain the design volume of the facilities.
- (2) When practical, flows from offsite upstream areas should be bypassed around detention basins, whenever possible. The piping should be designed to pass the 100-year storm event based on maximum land use that is consistent with the current zoning or adjacent land use trends. If offsite flows are directed into the detention basin, allowable release rates for the pertinent watersheds and sub-watersheds shall not be modified above existing condition runoff rates.
- (3) The placement of a detention basin in the flood fringe area shall require compensatory storage for 1.5 times the volume below the base flood elevation occupied by the detention basin including any berms. The release from the detention storage provided shall still be controlled consistent with the requirements of this section. The applicant shall demonstrate its operation for all stream-flow and flood plain backwater conditions. Excavations for compensatory storage along watercourses shall be opposite or adjacent to the area occupied by detention. All floodplain storage lost below the existing ten-year elevation shall be replaced below the existing ten-year elevation. All flood plain storage lost above the existing ten-year elevation shall be replaced above the existing ten-year flood elevation. All compensatory storage excavations shall be constructed to drain freely and openly to the watercourse.
- (4) Detention basins should have an emergency spillway for conditions that exceed the storage volume. The maximum ponding elevation shall be calculated based on a routing of the 100-year design storm assuming the low-flow outlet is blocked with water ponded to the overflow structure's sill. A minimum of one (1) foot of freeboard shall be provided from the maximum ponding elevation to the top of the basin.
- (5) Where a single pipe outlet or orifice plate is to be used to control discharge, it shall have a

minimum diameter of 4 inches. Smaller basins may install a smaller rectangular or v-notch weir to control discharge. If this minimum orifice size permits release rates greater than those specified in this section, and regional detention is not a practical alternative, outlets, structures such as perforated risers, or flow control orifices shall be used.

- (6) All ends of pipes discharging into a dry basin shall be connected with the low-flow pipe (outflow structure) by means of a paved swale. The paved swale shall be non-reinforced concrete, four (4) inches thick, with a minimum two (2) percent slope to the center and a minimum 0.35 percent longitudinal slope. Paved swales shall be a minimum of four (4) inches deep and three (3) feet wide or 1.3 times the diameter of the pipe entering the basin, whichever is greater, and be keyed to the structure. The bottom of the basin shall be sloped a minimum of two (2) percent towards the concrete swale.
- (7) The maximum planned depth of storm water stored shall not normally exceed four feet (4').
- (8) The maximum side slopes for grassed dry basins shall not exceed one (1) foot vertical for three feet (3') horizontal (3H: 1 V slope). The maximum side slopes for grassed wet basins shall not exceed one(1) foot vertical for five (5') horizontal (5H: 1V slope). All wet basins shall have a level safety ledge at least four feet in width 2.5 to three feet below the normal water depth.
- (9) In no case shall the limits of maximum ponding be closer than thirty feet (30') horizontally from any building and less than two feet (2') vertically below the lowest sill elevation.
- (10) In no case shall the limits of maximum ponding be closer than ten feet plus one and one-half time the depth of the basin from the right-of-way. If there is an easement behind the right of way, then this distance shall be measured from the edge of the easement.
- (11) The maximum storm water ponding depth in any parking area shall not exceed six (6) inches for more than one (1) hour.

(Ord 1448, 04/03/2006)

SECTION 19-328. STANDARDS FOR UTILITIES.

All utility lines, including gas, electric power, telephone, and CATV lines, shall be located underground throughout every subdivision. Underground service connections to the property line

of each platted lot shall be installed at the developer's expense; provided, however, that the Village Board may waive the requirement for service connections to each lot if adjoining lots are to be retained in single ownership.

SECTION 19-329. SPECIFIC STANDARDS FOR WATER FACILITIES.

- (A) Whenever the public water system is reasonable accessible, that is, within two hundred feet (200') of the subdivision, every lot shall be provided with a connection thereto at the lot line.
- (B) If the public water system is not reasonably accessible, individual wells may be used or a private central water system may be developed, provided such facilities are approved by the Village Engineer.
- (C) All water distribution lines shall be at least six inches (6") in diameter.

~~(D) The use or attempt to use a potable water supply groundwater from all depths in the following locations, specifically denoted in the "Groundwater Ordinance Area" attached to the applicable ordinance, by the installation or drilling of wells or by any other method is hereby prohibited, except for such uses or methods in existence before the effective date of the applicable ordinance:~~

~~(1) 1718 North Illinois Street; Swansea, Illinois
62226 Ordinance No. 1450, effective April
30, 2006~~

~~(2) 1341 North Illinois Street; Swansea, Illinois
62226 Ordinance No. 1646, effective May
17, 2012~~

~~This limitation shall apply to the Village of Swansea or any other person's construction or attempt to construct a well.~~

~~"Persons" shall mean any individual, partnership, co-partnership firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns.~~

~~"Potable water" shall mean any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes or preparing foods.~~

~~(E) Any person violating the provision of this code section shall be subject to a fine of up to \$750.00. (Ord 1733, 12/7/15)~~

~~(E) Any person violating the provision of this code section shall be subject to a fine of up~~

to \$500.00 for each violation, (as set forth in Section 1-114 Imposition of Penalty of the Swansea Municipal Code. (Ord 1646, 05/07/2012)

(D) (1) The use or attempt to use a potable water supply groundwater from all depths in the following locations, specifically denoted in the "Groundwater Ordinance Area" attached to the applicable ordinance, by the installation or drilling of wells or by any other method is hereby prohibited, except for such uses or methods in existence before the effective date of the applicable ordinance:

(a) 1718 North Illinois Street; Swansea, Illinois 62226, as described in Ordinance No. 1450, effective April 30, 2006;

(b) 1341 North Illinois Street; Swansea, Illinois 62226, as described in Ordinance No. 1646, effective May 17, 2012; and

(c) 2040 Llewellyn Road, Swansea, Illinois 62226, as described on Exhibits A & B attached hereto and incorporated by reference herein.

(2) This limitation shall apply to the village or any other person's construction or attempt to construct a well.

(3) (a) PERSONS shall mean any individual, partnership, co-partnership firm, company limited liability company, corporation, association, joint stock company, trust, estate, political subdivision or any other legal entity, or their legal representative, agents, or assigns.

(b) POTABLE WATER shall mean any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes or preparing goods.

(E) Any person violating the provision of this code section shall be subject to a fine of up to \$750.00. (Ord 1733, 12/7/15)

SECTION 19-330. SPECIFIC STANDARDS FOR SANITARY SEWERS.

All sanitary sewer facilities shall be installed in compliance with the regulations of the Illinois Department of Public Health and the Illinois Environmental Protection Agency, and must be approved by the Village Engineer.

(A) Whenever the public sanitary sewerage system is reasonably accessible, that is, when the distance from the property to be subdivided to the nearest public sewer with available capacity does not exceed two hundred feet (200'), the

developer shall extend said system throughout the subdivision, and shall provide each lot with a connection thereto.

(B) In areas where the public sanitary sewerage system is not reasonably accessible, but where plans for the installation of said system have been approved by the Illinois Environmental Protection Agency, the developer shall provide sanitary sewers in accordance with such plans and temporarily cap them.

(C) Except as provided in Subsections 19-330(A) or (B), whenever connection to the public sewerage system is not reasonably accessible and plans for such a system have not been approved by the IEPA, the developer shall install a private central sewerage system approved by the Village Engineer.

(D) Whenever the provisions of Subsections 19-330 (A), (B), or (C) above are applicable, the developer shall comply with the following regulations:

(1) The developer shall attempt to locate every sanitary sewer main within the area between the pavement edge and the right-of-way line of the street.

(2) Where a sewer main crosses a proposed street, the developer shall back fill with compacted limestone screenings, sand, or other approved granular material.

(3) The developer shall provide a six inch (6") service connection for each residential lot, the lateral of which, shall be extended at least ten feet into the lot, as measured from the lot line, and extended vertically to a minimum of three feet (3') above the finished grade level. The exposed end shall be sealed with a six inch (6") cap glued in place. The transition from the horizontal to the vertical shall be made by the use of a six inch (6") ninety degree (90) "long sweep" or a series of two forty-five degree (45) elbows.

(4) Where a lateral crosses a proposed street, the trench shall be backfilled with limestone screenings, sand, or other approved granular material.

(5) All sections of all sanitary sewer mains, laterals, etc. shall be air tested. All Mains shall also be mandrel tested, lamped, and televised. All testing shall be done by an independent testing agency approved by the Village.

(a) When air testing, all sections of sanitary sewer mains, laterals, etc., 8" or less in diameter, shall be pressurized to at least 4 p.s.i. above the surrounding ground water pressure, and must not drop more than 1

p.s.i. after a minimum duration of 5 minutes. Sewer mains over 8" in diameter shall be tested as required by the Village Engineer. A copy of the testing results, showing a minimum of the initial test pressure, the final test pressure and the duration of the test shall be submitted to the Village prior to final acceptance of the development. The test results shall be certified by the testing agency.

- (b) An approved testing company shall televise all sanitary sewer mains. A VHS tape denoting the manhole number, distance between laterals and manholes shall be depicted on the tape. The manhole number on the tape shall be the manhole number shown on the plans for the development and the corresponding Village designated manhole number. A report in 8 1/2" x 11" format shall be submitted detailing the results of the videotape. The videotape and the report shall identify all observed construction deficiencies, pipe material flaws, etc. The report and a copy of the VHS tape shall be submitted to the Village.
- (c) All sanitary sewers mains shall be lamped by an approved, independent agency to insure consistent slope and alignment prior to acceptance. A report shall be submitted to the Village.
- (d) All manholes shall be vacuum tested. The vacuum should reach ten (10) inches water column and hold the pressure for the time specified in the following chart.

Manhole Depth (feet)	Time(In Sec.)		
	48-inch diam.	60-inch diam.	72-inch diam.
8	20	26	33
10	25	33	41
12	30	39	49
14	35	46	57
16	40	52	65
18	45	59	73
20	50	65	81
22	55	72	89
24	59	78	97
26	64	85	105
28	69	91	113
30	74	98	121

If the vacuum drops more than one inch within the test time, the manhole is considered unacceptable. A copy of the testing results, showing a minimum of the initial test pressure, the final test pressure and the duration of the test shall be submitted to the Village

prior to final acceptance of the development. The test results shall be certified by the testing agency.

- (e) The developer shall provide a sanitary sewer as-built to the Village. The as-built shall show the location, flowline and depth of all manholes and the location of all laterals. All elevations shall be based upon the existing sewer system datum of the Village. The developer shall submit all as-built data both on hard copy and in an Autocad format as approved by the Village.

SECTION 19-331. SPECIFIC STANDARDS FOR INDIVIDUAL SEWERS.

- (A) Individual sewage disposal facilities shall not be installed in any subdivision containing more than ten (10) lots as shown on the final plat or as subsequently developed.
- (B) Where individual disposal facilities are permitted, the Village Board may require that the minimum lot size be increased above the usual zoning district requirements to provide adequate area for drain fields.

SECTION 19-332. STANDARDS FOR EASEMENTS.

- (A) Unless utilities are to be installed in the public rights-of-way, easements not less than ten feet (10') wide shall be provided on each side of all rear lot lines, and alongside side lot lines where necessary for storm and sanitary sewers; gas, water and other mains; and for underground electric and telephone lines.
- (B) Easements of greater width may be required along or across lots when necessary for the extension of main sewers or other utilities or where both water and sewer lines are located in the same easement.
- (C) Adequate easements for storm water drainage shall be established along any natural drainage channel and in such other locations as may be necessary to provide satisfactory disposal of storm water from streets, alleys, and all other portions of the subdivision.
 - (1) The location and minimum widths of such easements shall be determined by the Village Engineer.
- (D) It shall be unlawful for any person to deny access to such easements to authorized officials upon display of proper identification.
- (E) No person shall erect any structure or plant any tree or shrub in any easement or within any

street or alley right-of-way, except at the owner's risk with respect to all costs for demolition, removal or reconstruction thereof.

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CHAPTER 19

SWANSEA SUBDIVISION CODE

PART 4

ADMINISTRATION AND ENFORCEMENT

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SECTION 19-402. SCHEDULE OF FEES.

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SECTION 19-401. PENALTIES.

- (A) Any person who violates, disobeys, omits, neglects, refuses to comply with, or who resists enforcement of any provisions of this Chapter, shall be subject to a fine of not less than twenty-five dollars (\$25.00), nor more than five hundred dollars (\$500.00), plus costs, for each offense.
- (B) Each day that a violation continues after notification is given thereof, shall be considered a separate offense.
- (C) Notification shall be by regular mail from the Village to the last known mailing address of the violator.
- (D) Nothing contained in this section shall prevent the Village from taking any other lawful action that may be necessary to secure compliance with this Chapter.

SECTION 19-402. SCHEDULE OF FEES.

- (A) The following schedule establishes fees for the various procedures listed in this Chapter, which are intended to defray the administrative costs connected with such procedures, and as such do not constitute a tax or other revenue-raising device:

<u>Procedure</u>	<u>Fee</u>
(1) Filing of preliminary plat:	\$500.00 plus \$5.00 <u>\$10.00</u> per lot or building site with a min. of \$600.00
(2) Filing of improvements plans for same subdivision:	<u>re-charge</u> <u>Fees for the</u> <u>Village Engineer's</u> <u>review of the</u> <u>Improvement</u> <u>Plans and any</u> <u>inspections of</u> <u>improvements</u> <u>must be paid by</u> <u>the Developer..</u>

- (3) Filing of final plat of same subdivision: re-charge
Included in fees
- (4) Inspection of improvements of same subdivision: re-charge
see #2 above
- (5) Filing an amended plat after approval has been granted: \$ 500.00 plus
\$ 10.00 per
lot or building
site with min.
of \$ 600.00.
- (6) Filing of final plat for minor subdivision:
~~\$ 40.00~~
\$ 50.00
- (7) Variation: ~~\$ 100.00~~
\$ 225.00
- (8) Amendment to the Subdivision Code Text (Ord 1551, 05/18/09) \$100.00

- (B) Until such fees have been paid, no request for any of the above shall be deemed to have been filed and no procedure shall be initiated.

SECTION 19-403. AUTHORITY.

- (A) The primary authority for administration and enforcement of the provisions of this Chapter shall be vested in the following:
 - (1) Code Administrator;
 - (2) Village Engineer;
 - (3) Planning And Zoning Board;
 - (4) Board of Trustees.
- (B) In addition to the above, other officials, appointees, or employees of the Village may be required and authorized to perform functions authorized in this Chapter.

SECTION 19-404. CODE ADMINISTRATOR.

The Code Administrator, established in Chapter 2, Part 9, Section 2-901, of the "Swansea Municipal

Code", is hereby authorized and empowered to administer and enforce provisions of this Chapter as listed in Section 19-407.

SECTION 19-405. APPOINTMENT AND TERM OF OFFICE.

Procedures for the appointment of the Code Administrator and his respective term of office, shall be governed by the provisions of Chapter 2, Part 9, Section 2-901, of the "Swansea Municipal Code", and not altered by this Chapter.

SECTION 19-406. COMPENSATION.

Any compensation paid to The Code Administrator shall be governed by the provisions of Chapter 2, Part 9, Section 2-903, of the "Swansea Municipal Code", and not altered by this Chapter.

SECTION 19-407. DUTIES AND RESPONSIBILITIES.

The Code Administrator, in administering and enforcing the provisions of this Chapter, shall be responsible for, but not limited to, the following specific duties:

- (A) To review and forward preliminary and final plats to the Planning and Zoning Board;
- (B) To transmit improvement plans to the Village Engineer for his review;
- (C) To issue stop orders as necessary when the Village Engineer determines that approved improvements are being constructed in violation of this Chapter;
- (D) To pursue actions authorized in Section 19-435 when a developer fails to complete required improvements;
- (E) To evaluate and make decisions concerning proposed minor changes in approved final plats;
- (F) To review and forward applications for variations to the Planning and Zoning Board;
- (G) To periodically review the provisions of this Chapter to determine whether revisions are needed, and to make recommendations on such matters to the Planning and Zoning Board as necessary;
- (H) To maintain up-to-date records of matters pertaining to this Chapter including, but not limited to, preliminary plats, "as built" records of completed improvements, final plats, variations, and amendments; and

- (I) To provide information to subdividers and developers and to the general public on matters related to this Chapter.

SECTION 19-408. VILLAGE ENGINEER.

The Village Engineer, appointed under Chapter 2, Part 5, Section 2-501, of the "Swansea Municipal Code", is hereby authorized and empowered to administer and enforce all applicable provisions of this Chapter.

SECTION 19-409. APPOINTMENT AND TERM OF OFFICE.

Procedures for the appointment of the Village Engineer and his respective term of office, shall be governed by the provisions of Chapter 2, Part 5, Section 2-501, of the "Swansea Municipal Code", and not altered by this Chapter.

SECTION 19-410. COMPENSATION.

Any compensation paid to the Village Engineer shall be governed by the provisions of Chapter 2, Part 5, Section 2-501, of the "Swansea Municipal Code", and not altered by this Chapter.

SECTION 19-411. DUTIES AND RESPONSIBILITIES.

The Village Engineer, in administering and enforcing the provisions of this Chapter, shall be responsible for, but not limited to, the duties specified in the various Sections of this Chapter.

SECTION 19-412. PLANNING AND ZONING BOARD.

- (A) The Village of Swansea Planning and Zoning Board, established under Chapter 2, Part 11, Section 2-1101, of the "Swansea Municipal Code", shall hereby be authorized and empowered to administer and enforce all applicable provisions of this Chapter as listed in Section 19-415.
- (B) For the purposes of this Chapter, ~~five (5)~~ four (4) members of the Planning and Zoning Board shall constitute a quorum, and no meeting or public hearing shall be conducted by the board without a quorum being present.
- (C) The concurring vote of ~~five (5)~~ four (4) members of the Planning and Zoning Board shall be necessary to decide in favor of the applicant, any

matter upon which it is required to pass. (Ord 1583, 06/21/2010)

SECTION 19-413. APPOINTMENT AND TERM OF OFFICE.

The appointment of members to the Planning and Zoning Board and the respective terms of office, shall be governed by the provisions of Chapter 2, Part 11, Section 2-1103, of the "Swansea Municipal Code", and not altered by this Chapter.

SECTION 19-414. COMPENSATION.

The compensation paid to any member of the Planning and Zoning Board shall be governed by the provisions of Chapter 2, Part 11, Section 2-1104, of the "Swansea Municipal Code", and not altered by this Chapter.

SECTION 19-415. DUTIES AND RESPONSIBILITIES.

The Planning and Zoning Board, in administering and enforcing the provisions of this Chapter, shall be responsible for the following specific duties:

- (A) To review preliminary and final plats, and report their findings and recommendations to the Board of Trustees;
- (B) To hear and review applications for variations, and report their findings and recommendations to the Board of Trustees;
- (C) To hear and review applications for amendments to the text of this Chapter, and report their findings and recommendations to the Board of Trustees;
- (D) To conduct, in accordance with law, meetings and public hearings at the call of the Chairman or at such other times as the Planning and Zoning Board may determine;
- (E) To compel, by action of the Chairman, the attendance of witnesses at such meetings and hearings, to allow the testimony of such witnesses or any other person or their designated agent or attorney, and to administer oaths to those who so testify;
- (F) To keep records of its hearings and other official actions, and minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact;
- (G) To file immediately in the office of the Village Clerk, a copy of every rule, regulation, order, requirement, decision, or determination of the

Planning and Zoning Board, the contents of which shall be public record; and

- (H) To adopt its own rules and procedures in keeping with the provisions of the law, a copy of which shall be reduced to writing and made available to the public.

SECTION 19-416. COMPLAINTS.

Whenever any person alleges that a violation of the provisions of this Chapter has occurred, that person shall file a written complaint on forms provided by the Code Administrator. The Code Administrator shall record such complaints, promptly investigate, and, if necessary, institute appropriate corrective action.

SECTION 19-417. CORRECTIVE ACTION ORDERS.

Whenever the Code Administrator finds, by complaint, inspection or otherwise, any development in violation of this Chapter, he shall so notify the responsible party, and shall order appropriate corrective action.

SECTION 19-418. CONTENTS OF ORDER.

- (A) Every order to take corrective action shall be issued in writing and shall at least include:
 - (1) A description of the premises sufficient for identification;
 - (2) A statement indicating the nature of the violation;
 - (3) A statement of the corrective action necessary to effect compliance;
 - (4) The date by which the violation must be corrected;
 - (5) A statement that the alleged violator is entitled to a conference with the Code Administrator and/or the Village Engineer if he so desires;
 - (6) The date by which an appeal of the corrective action order must be filed, and a statement of the procedure for so filing; and
 - (7) A statement that failure to obey a corrective action order may result in the imposition of fines.

SECTION 19-419. SERVICE OF ORDER.

(A) A corrective action order shall be deemed properly served upon the owner, subdivider, or developer, if it is:

- (1) Served upon him personally;
- (2) Sent by certified mail to his last known address; or
- (3) Posted in a conspicuous place on or about the affected premises.

SECTION 19-420. STOP WORK ORDERS.

Whenever any work is being done in violation of any provision of this Chapter, the Code Administrator's corrective action order may state that the violation must cease immediately, in which case, the corrective action order is equivalent to a stop work order.

SECTION 19-421. EMERGENCY MEASURES.

Notwithstanding any other provisions of this Chapter, whenever the Code Administrator determines that any violation of this Chapter poses an imminent peril to life or property, he may institute, without notice or hearing, any necessary proceedings to alleviate the perilous condition.

SECTION 19-422. PRELIMINARY PLATS.

(A) Except as specifically provided otherwise below, every person who proposes to subdivide any land located within the subdivision jurisdiction of the Village shall file four (4) copies of the preliminary plat of said subdivision with the Code Administrator.

(B) The subdivider shall also file one (1) copy of the preliminary plat and all supporting data with the appropriate Soil and Water Conservation District.

- (1) Said district shall have not more than thirty (30) days to submit any comments to make to the Planning and Zoning Board.
(Ill. Com. Stat., Ch. 70, Sec. 405/22)

(C) Whenever a subdivider proposes to develop a large tract of land in stages and only a portion of that tract is to be submitted for preliminary or final plat approval, the developer shall also submit a "site design" of the entire tract proposed for eventual development.

- (1) Said site design shall indicate the general location of proposed streets and utilities, proposed densities, location of wooded areas (aerial photos are acceptable), and

the topography of the tract, (USGS data is acceptable).

(D) All preliminary plats shall be reviewed and acted upon in accordance with Ill. Com. Stat., Ch. 65, Sec. 5/11-12-8, and the provisions of the Subsections below; provided, however, that the provisions of this Section shall not apply to:

- (1) Minor subdivisions as defined in Section 19-202; or
- (2) Land that is specifically exempted from the Illinois Plats Act (Ill. Com. Stat., Ch. 765, Sec. 205/11 (b)).

SECTION 19-423. REQUIREMENTS FOR FILING.

(A) Every preliminary plat shall be prepared by a land surveyor registered in The State of Illinois at any scale necessary for clarity, provided the resultant drawing does not exceed thirty-two inches (32") by forty-two inches (42"). Said preliminary plats, together with supporting data, shall provide all of the following information:

- (1) The names and addresses of the owner, subdivider (if not the owner), and registered land surveyor;
- (2) Location, boundaries, and name of the proposed subdivision;
- (3) Zoning District classification of the tract to be subdivided;
- (4) North arrow, graphic scale, and date of map;
- (5) Dimensions of the tract, and its gross area;
- (6) Topography of the tract to be subdivided as indicated by two-foot (2') contour data;
- (7) Locations of such features as bodies of water, ponding areas, natural drainage ways, railroads, cemeteries, bridges, parks, and schools, within or adjacent to the tract to be developed;
- (8) Locations and right-of-way widths of all existing and proposed streets and alleys;
- (9) Locations, widths, and purposes of all existing and proposed easements;
- (10) Location and size of existing and proposed sanitary and storm sewers;
- (11) In conservation areas, locations, dimensions, and areas of all parcels to be reserved for parks/playgrounds, or other public purposes; and

(12) Locations, dimensions, and areas of all proposed or existing lots within the subdivision.

- (B) The developer or subdivider shall submit the preliminary plat to the Code Administrator at least fourteen (14) days before the next regularly scheduled meeting of the Planning and Zoning Board.
- (C) The Code Administrator shall promptly notify the Chairman and members of the Planning and Zoning Board of the submission and make copies of the preliminary plat available for their review prior to the scheduled meeting.

SECTION 19-424. ACTION BY THE PLANNING AND ZONING BOARD.

- (A) At their next regularly scheduled meeting, the Planning and Zoning Board shall review preliminary plat for compliance with the provisions of this Chapter.
- (B) Within sixty (60) days from the date of submission of the preliminary plat or the filing of the last item of required supporting data, whichever date is later, the Planning and Zoning Board shall either approve or disapprove the application for preliminary plat approval, unless the Planning and Zoning Board and the subdivider mutually agree to extend this time limit.
- (C) If the Planning and Zoning Board disapproves the preliminary plat, they shall furnish to the applicant, within the sixty (60) day period, a written statement specifying the aspects in which the proposed plat fails to conform to this Chapter and/or the Official Map.
- (D) If the Planning and Zoning Board approves the preliminary plat, they shall promptly so inform the Board of Trustees.
 - (1) If the Planning and Zoning Board fails to act on a preliminary plat within the prescribed time limits, said failure to act shall be considered a positive recommendation.
 - (2) No plat which provides access to a State Highway shall be approved by the Planning and Zoning Board until the same has been reviewed by and comments received from the Illinois Department of Transportation.

SECTION 19-425. ACTION BY THE BOARD OF TRUSTEES.

- (A) If the Planning and Zoning Board has approved a preliminary plat, the Board of Trustees, by resolution, shall either accept or reject said plat within thirty (30) days after their next regularly

scheduled meeting following the Planning and Zoning Board's action.

- (1) If the Board of Trustees rejects the preliminary plat, their resolution shall specify the aspects in which the plat fails to comply with this Chapter and/or the Official Map.
- (B) The Village Clerk shall attach a certified copy of the Board's resolution of approval or disapproval to the preliminary plat.
 - (1) One (1) copy of the resolution and plat shall be retained by the Clerk, one (1) shall be filed with the Code Administrator, and one (1) copy shall be given to the subdivider.
 - (2) Board approval shall not qualify a preliminary plat for recording.

SECTION 19-426. IMPROVEMENT PLANS.

- (A) Following approval of any preliminary plat by the Board of Trustees, but prior to submission of the final plat, the subdivider shall submit four (4) copies of the plans and specifications for all improvements to be installed within or in conjunction with the proposed subdivision, to the Code Administrator for review by the Village Engineer.
- (B) Such plans and specifications shall be signed and sealed by the registered professional engineer responsible for their preparation.
- (C) Until the Village Engineer certifies in writing that the proposed improvements conform to generally accepted engineering practices and to the standards imposed in this Chapter;
 - (1) The Code Administrator shall not issue any permit to allow construction of said improvements; and
 - (2) The Board of Trustees shall not act upon the application for final plat approval.

SECTION 19-427. REQUIREMENTS FOR FILING.

- (A) Plans and specifications for improvements shall consist of black or blue line prints not larger than thirty-two inches (32") by forty-two inches (42"). Said plans, together with related specifications shall provide all of the following information:
 - (1) Any flood-prone areas, detailed on a topographical map, at the same scale as required in the preliminary plat, illustrating that all lots and improvements will be above the regulatory flood evaluation;

- (2) Existing and proposed elevations along the centerlines of all streets;
- (3) Radii of all curves and lengths of tangents on all streets;
- (4) Locations and typical cross-section of street pavements including curbs/gutters and catch basins.
- (5) Locations and typical cross-section of sidewalks;
- (6) Locations, sizes, and invert elevations of all existing and proposed sanitary sewers and storm sewers, showing connections to any existing or proposed sewer systems;
- (7) Locations of all water, gas, electric, and other utilities;
- (8) Locations of street signs;
- (9) Locations of all wooded areas (aerial photos are acceptable).
- (10) All proposed measures to control erosion and sedimentation;
- (11) High water elevations of all lakes and streams adjoining or within the tract; and
- (12) Such other information as the Village Engineer may reasonably require to perform his duties under this Section.

SECTION 19-428. REQUIREMENTS FOR INSPECTION.

The subdivider/developer shall notify the Code Administrator and the Village Engineer of the beginning and completion of the construction of all improvements.

- (A) The Village Engineer shall inspect said improvements while they are under construction, and if he determines that they are being built in violation of this Chapter or the approved plans, he shall promptly notify the Code Administrator who, in turn, shall issue a stop work order.
- (B) The Village Engineer shall also inspect improvements upon their completion.
 - (1) The Village shall not accept any completed improvements until the Village Engineer has certified that they comply with the provisions of this Chapter.

SECTION 19-429. REQUIREMENTS FOR "AS-BUILT" RECORDS.

Upon the completion of all improvements, the subdivider/ developer shall file with the Code Administrator, a set of reproducible cloth-or-polyester-base film positives showing as-built details of all improvements and any deviations from approved plans. The sanitary sewer "as-built" drawings shall illustrate the location and approximate depth of all service laterals; the size, location and flowline elevations of all sewer mains; the top and flowline elevations of all manholes; and any other pertinent information.

SECTION 19-430. REQUIREMENTS FOR ASSURANCE OF COMPLETION.

The Board of Trustees shall not approve any final plat of subdivision, and, therefore, said final plat shall not be entitled to recording, until:

- (A) All improvements required in the approved improvements plan have been completed by the subdivider/developer at his expense, inspected by the Village Engineer, and dedicated to the Village or other appropriate entity; or
- (B) At the discretion of the Board of Trustees, and in accordance with the provisions below, the subdivider/developer has provided the Village with legal assurance to guarantee the satisfactory completion and dedication of all required improvements.

SECTION 19-431. ACCEPTABLE FORMS OF ASSURANCE.

At the option of the Board of Trustees, the required legal assurance may be either a performance bond or an escrow deposit.

- (A) Every performance bond shall be reviewed by the Village Attorney, and posted with the Village Clerk.
- (B) Any funds to be held in escrow shall be deposited with the Village Treasurer.
- (C) The amount of the performance bond or escrow deposit shall be equal to the Village Engineer's estimate of the costs of constructing the unfinished portion of the required improvements, plus all required inspection fees.
- (D) Every escrow deposit shall be in the form of:
 - (1) Cash; or
 - (2) An irrevocable letter of credit or commitment from a lending institution guaranteeing to the Village the availability of the escrow funds from time to time upon demand; or

- (3) Certificate of deposit, treasury bills, or other readily negotiable instruments approved by the Village Treasurer, and made payable to the Village.

SECTION 19-432. ELIGIBLE SURETIES.

- (A) No person shall be eligible to act as surety unless he has been approved by the Village Treasurer.
- (B) The Treasurer shall conduct or cause to be conducted spot audits of all sureties.
- (C) Any surety who fails to perform shall be ineligible for two (2) years thereafter to act as surety for any subdivision improvement within the Village's jurisdiction.

SECTION 19-433. TERM OF ASSURANCE, EXTENSION.

The initial term of any performance bond or escrow agreement shall not exceed two (2) years. If all the required improvements have not been completed by the end of the two (2) year period, the Code Administrator, with the advice and consent of the Board of Trustees, may either extend said bond/escrow agreement for (1) year only, or may proceed as per Section 19-435.

SECTION 19-434. RELEASE OF BOND, ESCROW DEPOSIT.

- (A) The Village Clerk/Treasurer may release up to ninety percent (90%) of the amount of the performance bond/escrow deposit upon receipt of written authorization from the Village Engineer.
 - (1) The amount which the Village Engineer authorizes to be released shall be equal to the value of improvements actually completed in accordance with approved plans.
- (B) The balance of the amount of the performance bond/escrow deposit shall not be released until:
 - (1) The Village Engineer has certified to the Code Enforcement Officer, in writing, that all required improvements have been satisfactorily completed; and
 - (2) Said improvements have been dedicated to and accepted by the Village or other appropriate entity.

SECTION 19-435. FAILURE TO COMPLETE IMPROVEMENTS.

If all required improvements have not been completed by the end of the two (2) year period [or three (3) year period in the case of an extension], the Code Administrator, with the assistance of the Village Attorney may;

- (A) Require the surety to perform on the bond, and to pay to the Village an amount equal to the cost of completing the required improvements, as estimated by the Village Engineer, or the amount of the bond not theretofore released, whichever is less; or
- (B) Order the Village Treasurer to retain all escrowed funds needed to complete the required improvements and to return the balance, if any, of such funds to the subdivider/developer; or
- (C) Require the subdivider/developer to submit a new performance bond/escrow deposit in an amount sufficient to cover any increase in the cost of constructing the required improvements.

SECTION 19-436. FINAL PLATS.

- (A) The County Recorder of Deeds shall not record any final plat of a subdivision located within the subdivision jurisdiction of the Village until said final plat has been approved by the Board of Trustees.
- (B) The Board of Trustees shall not approve any final plat unless they determine that said plat is in compliance with all pertinent requirements of this Chapter including those set forth below.
 - (1) The subdivider of every subdivision, whether major or minor, but excluding land specifically exempted from the Illinois Plat Act as now or hereafter amended (Ill. Com. Stat., Ch. 765, Sec. 205/1 (b)), who desires final plat approval, shall file four (4) copies of the final plat and supporting data with the Code Administrator not later than one (1) year after preliminary plat approval has been granted; provided, however, that with the consent of the Board of Trustees, the subdivider may delay application for final approval of part(s) of the tract shown on the preliminary plat, for successive one (1) year periods.

SECTION 19-437. REQUIREMENTS FOR FILING.

Every final plat shall be prepared by a registered land surveyor on new linen tracing cloth-or-polyester-base film with waterproof black ink at a scale not greater than one hundred feet equals one inch (100' = 1"), provided that the resultant drawing shall not exceed thirty-two inches (32") by forty-two inches (42"). The

final plat and supporting data shall provide all of the following information:

- (A) North arrow, graphic scale, and data;
- (B) Name of subdivider;
- (C) Accurate metes and bounds or other adequate legal description of the tract;
- (D) Accurate boundary lines, with dimensions and bearing or angles which provide a survey of the tract, closing with an error of closure of not more than one foot (1') in ten thousand feet (10,000');
- (E) Reference to recorded plats of adjoining platted land by record name, plat book and page number;
- (F) Accurate locations of all existing streets intersecting the boundaries of the subdivision;
- (G) Right-of-way lines of all streets, other rights-of-way, easements, and lot line with accurate dimensions, angles, or bearings and curve data, including, radii, arcs or chords, points of tangency, and central angles;
- (H) Name and right-of-way width of every proposed street;
- (I) Location and purpose of any existing or proposed easements;
- (J) Number of each lot, lot dimensions, and, in a separate list, lot areas;
- (K) Purpose(s) for which sites, other than private lots, are reserved;
- (L) Building or setback lines with accurate dimensions;
- (M) In a supporting document, restrictions of all types which will run with the land and become covenants in the deeds of lots.
- (N) Locations of all existing and proposed utilities.

SECTION 19-438. REQUIRED CERTIFICATES.

As required by State law (Ill. Com. Stat. Ch. 765, Sec. 205/2), the following certificates shall be executed on the final plat:

(A) Owners Certificate.

 We, _____,
 the Owners of _____
 (description) _____,
 have caused the said tract to be surveyed and
 subdivided in the manner shown, and said
 subdivision is to be hereinafter known as
 _____.

All rights-of-way and easements shown herein are hereby dedicated to the use of the public forever.

Dated this ____ day of _____, 20 ____.

_____(SEAL)

_____(SEAL)

(B) Notary Public Certificate.

State of Illinois)
County of St. Clair)

I, _____, a Notary Public in and for the County aforesaid, do hereby certify that _____(owners)_____ are personally known to me to be the same persons whose names are subscribed to the foregoing instrument, and that they appeared before me this day in person and acknowledged that they signed and sealed the same as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this ____ day of _____, 20 ____.

NOTARY

COMMISSION

(C) Surveyor's Certificate

I, _____ a registered Illinois Land Surveyor, do hereby certify that this plat is a correct representation of a survey made under my direct supervision at the request of _____ for the purpose of subdividing the tract into lots as shown.

Illinois Land Surveyor

Registration Number

Date

(D) County Clerk's Certificate.

I, _____, County Clerk of St. Clair County, Illinois, do hereby certify that I find no unpaid or forfeited taxes against any of the real estate included within this plat.

County Clerk

Date

(E) Certificate of Board of Trustees.

I, _____, President of the Board of Trustees of the Village of Swansea, do hereby certify that the plat shown herein was duly presented to the Board of Trustees, and approved at a meeting of same held on _____ (date)_____.

President of The Board

Village Clerk

(F) Flood Hazard Certificate.

We, the undersigned, do hereby certify that no part of this plat to be recorded, is situated within a special flood hazard area as identified by the Federal Emergency Management Agency.

By: _____
Owner(s)

By: _____
Illinois Land Surveyor

Registration Number

Date

(G) For those subdivisions which provide access to a State Highway, the following certification shall also be required and executed on the final plat:

Illinois Department of Transportation Certification

This plat has been approved by the Illinois Department of Transportation with respect to roadway access pursuant to ILL. STAT. 1987, CH. 109, PAR. 2. However, a highway permit for access is required by the owner of the property. A plan that meets the requirements contained in the Department's "Policy On Permits For Access Driveways To State Highways" will be required by the Department.

District Engineer

Date

(H) For those subdivisions which provide access to a State Highway, the following certification shall also be required and executed on the final plat:

St. Clair County Highway Department Certification

This plat has been approved by the St. Clair County Highway Department with respect to roadway access pursuant to County Regulations. However, a highway

permit for access is required by the owner of the property.

County Engineer

Date

SECTION 19-439. ADMINISTRATIVE REVIEW PROCEDURES.

Within thirty (30) days from the date of application, the Code Administrator shall review said final plat, and supporting data, and shall jointly advise the Board of Trustees in writing whether it substantially conforms to the approved preliminary plat.

(A) A copy of their advisory report shall be forwarded to the Planning and Zoning Board, who may prepare an addendum to said report if they so desire, and forward same to the Board of Trustees.

SECTION 19-440. ACTION BY THE BOARD OF TRUSTEES.

Within sixty (60) days from the date of submission of an application for final plat approval, or the filing of the last item of required supporting data, whichever date is later, the Board of Trustees shall either approve or disapprove the application for final plat approval by resolution unless the Board and the subdivider mutually agree to extend this time limit. Failure to act within the prescribed time limits shall be deemed approval. The Board of Trustees shall not approve any final plat unless:

- (A) The final plat substantially conforms to the approved preliminary plat; and
- (B) The final plat manifests substantial compliance with the Official Map and with the design and improvements standards of this Chapter; and
- (C) To the Board's knowledge and belief, the final plat complies with all pertinent requirements of State law; and
- (D) Either of the following has been met:
 - (1) All required improvements have been completed, inspected, accepted, and dedicated; or
 - (2) The subdivider/developer has posted a performance bond or deposited funds in escrow to guarantee the satisfactory completion and dedication of all required improvements.

If the Board of Trustees disapproves the final plat, their resolution shall specify the aspects in which the plat fails to meet the above conditions for approval.

The Village Clerk shall attach a certified copy of the Board's resolution of approval or disapproval to the final plat. One (1) copy of the resolution and plat shall be retained by the Clerk, one (1) copy shall be filed with the Administrator, and one (1) copy shall be given to the subdivider.

SECTION 19-441. CHANGES IN APPROVED FINAL PLATS.

Once a final plat is approved by the Board of Trustees, it shall not thereafter be modified; provided, however, that minor changes may be made upon written application to the Code Administrator. Major changes shall require the filing of a new final plat and complete review as provided for herein.

SECTION 19-442. MAINTENANCE OF IMPROVEMENTS.

Subsequent to completion of the improvements within the development by the subdivider, the Village Engineer and Code Administrator shall make an inspection of said improvements to ascertain the acceptability of the structural condition, earth slopes, and drainage structures, and that all other requirements of this Chapter have been met.

(A) If said inspection indicates no deficient items and, all "as built" drawings have been filed with the Code Administrator, and the Subdivider/Developer has posted an appropriate maintenance bond, as hereinafter set forth, the Board of Trustees shall take formal action to dedicate the completed improvements for maintenance.

(B) Should any improvement require correction or repair, the subdivider shall be notified, in writing, of each deficiency.

(1) No street(s) will be accepted in a subdivision until all streets comply with the requirements of this Chapter to the satisfaction of the Village Engineer and Superintendent of Public Works.

(C) Should the subdivider fail to properly correct any of the noted deficiencies, he shall be responsible for all maintenance, other than snow and ice control, until such time as the streets are completely acceptable to the Village of Swansea.

(1) Under this situation, the subdivider's maintenance responsibility shall be construed to include, but not be limited to, regular mowing of the parkways; periodic

cleaning of debris from the pavement and gutters; and periodic cleaning of storm sewers and catch basins.

(2) Should the subdivider fail to discharge any of these responsibilities, he will be notified to rectify the situation by the Village Clerk.

SECTION 19-443. DURATION OF GUARANTEE.

(A) All improvements within a development shall be guaranteed by the developer or be in satisfactory condition and in compliance with this Chapter for a period of two years from the date of dedication.

(B) Prior to dedication, the subdivider/developer shall post a maintenance bond with the Village Clerk in a form approved by the Village Attorney.

(1) Said bond shall be in an amount determined by the Village Engineer (generally 25% of the estimated construction costs) to be sufficient to guarantee the satisfactory condition of the required improvements for a period of at least two (2) years.

(2) It shall be the subdivider's responsibility to request from the Village in writing, a final inspection of the improvements not later than sixty (60) days after receiving notice from the Subdivider.

(3) In any event if the subdivider fails to request a final inspection in writing thirty (30) days before the end of the guarantee period, the guarantee period shall be extended until thirty (30) days after such time as the notice is received and the improvements are deemed satisfactory by the Village.

(C) If at any time during the guarantee period the improvements are found to be defective, they shall be repaired or replaced at the subdivider's expense.

(1) If the subdivider fails or refuses to pay such costs within ninety (90) days after demand is made upon him by the Code Administrator, the Village shall use the maintenance bond to make the necessary repairs/replacement.

(2) If the cost of repairs/replacement exceeds the bond amount, the subdivider/developer shall be liable for the excess.

(D) Upon final inspection of any completion of the repairs deemed necessary by the Village, the Village shall release the Subdivider's Maintenance Bond.

(1) The Village shall issue a written inspection releasing the developer from further

responsibility to the Village for said improvements.

SECTION 19-444. VARIATIONS.

- (A) Any subdivider/ developer desiring a variation from the requirements of this Chapter shall file a written application therefor with the Code Enforcement Officer at the same time that he files his preliminary plat.
- (1) The application shall fully explain the grounds for the variance request, and specify the section(s) of this Chapter which, if strictly applied, would cause great practical difficulties or hardship.
 - (2) The Code Administrator shall prepare an advisory report on every application for variation and submit it, together with the completed application, to the Planning and Zoning Board.
 - (3) Any variation proposed herein by the developer, which is in effect a variation of the provisions of the Zoning Code contained in Chapter 20 of the Swansea Municipal Code, shall only be allowed and granted in compliance with the provisions of Chapter 20 after a public hearing before the Planning And Zoning Board of Appeals. _Nothing contained herein shall be construed as to allow a variation of lot size, setbacks, or any other regulation of the Zoning Code which is not in compliance with the provisions of Section 20-1534.

SECTION 19-445. REVIEW BY THE PLANNING AND ZONING BOARD.

- (A) The Planning and Zoning Board shall review the application for variation and the Code Administrator's comments, and submit their advisory report to the Board of Trustees, together with their recommendation on preliminary plat approval.
- (B) The Planning and Zoning Board's advisory report shall be responsive to all the variance standards set forth in Section 19-446.

SECTION 19-446. ACTION BY THE BOARD OF TRUSTEES.

- (A) At the same meeting at which they take action on the application for preliminary plat approval, the Board of Trustees shall decide by resolution whether to grant or deny the requested subdivision variation.

(B) A copy of their decision, clearly stating their reasons therefore and the exact terms of any variation granted, shall be attached to both the preliminary and final plats.

(C) The Board of Trustees shall not grant any subdivision variation unless, based upon the information presented to them, they determine that:

- (1) The proposed variation is consistent with the general purposes of this Chapter; and
- (2) Strict application of the subdivision design and improvement requirements would result in great practical difficulties or hardship to the applicant, not a mere inconvenience; and
- (3) The proposed variance is the minimum deviation from the subdivision requirements that will alleviate the difficulties/hardship; and
- (4) The plight of the applicant is due to peculiar circumstances not of his own making; and
- (5) The peculiar circumstances engendering the variation request are not applicable to other tracts and, therefore, that a variation would be a more appropriate remedy than an amendment; and
- (6) The variation if granted, will not substantially impair implementation of the Community Plan, including the Official Map.

SECTION 19-447. AMENDMENTS.

Amendments to this Chapter may be proposed by the Code Administrator, any member of the Board of Trustees, any Planning and Zoning Board member, or any party in interest. Every amendment proposal shall be filed on a prescribed form in the Office of the Code Administrator, who shall promptly transmit each proposal, together with any comments or recommendations he may wish to make, to the Planning and Zoning Board for a public hearing.

SECTION 19-448. PUBLIC HEARING, NOTICE.

The Planning and Zoning Board shall hold a public hearing on every amendment proposal within a reasonable time after said proposal is submitted to them. At the hearing, any interested party may appear and testify, either in person or by duly authorized agent or attorney. Notice indicating the time, date, and place of hearing, and the nature of the proposed amendment shall be given not more than thirty (30) days, nor less than fifteen (15) days before

the hearing by publication in a newspaper of general circulation within the Village.

SECTION 19-449. ACTION BY THE BOARD OF TRUSTEES.

Within a reasonable time after the public hearing, the Planning and Zoning Board shall submit an advisory report to the Board of Trustees. The Board of Trustees shall act on the proposed amendment at their next regularly scheduled meeting following submission of this report. Without another public hearing, the Board of Trustees may either pass or reject the proposed amendment or may refer it back to the Planning and Zoning Board for further consideration.

SECTION 19-450. BOUNDARY ADJUSTMENT PLAT.

(A) A boundary adjustment plat shall be filed when a subdivider/developer desires to make minor adjustments to platted lots. A boundary adjustment plat shall meet the following conditions:

- 1) Lot lines of no more than three (3) platted lots may be adjusted on one boundary adjustment plat.
- 2) No additional lot shall be created.
- 3) The resulting lot or lots shall not be reduced below the minimum sizes and dimensions required by the Zoning Code.
- 4) The boundary adjustment shall not increase or decrease any existing lot size by more than ten (10) percent.

Boundary adjustments that do not conform to the above conditions shall be considered a subdivision and must follow the procedures for subdivisions set forth in this Chapter.

(B) Boundary adjustments may be allowed for lawful lots existing in non-compliance with minimum area, frontage and dimensional requirements of this Chapter or the Zoning Code, provided that resulting adjustment of lot lines does not increase the degree of non-compliance with this Chapter and the Zoning Code.

(C) A boundary adjustment plat shall be prepared by a Professional Land Surveyor registered in the State of Illinois. The plat shall indicate the existing and proposed adjusted lot lines. The plat shall comply with the requirements for preparation of preliminary plats found in Section 19-423 Requirements for Filing, except subsections (6), (7) natural features and (10). Additionally, all existing buildings, other

structures and easements, whether platted or not, shall be indicated.

(D) Three copies of the boundary adjustment plat shall be filed with the Code Administrator. The Code Administrator and Village Engineer shall review the plat for conformity with the requirements set forth herein.

(E) The fee for filing of a boundary adjustment plat shall be the same as the fee for filing a minor subdivision plat.

(F) If the Code Administrator and the Village Engineer find such plat and adjustment in property lines to be in order and in compliance with the requirements of this Chapter and the Zoning Code, the Code Administrator shall forward the plat to the Board of Trustees for approval. No review shall be conducted by the Planning and Zoning Board.

(G) The Village Clerk shall attach a certified copy of the Board's resolution of approval or disapproval to the plat. If the Board disapproves the plat, their resolution shall specify the aspects in which the plat fails to meet the above conditions for approval.

(H) Upon approval, the owners and the Code Administrator or his deputy shall jointly file the plat with the County Recorder of Deeds within sixty (60) days after approval by the Board of Trustees. If any such plat is not filed within this period, the approval shall expire. One copy of the filed plat shall be retained by the owner and one copy shall be retained by the Code Administrator. The fee due to the County Recorder of Deeds shall be paid by the owners.

SECTION 19-451. LOT CONSOLIDATION PLAT.

(A) A lot consolidation plat shall be filed when the owner of two adjacent parcels desires to join the two parcels into one lot. Consolidation of more than two parcels shall be considered a re-subdivision, and must follow the procedures for subdivisions set forth in this Chapter.

(B) Lot consolidations may be allowed for lawful lots existing in non-compliance with minimum area, frontage and dimensional requirements of this Chapter or the Zoning Code, provided that resulting removal of lot lines does not increase the degree of non-compliance with this Chapter or the Zoning Code.

(C) A lot consolidation plat shall be prepared by a Professional Land Surveyor registered in the State of Illinois. The plat shall indicate the existing and proposed adjusted lot lines. The plat shall comply with the requirements for preparation of preliminary plats as found in Section 19-423 Requirements for Filing, except subsections (6), (7) natural features

and (10). Additionally, all existing buildings, other structures and easements, whether platted or not, shall be indicated.

(D) Three copies of the lot consolidation plat shall be filed with the Code Administrator. The Code Administrator and Village Engineer shall review the plat for conformity with the requirements set forth herein.

(E) The fee for filing of a lot consolidation plat shall be the same as the fee for filing a minor subdivision plat.

(F) If the Code Administrator and the Village Engineer find such plat and consolidation of parcels to be in order and in compliance with the requirements of this Chapter and the Zoning Code, the Code Administrator shall forward the plat to the Board of Trustees for approval. No review shall be conducted by the Planning and Zoning Board.

(G) The Village Clerk shall attach a certified copy of the Board's resolution of approval or disapproval to the plat. If the Board disapproves the plat, their resolution shall specify the aspects in which the plat fails to meet the above conditions for approval.

(H) The owners and the Code Administrator or his deputy shall jointly file the plat with the County Recorder of Deeds within sixty (60) days after approval by the Board of Trustees. If any such plat is not filed within this period, the approval shall expire. One copy of the filed plat shall be retained by the owner and one copy shall be retained by the Code Administrator. The fee due to the County Recorder of Deeds shall be paid by the owner. (Ord 1594, 09/20/2010)