

SUBDIVISION REGULATIONS
FOR
COLES COUNTY

Resolution Passed and Adopted by the Coles county Board on May 14, 1974. Revisions Adopted September 9, 1980; November 1992; July 14, 1998.

The Subdivision Regulations for Coles County were prepared by the Planning and Subdivision Committee of the County Board and the Coles County Regional Planning Commission. The advice and comments of area developers, engineers, and architects were considered in the development of these Regulations.

Persons needing further information regarding the Subdivision Regulations for Coles County should contact:

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The Coles County Board adopted the revision of the Subdivision Regulations for Coles County on September 9, 1980. Motion carried by Bud Sanders, seconded by Paul Hawking to adopt the Subdivision Regulations for Coles County. Motion carried, 11 yea, 0 nay, 0 present, 1 absent. Additional revisions were adopted and incorporated into the document in November of 1992, and July 1998.

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TITLE I. PREAMBLE

Section 1.1 Title

These regulations shall be known, referred to, and may be cited as, “The Subdivision Regulations for Coles County, Illinois,” and shall hereinafter be referred to as “these regulations.”

Section 1.2 Intent

It is the intent of these regulations that subdivisions may be conceived and developed within the County of Coles that will be in the best interest, health, and safety of the citizens of this County. Every effort should be made by potential developers, planning authorities and the County Board to resist and discourage the placement of subdivisions and other non-agricultural uses on highly productive agricultural land. The regulations prescribe procedures and present standards for the subdivision of land within the unincorporated areas of Coles County. The standards presented are minimum and the developer may use alternative designs after receiving County approval of such designs which surpass said minimum standards.

Section 1.3 Taxpayer’s Protection

The developer shall provide, at no cost in any form to the taxpayers of local, state, or federal units of government, all public improvements required by these regulations. The developer shall further include the previous statement in the covenants of the plat in order to insure buyer protection at the time of purchase. Improvements shall be provided and installed in accordance with the standards and requirements adopted by other local, state, and federal authorities which may have jurisdiction of the area being subdivided. In any case, where two or more authorities have differing standards governing the same improvement, the most restrictive standard shall apply. Improvements which would place financial burden upon the County, local, state, or federal governments or adversely affect adjacent property owners may not be instituted for the benefit of a proposed subdivision which has not been approved and recorded.

Section 1.4 Jurisdiction

The following shall be applicable to any and all subdivisions of land within the boundaries of Coles County, Illinois except for land within the corporate boundary of a legally incorporated municipality or within that area under review control of any city or village which has adopted a city plan and is exercising the special powers authorized by Division 12 of Article 11, The Illinois Municipal Code, as now or hereafter amended. However, the preceding is not intended to preclude any municipality from adopting these regulations in whole or in part as municipal subdivision regulations.

Section 1.5 Regulations in Force

All amendments and extensions of the Subdivision Regulations for Coles County, Illinois, passed and adopted May 14, 1974, by the County Board of Coles County, Illinois and in conflict with the herein contained amendment are hereby repealed immediately upon the effective date of the adoption of these regulations, except that any subdivision having received final plat approval by the Coles County Board and not having been recorded prior to passage of this amendment may be so recorded provided such act occurs within twelve months of the County Board's action approving said plat.

Section 1.6 Amendments

The Coles County Regional Planning Commission, hereinafter referred to as the "Commission" shall at its own initiative, by request of the County Board, or by request of the Planning and Subdivision Committee of the County Board, and from time to time examine these regulations and shall recommend to the County Board such changes as may be necessary.

The County Board, may by approval of a simple majority of all County Board members present at a regular County Board meeting and by resolution, amend these regulations; however, the contents of such amendment must be reviewed and commented upon by the Commission prior to any such County Board action.

Section 1.7 Severability Clause

These regulations shall be deemed to be separable and the validity of any portion of these regulations shall not affect the validity of the remainder.

Section 1.8 Exemptions From These Regulations

Exemptions found in Section 1(b) of the Plat Act (Illinois Revised Statutes 1979, Chapter 109) are exempt from the regulations herein contained.

Section 1.9 Disclosure of Beneficial Interest

Pursuant to Illinois State Statutes, whenever any trustee, or beneficiary or beneficiaries of a land trust make application for a subdivision relating to land which is the subject of such trust, any interest therein improvements thereto, or use thereof, such applicant shall identify his interest therein. All such applications shall be verified by the applicant in his capacity as trustee, or by the beneficiary as a beneficial owner of an interest in such land trust. Failure to make such disclosure shall be reason enough to deny a request for subdivision. Making a false statement as to the identification or interest in such trust shall also be reason enough for the denial or a request for subdivision and makes the person making such statement subject to penalties provided by State Statutes.

Section 1.10 Variance

Where the developer can show that a provision of these regulations would cause unnecessary hardship and where, in the opinion of the County Board a departure may be made without destroying the intent of such provision, the County Board may authorize a variance. In the event the County Board finds that extraordinary hardship or injustice will result from compliance with these regulations, it may vary the terms thereof to the extent necessary to grant relief, provided:

- (A) That special conditions or circumstances exist which are peculiar to the tract or tracts to be subdivided;
- (B) That granting the variance requested will not confer on the developer any special privilege that is denied by these regulations to other developers; and,
- (C) The County Board determines that the variance requested is:
 - (1) The least deviation from these regulations which will mitigate the hardship;
 - (2) Not detrimental to the general public interest, health, and welfare, and is in keeping with the general intent purpose of these regulations; and,
 - (3) Not applicable to other subdivisions or developers.

The developer shall make requests for variations in writing, and the requests shall accompany the submission of the preliminary plat. Requests for approval of variations by the County Board shall be considered separately from approval of the final plat of subdivision. The granting of variations shall be by action of the County Board and after review and comment according to these regulations. Variations shall be in the form of a resolution and will require approval by a simple majority of County Board members in attendance at a regular County Board meeting.

TITLE II. RULES AND DEFINITIONS

Section 2.1 Rules

- 2.1.1 Words used in the present tense shall include the future; words in the singular number shall include the plural; and, use of the masculine gender shall include the feminine gender, and vice versa in these cases.
- 2.1.2 The word “shall” is mandatory and unconditional, not discretionary.
- 2.1.3 The word “may” is permissive and conditional.
- 2.1.4 Any statute or other publication referenced in these regulations shall refer to the latest edition or amendment of such.

Section 2.2 Definitions

ALLEY: A permanent service way providing a secondary means of access to abutting lands.

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

BUILDING SETBACK LINE: The line nearest the front of and across a lot establishing the minimum open space to be provided between the front lot line and the front line of the buildings and structures.

CAPPED SEWERS: Unused pipes that are installed and ready for use when the time comes to tap on to an available community sanitary sewer system.

COMMISSION: The Coles County Regional Planning Commission.

COMPREHENSIVE PLAN: The complete plan, or an of its parts, for the development of the jurisdictional area prepared by the Commission and adopted in accordance with the Illinois Revised Statutes.

CONSTRUCTION: The building of a home, a garage or other structure, the moving of earth, the laying of culverts or tile, and other similar man-made improvements.

COUNTY: Coles County, Illinois

COUNTY BOARD: The County Board of Coles County, Illinois.

COUNTY CLERK: The County Clerk of Coles County, Illinois.

COUNTY ENGINEER: The Superintendent of Highways or other Illinois registered Professional Engineer so designated by the County Board.

DEVELOPER: Any Person, individual, subdivider, trust, or other legal entity commencing proceedings under these regulations to effect subdivision of land hereunder for himself or another.

EASEMENT: A grant by the property owner for the use of land by the public, a corporation, or persons for specific purposes.

FLAG LOT: A tract of land not having sufficient width on a road to create more than one lot abutting said road but having sufficient area and depth to be divided into more than one buildable lot that will meet all other requirements of these regulations.

IMPROVEMENT: Street pavement or resurfacing, curbs, gutters, sidewalks, water lines, sewer lines, storm drains, street lights, flood control and drainage facilities, utility lines, landscaping, and other related things normally associated with land development.

JURISDICTIONAL AREA: All that area within the boundaries of Coles County, Illinois, except for that area within the corporate boundary of a legally incorporated municipality or within that area under review control of any city or village which has adopted a city plan and is exercising the special powers authorized by Division 12 of Article 11, The Illinois Municipal Code, as now

or hereafter amended, unless said municipality has adopted these regulations as its subdivision regulations within such incorporated area or area under its authority for review.

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

MINOR SUBDIVISION: A minor subdivision shall be considered a subdivision of not more than three lots which shall require no new right-of-way dedications, easements or access or variations from the regulations. Such minor subdivision shall be processed for preliminary and final plat approval simultaneously.

MONUMENT: An object set in the earth to mark a boundary and conforming to State Statutory requirements.

OFFICIAL PLAN: A drawing, now or hereafter adopted by the County Board of Coles County, Illinois, which represents to scale the jurisdictional area over which the Board exercises subdivision jurisdiction. The Official Plan sets forth the location, alignment and classification of existing and proposed major public streets and highways, the location of existing and proposed public schools, parks, playground sites, the Coles County Airport, and other public grounds.

PERSON: A natural person, corporation, firm, partnership, association, organization, or any other entity acting as a unit.

PLAT: A map or chart indicating the subdivision or resubdivision of land intended to be filed for record in compliance with these regulations and the Illinois Revised Statutes.

PLAT OFFICER: The Executive Director of the Coles County Regional Planning Commission, who shall also act as the ex-official secretary of the Planning and Subdivision Committee. The Plat officer shall be the responsible agent for the county in the interpretation of these regulations.

PUBLIC IMPROVEMENT: Public improvements shall include streets, water systems, ditches, tile, sidewalks, parks, sewage systems, drainage systems, and other items of construction dedicated to the public.

REVIEWING AUTHORITIES: The Planning and Subdivision Committee and any individual or agency designated by the County Board or these regulations.

SPITE STRIP: A spite strip is a piece of land other than a lot legally meeting the minimum requirements of these regulations, used to separate a public street or road right-of-way from adjoining property and whose primary purpose is to preclude access to such right-of-way.

STREET: See: "Thoroughfare."

Functional Classifications

ARTERIAL: The definition of “Arterial” shall be that as defined by the Illinois Department of Transportation and utilized in the Federal “Functional Classification System.” Standards for arterials, when necessary, are to be determined on a case-by-case basis and by the County Superintendent of Highways and designed to follow standards of the Illinois Department of Transportation’s Bureau of Design, Design Manual, latest amended edition.

COLLECTOR: Also called “feeder.” A street or road planned to facilitate the collection of traffic from local streets, linking larger population concentrations to cities and villages, or feeding arterial routes while accommodating shorter trips.

LOCAL: Connects minor population concentrations as found in subdivisions with arterials and collectors; local roads are the minimum class of roads or thoroughfares not considered alleys or driveways and providing frontage or marginal access service localized commercial, industrial, or residential traffic.

Other Thoroughfare, Road and Street Terms:

SUBDIVISION: Those thoroughfares constructed within a subdivision and intended to primarily carry internal traffic. These thoroughfares are the lowest class intended to serve individual residential lots. For purposes of these regulations, subdivision thoroughfares shall, as minimum, meet the requirements for local roads.

AGRICULTURAL: Roads and thoroughfares intended to provide access primarily between farms and farms and urban centers for the transportation of crops to market services to the farm; to local public services benefiting the farm population (i.e., rural schools, fire district buildings); and, agricultural businesses and farms. These roads and thoroughfares were developed primarily for agricultural use and are not designed for general purpose, nonagricultural commercial or industrial use nor for nonagricultural residential use.

MARGINAL ACCESS: Also called “frontage.” A local or collector road constructed adjacent and parallel to an arterial or collector, which provides access to abutting property and ways for traffic to reach controlled or limited points of access on arterials or primary collectors.

CUL-DE-SAC: Also called “court” or “dead end.” A short street having one end open to traffic and being permanently terminated by some type of vehicle turn around.

ALLEY: A minor street or road used primarily for vehicular access to the back or side of properties and providing a secondary means of such vehicular access.

SUBDIVIDER: See: “Developer.”

SUBDIVISION: As a minimum, those expressed conditions found in the Plat Act, Chapter 109 of the Illinois Revised Statutes, latest amended edition and inclusive of any subdivision or resubdivision of a tract, parcel, or lot of land into two or more parts by means of mapping, platting, conveyance, change or rearrangement of boundaries or otherwise, and shall also relate to the process of subdividing or to the land subdivided where appropriate to the text. The use of metes and bounds description for the purpose of sale, transfer, or lease with the intent of evading these regulations, shall not be permitted. Any device or mechanism intended to evade these regulations including but not limited to: the sale, transfer or lease of a parcel or tract of land containing five or more acres to another party where it is intended to sell or transfer back to the seller any part of the parcel or tract which would thereby create a parcel or tract of land containing less than five acres is in evasion of these regulations and shall not be permitted.

SUPERINTENDENT OF HIGHWAYS: The Coles County Superintendent of Highways.

SURETY BOND: A bond safeguarding performance of a contract or obligation. The Specific amount of the bond shall be determined in accordance with applicable State Statutes and these regulations. Also see: Section 5.2, these regulations.

THOROUGHFARE: A right-of-way, other than an alley, dedicated or otherwise legally established for the public use, usually affording the principal means of access to abutting property. A Thoroughfare may be designated as a highway, parkway, boulevard, road, avenue, street, lane, drive, or other appropriate name.

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

TITLE III. ADMINISTRATION, PROCEDURES, SPECIFICATIONS FOR PLAT AND FEES

Section 3.1 Administration

The following offices in the County of Coles are concerned with the administration of these regulations.

3.1.1 Planning and Subdivision Committee of the Coles County Board

Administers regulations, exercises authority and fulfills responsibilities as required by these regulations. The Planning and Subdivision Committee shall maintain all necessary records, administer the subdivision regulations, be the final authority in cases of appeal involving the Plat Officer's interpretation of these regulations, and review the preliminary and final plat, making its recommendation thereupon to the County Board. Specifically, with regard to subdivision review, the role of the Committee shall be to consider the proposal in regard to: the regulations and standards within these regulations; reports of other bodies and agencies as they pertain to design standards and specifications herein

contained; all other County regulations and ordinances, State Statutes and codes and federal codes and regulations deemed to be applicable minimum requirements in the interest of health, safety and convenience of the public of the County and not in conflict with the intent and purpose of these regulations.

3.1.2 Superintendent of Highways

- (A) Reviews street and associated drainage design standards and engineering specifications as stipulated by these regulations.
- (B) Inspects and approves the above improvements;
- (C) Receives copies of and maintains as-built drawings of the above stated improvements;
- (D) Is the final authority for approving construction of completed public improvements not located within the corporate limits of an incorporated village or city.

3.1.3 Coles County Regional Planning Commission

From time to time reviews and examines these regulations and recommends to the County Board such changes as may be necessary. Reviews and makes recommendations concerning requests for variations from these regulations. Reviews the preliminary plat and makes its recommendation to the Planning and Subdivision Committee. Specifically, with regard to subdivision review, the role of the Commission shall be to consider the proposal in regard to: the County's official Land Use Policy Statement; best current subdivision design practices; agreements policies and standards which are the direct responsibility of the Commission; and any matter whatsoever which may concern the relationship of the County's plans with those of municipalities and entities so authorized by State Statute and having planning responsibilities, as well as applicable State and federal plans.

The Commission shall exercise the authority and has the responsibilities as may be so delegated or as provided elsewhere in these regulations.

3.1.4 Coles County Soil and Water Conservation District

Reviews the preliminary plat; makes all natural resource information available to the Planning and Subdivision Committee, the Coles County Regional Planning Commission, the Coles County Board, the Coles County Health Department, and the developer/owner, and issues a written opinion concerning the plat to the same not more than thirty (30) days from the time of receipt of the plat. The District maintains these powers specifically and those additional powers derived from "The Soil and Water Conservation Districts Act," as amended. Use of District reviews will be for general guidance purposes.

3.1.5 Coles County Board

Approves or disapproves the final plat; reviews the preliminary plat and acts upon recommendations of the Planning and Subdivision Committee; approves or disapproves requests for variations from or amendments to these regulations after receiving recommendations from those authorities charged with administering these regulations.

3.1.6 Plat Officer

The Executive Director of the Coles County Regional Planning Commission. Requests for subdivision preapplication, preliminary plat review and final plat approval shall be made through the Plat Officer and in a manner as described in these regulations. Is the responsible County agent in the interpretation of these regulations.

3.1.7 Coles County Health Department

Reviews the preliminary and final plats of subdivision and all related materials required by these regulations and gives professional advice and information to the Commission, the Committee, and the County Board in those matters pertaining to sanitation and public health.

Section 3.2 Procedure

All subdivision plats or maps shall be processed in three stages leading to approval for recording, as follows: (A) Preapplication Phase; (B) Preliminary Plat Review Phase; and (C) Final Plat review Phase.

NOTE: The developer/subdivider is encouraged to be thoroughly familiar with these regulations since he or his representative shall be responsible for compliance including all standards, specifications, certificates and sureties herein required.

(A) Preapplication Phase

NOTE: In addition to mandatory preapplication requirements herein contained, the developer is encouraged to informally discuss the proposed subdivision with the Regional Planning Commission staff and other County agencies as applicable. The developer should also initiate through the plat Officer, discussions with the Planning and Subdivision Committee before preparing any plat or plans intended for use or recording where major deviation is contemplated from the requirements and/or standards herein contained.

- (1) Filing: Prior to the submission of a map or plat of a proposed subdivision, developer shall file three (3) copies of a sketch plan and location map with the Plat Officer.
- (2) Review Procedure: After the filing of the sketch plan, the Plat Officer shall within ten (10) working days notify the developer in writing of any

fact or circumstance known to the Plat Officer, which may adversely affect the proposed subdivision. The Plat Officer may recommend changes in the sketch plan and proposed subdivision to meet existing conditions and to bring the subdivision into conformity with these regulations and other applicable codes and regulations.

(B) Preliminary Plat Review Phase

(1) Filing: The preliminary plat review phase shall begin with the submission to the Plat Officer of six (6) blue-line copies of the plat of subdivision, drawn in accordance with the provisions herein contained and conforming to the approved sketch plan; a report of the Coles County Soil and Water Conservation District; three (3) complete sets of preliminary engineering plans; all other supporting evidence required by these regulations; and, any other evidence deemed necessary by the developer for the complete review of the proposal. The developer or his representative shall also submit a letter with the preliminary plat indicating all requests for variations from the requirements and standards herein contained, whether temporary or permanent in nature. The granting of variations shall be by action of the County Board.

(2) Review Procedure:

(a) Reviewing Agencies: The Plat Officer shall forward copies of the preliminary plat within five (5) working days of the receipt of the plat and all required materials to the agencies listed below for their review. They shall check the plat for compliance with the appropriate provisions in these regulations and other applicable rules and regulations and shall render written report thereon to the Plat Officer. Such reports shall be submitted within thirty (30) calendar days of the original and complete submission of the preliminary plat and required material.

Executive Director, Coles County Regional Planning Commission;
Coles County Superintendent of Highways;
Administrator, Coles County Health Department; Town Highway Commissioner, as appropriate.

(b) Agencies To Be Notified: The Plat Officer shall notify the following agencies of the proposed subdivision:
Incorporated Municipalities located within one and one-half (1 ½) miles of the subdivision;
Coles County Airport Authority Board, if the subdivision is located within two (2) miles of the airport;
Additionally, at the discretion of the Plat Officer, any other agency, taxing body or adjacent property owner having anticipated interest in the subdivision.

(c) Planning Commission and Planning and Subdivision Committee Review:

Thirty (30) calendar days after the complete preliminary plat has been filed in accordance with these regulations, a meeting shall be scheduled for the Planning Commission and for the Planning and Subdivision Committee to review the written comments made available by the reviewing agencies and other interested parties, as well as the preliminary plat request for variations from the requirements and standards herein contained, and other supporting documents and requests.

- (d) **Planning Commission Action:** The Commission shall report to the Planning and Subdivision Committee upon its findings and shall also prepare a written report upon the proposal for presentation to the County Board. Such written report shall accompany the report of the Planning and Subdivision Committee as required by these regulations.
- (c) **Planning and Subdivision Committee Action:** The Committee shall issue a written report to the County Board and the developer indicating: conformity of the preliminary plat and accompanying improvement plans and specifications as presented; acknowledgement of and comment upon any written request for variations presented by the developer; Committee requests concerning additions, changes, corrections, or the need for other information which is deemed necessary to protect the interest of the County; or, recommend rejection of the application when it finds that the proposed subdivision cannot comply with the requirements in these regulations or other applicable regulations enforced by the County or where a proposed subdivision would adversely affect the health, safety, or general welfare of the County.
- (d) **County Board Action:** Within five (5) working days of completion of the final meeting of the Planning and Subdivision Committee at which time a recommendation is made, the Committee shall forward all written reports and their finding and recommendations to the Chairperson of the County Board who shall schedule the report as an item upon the agenda of the next regular County Board meeting. However, if the report is received five (5) working days or less before the date of the regular County Board meeting, the item shall then be placed upon the agenda of the next following regular County Board meeting.

The County Board will upon receipt of findings and recommendations of the Planning and Subdivision Committee act as follows:

By a simple majority present:

Accept and adopt or modify the report or recommendations or refer the matter back to the Committee for further consideration;

Or

By a two-thirds majority of members present:

Override the Committee's recommendation for the rejection and authorize the developer to proceed with actions required to secure final plat approval.

Action by the County Board shall be in the form of a resolution.

If a request for variation has been made, the County Board shall consider such request separately from action approving the preliminary plat of subdivision plans and after noting comments from responsible agencies. Action by the County Board shall be in accordance with requirements herein contained.

After the County Board accepts the Planning and Subdivision Committee's report recommending approval, with or without modification, or overrides a Committee report recommending rejection, one (1) copy of the report and recommendation, the County Board Resolution, the preliminary plat, the preliminary engineering plans, all supporting data, and all reviewing agencies and other comments shall be filed in the offices of the Coles County Regional Planning Commission.

County Board action accepting a Planning and Subdivision Committee's report recommending approval or County Board action override a Committee report recommending rejection shall entitle the developer to seek final plat approval as herein outlined. Such approval shall be granted if the final plat: conforms substantially to the plat and plan recommended and concurs with County Board preliminary plat review action; meets all conditions of the recommendation included in the Planning and Subdivision Committee report as accepted by the County Board, or modified thereby; and, complies with all applicable County ordinances and regulations including those herein contained.

(C) Final Plat Review

Application for final approval of a plat shall be made within one (1) year from the date of report and preliminary plat acceptance by the County Board.

The applicant may elect to obtain approval of all or a geographic part of the plat provided that the specific plan for such phasing is approved by the reviewing authorities and further, that phasing shall not result in detriment to initial phasing or adjacent properties. Such detriment could include, but is not limited to inadequate stormwater management and emergency vehicle access. Only that part of the plat receiving final approval shall be recorded, although bonding may be required for necessary future phase improvements which affect the initial phase or adjacent properties.

- (1) Filing: Application for final plat approval shall be made to the Plat Officer. Six (6) blue-line copies and one (1) sepia copy of the final plat as

well as all additional sets of final engineering plans and specifications shall be required before submission is considered complete.

(2) Review Procedure:

- (a) **Reviewing Authorities:** The Plat Officer shall forward copies of the final plat within five (5) working days of receipt to all reviewing agencies receiving copies of the preliminary plat. Further, the Plat Officer shall also notify all agencies and persons receiving notice of the original preliminary plat request, as well as any agency subsequently requesting such notice of the particular proposal.
Upon complete submission and within twenty (20) calendar days after receipt, interested County agencies shall prepare written reports which shall be available for use and review by the Planning and Subdivision Committee and the County Board.
- (b) **Planning and Subdivision Committee Review:** Twenty (20) calendar days after the complete final plat has been filed in accordance with these regulations, a meeting shall be scheduled for the Planning and Subdivision Committee to review written comments made available by the reviewing agencies and other interested parties, as well as the final plat and other supporting documents and requests. The Committee shall limit its review to: changes considered substantially different from the preliminary plat; compliance with all applicable County ordinances and regulations; comments and recommendations issued by the County superintendent of Highways relating to engineering plans, specifications and bonding; and, variations requested by the developer or recommended by the Committee or other County Agency.
- (c) **Planning and Subdivision Committee action:** The Committee shall issue a written report to the County Board containing comments relating to those issues charged as the responsibility of the Committee in final plat reviews.
- (d) **County Board Action:** Within five (5) working days of completion of the final meeting of the Planning and Subdivision Committee at which time a recommendation is made, the Committee shall forward all written reports and their findings and recommendations to the Chairperson of the County Board who shall schedule the report as an item upon the agenda of the next regular County Board meeting. However, if the report is received five (5) working days or less before the date of the regular County Board meeting, the item shall then be placed upon the agenda of the next following regular County Board meeting,

The County Board shall upon receipt of findings and recommendations of the Planning and Subdivision Committee act as follows:

By a two-thirds majority present:

Accept and adopt or modify the report or recommendations or refer the matter back to the Committee for further consideration; or,

By a two-thirds majority of members present:

Override the Committee's recommendation for rejection and authorize the filing of the final plat of subdivision, provided all other requirements herein contained are met.

Action by the County Board in approval of the final plat of subdivision shall be in the form of a resolution.

If a request for variation has been made, the County Board shall consider such request separately from action approving the final plat of subdivision and after noting comments from responsible agencies. Action by the County Board in granting approval of a variation shall be in accordance with requirements herein contained.

Any final plat or phase of a final plat not recorded within twelve (12) months after final plat approval by the County Board, or approval date of these regulations, whichever is later, shall be void and all rights and privileges due the owner or developer or their heirs or successors shall be immediately rescinded. However, the County Board may consider an extension of the twelve-month period at the time of original approval or within the initial twelve (12) month period. No extension shall, with the time limit granted for the original approval plus any extension, exceed twenty-four (24) months. The granting of an extension is at the sole discretion of the County Board and such extension request makes the plat and developer subject to additional conditions which would in the opinion of the County Board, safeguard the interests of the County and its citizens. The requirements of this paragraph shall not be construed so as to discourage master planning of subdivision development.

- (e) Developer's Responsibilities: The developer shall cause a surety bond to be posted in an amount approved by the County Superintendent of Highways and conforming to the standards herein contained. The bond shall be posted with the County Clerk. Said surety being filed not less than (5) working days prior to the County Board meeting at which time final plat approval is sought.

The developer shall be responsible for filing the final plat and the County Board resolution, as well as any resolution relating to the granting of a variance from these regulations with the County Recorder. Further, the developer shall be responsible for all fees

associated with such filing. The County Recorder's office should be contacted prior to attempting to file the final plat and associated documents, so that the developer may determine the quantity of copies which are required to meet that office's needs.

3.2.1 Preapplication Phase Document Specifications

The developer or his representative shall submit the following:

- (A) Sketch Plan. A sketch plan drawn to a convenient scale of not more than one inch equals one hundred feet (1"=100') showing boundaries of the property to be subdivided; proposed name of the subdivision; layouts of roads, blocks, and lots; location of public or common open space and other areas of commercial and nonresidential use; existing land characteristics such as roads, drainage structures, impoundments, culvers, tiles and buildings; and, adjacent development characteristics such as roads and available utilities.
- (B) Location Map. A small scale map or sketch of the general vicinity showing the relationship of the proposed subdivision and existing subdivisions, land uses, municipal and airport boundaries, and community facilities which serve or influence the site.

3.2.2 Preliminary Plat Document Specifications and Support Materials

The plat shall be drawn or printed upon tracing paper, tracing cloth, or a similar reproducible medium. The plat shall be drawn at a scale of one-inch equals one hundred feet (1"=100') or a metric scale of 1:1000. All material shall contain information concerning the name of the subdivision; the name, address and telephone number of the firm and person preparing the materials, and if appropriate, signature and certification; and, the date of material preparation with reference to any changes made. There shall be one common scale for all maps and plans presented for each subdivision, unless otherwise stated herein or when it is determined by the Plat Officer to be necessary for a proper exhibit of the subdivision. The plat may be prepared, at the developer's discretion, so as to contain items required in both the preliminary and final plats. Note: Adjacent shall mean for these specifications and as a minimum, the area lying outside of but contiguous to the subdivision site and extending a distance of one hundred (100) feet, or to such a further distance as may be necessary.

- (A) Preliminary Plat Contents:
 - (1) The proposed subdivision name, which shall not duplicate the name of any platted subdivision previously recorded in Coles County;
 - (2) Date, bar scale and North arrow;
 - (3) Location by distances and bearings from true North or Grid North, as established by the Illinois state Plane Coordinate System, East Zone, and angles with reference to a corner or corners established in the United States Public Land Survey;

- (4) All angular and linear data along the exterior boundary of the tract, which meets the criteria for a “second order” accuracy survey, by Illinois Registered Land Surveyor’s Standards;
- (5) The width, course, and extent of all existing and proposed on-site and adjacent roads, streets, and other thoroughfares; and, railroad rights-of-way, if present;
- (6) The names of all existing and proposed roads, streets, and other thoroughfares;
- (7) The location, dimensions and easements of all existing and proposed public utilities (surface and subsurface) and private utilities affecting the site or proposed for extension thereupon, including but not limited to water lines, sanitary sewers, storm sewers and drainage tile lines;
- (8) Locations and dimensions for any other easements and any limitations upon each easement;
- (9) All existing adjacent and developer-proposed tracts, parcels. Lots or blocks giving their precise dimensions where existent and approximate dimensions where proposed, including square footage for proposed parcels and lots;
- (10) The progressive numbering of all proposed tracts, parcels, lots and blocks;
- (11) Existing and proposed building setback lines and dimensions.
- (12) All existing and proposed adjacent and on-site parks, playgrounds, school grounds or other grounds to be dedicated or reserved for public, semi-public, common of community use;
- (13) The locations and widths of any proposed walkways and easements, clearly indicating any connections to present or proposed public lands or facilities and/or private walkways and easements;
- (14) The identification of all civil and/or political divisions within which the proposed subdivision is wholly or partially located. And where applicable, the location of the division’s boundary line if within or adjacent to the site. Such divisions shall include, but are not limited to: school districts; fire protection districts; incorporated municipalities; soil and water conservation districts; park districts; and water districts;
- (15) The location and direction of flow, as applicable, of natural drainage ways, streams, rivers, and lakes, and similar natural flows or impoundments;
- (16) The location and identification of all existing manmade features including but not limited to; buildings, excavations, bridges, impoundments, drainage improvements and tiles within and adjacent to the site;
- (17) Present zoning of the site and the authority of that zoning, if applicable;
- (18) The name(s), addresses, and telephone number(s) of the owner(s) and developers of the subdivision or their duly authorized representative;
- (19) The names(s), addresses and telephone number(s) of the surveyor, engineer, or planner preparing the preliminary plat. NOTE: The final plat must be prepared by an Illinois Registered Land Surveyor.

(B)

- (1) Vicinity Map: A small scale map at a scale of not less than one inch equals two thousand feet (1”=2000’), which may be shown on or accompany the preliminary plat. The map shall indicate the site’s relationship to municipal and

airport boundaries, traffic arteries, community facilities, railroads and other minimum one thousand (1000) foot radius surrounding the site, and by notation indicate municipalities located within one and one-half (1 ½) miles, and the Coles County Memorial Airport if within two (2) miles;

(2) Water Supply and Sewage Disposal: Preliminary plans for water supply and sewage disposal facilities shall be presented.

Including:

(a) The location of the nearest public water supply and fire hydrant with a statement from the controlling authority indicating the ability to serve the site as well as available capacity. Requests will be in writing by the developer with notice that reply be made within fourteen (14) calendar days of receipt. In addition, if the site is to be served by private wells, a statement of the adequacy and usability of the proposed water supply available on-site; such statement shall include available well logs of the area.

(b) The location of the nearest public or private sewer system shall be shown with information concerning the possibility of connection and the capacity of the system will be required where this information is necessary. If the subdivision lots are to be served with individual wastewater systems, the plans shall be reviewed by the Coles County Public Health Department for conformance to the Coles County Private Sewage Disposal Ordinance, as amended, as well as any other applicable State or local ordinances;

(3) Drainage and Stormwater Management: Preliminary plans for site drainage, surface, and subsurface, and stormwater management shall be presented. Also to be included is a statement of whether the proposed subdivision is located in a drainage district and identifying any agreements that have been made with the drainage district in which the subdivision is located, if any;

(4) Water Course and Impoundments: Preliminary plans for any proposed water course changes or impoundments to be developed. Existing and proposed impoundments shall indicate points of discharge, design capacities and calculations, and shall indicate normal pool elevations. Water courses shall show direction of flow. Both impoundments and water courses shall indicate elevations of the one hundred (100) year flood;

(5) Soil Information Plan: Such plan shall contain delineation of the subdivision by soil types utilizing the most recent soil survey techniques and classification information system in use by the United States Department of Agriculture, Soil and Water Conservation Service; any information known and relating to the site's water table elevation; and, any such additional information as may be required by the reviewing authorities, including further soil tests conducted as to ASTM (American Society for Testing Material) standards when indicated by soil type;

(6) Percolation Report: A report prepared by an Illinois Registered Professional Engineer shall be required which shall contain a representative number of percolation tests as selected by the County Health Department. Tests need not exceed one test per five lots or one test per change in soil type,

whichever is greater. These tests shall be provided where on-site wastewater disposal is contemplated.

(7) Topographic and Profile Studies: There shall be submitted simultaneously with the plat a study which shows topographically and by profile the elevation of the land prior to the commencement of any change in elevations as part of any phase of subdividing as well as a study which shows topographically and by profile any changes contemplated in the elevation, including the flow of surface water from such land when change is contemplated. Topography of the site shall be identified with contour lines at two (2) foot (one meter if the plat is metric) vertical intervals on grades of less than five (5) percent and with five (5) foot (two meters if the plat is metric) contours elsewhere. Contours and elevations shall be based on sea level datum, USGS standard, where possible. Further, the topographical studies shall be prepared in such a manner as will permit the studies to be used as overlays to the subdivision plat. The studies shall have on their face a certification of an Illinois Registered Professional Engineer and the owner of the land or his duly authorized representative conforming to Certificate Number 4 in these regulations;

(8) Road and Thoroughfare Design Plan: Such preliminary plan shall contain information as to right-of-way widths, pavement design, standards and specifications, cross sections and profile drawings of roads, streets, thoroughfares and other public ways, all conforming to the design requirements herein contained, including entrance standard detail and culvert sizes for each entrance;

(9) Special Studies: Where required by site conditions or these regulations, such other special studies as may be necessary and which may include but need not be limited to preliminary erosion control plans and specifications; landscaping plans and specifications; and, fill plan with location, depth and fill type where added;

(10) Variance Narrative: If a variation or variations are to be requested from the standards herein contained, a narrative for each variation the developer is requesting shall accompany all other documents;

(11) Covenants, Restrictions, Home Owner's Information: One copy of the preliminary covenants, deed restrictions, and/or home owner's association charter and by-laws, if a home owner's association is intended. NOTE: Within the covenant, statements shall be included, as applicable, which identify subsequent lot owners as responsible for the placement of driveway culverts in accordance with approved engineering plans. And, which identify lot owners as responsible for contacting the Coles County Health Department for review and approval of individual (non-municipal type) septic systems and well locations, prior to construction of any permanent improvements or structures upon the individual lot. All restrictions are to be reviewed as part of the plat review process and must be recorded, as approved, with the approved plat.

3.2.3 Final Plat Document Specifications and Support Materials

The final plat shall be prepared by and Illinois Registered Land Surveyor and drawn in india ink on tracing cloth or reproducible mylar at the same scale as the preliminary plat. When more than one sheet is used for any plat, they shall be

numbered consecutively and each sheet shall contain a notation showing the whole number of sheets in the plat and its relation to other sheets.

(A) Final Plat Contents:

- (1) Name of Subdivision;
- (2) Date, bar scale, and North arrow;
- (3) Location by distances and bearings from true North or Grid North, as established by the Illinois State Plane Coordination System, East Zone, and angles with reference to a corner or corners established in the United States public Land Survey;
- (4) All angular and linear data along the exterior boundary of the tract, which meets the criteria for a "second order" accuracy survey, by Illinois Registered Land Surveyor's Standards;
- (5) The width, course and extent of all existing and recorded roads, streets, thoroughfares and other rights-of-way intersecting the boundaries of the subdivision with accurate dimensions in feet and decimal parts of feet (or metric equivalents if utilized in the preliminary plat) and accurate angles to streets, thoroughfares, alleys and property lines;
- (6) The width, course and extent of all proposed roads, streets, thoroughfares and other rights-of-way with accurate dimensions in feet and decimal parts of feet (or metric equivalents if utilized in the preliminary plat) and accurate angles for all curves included in the plat;
- (7) Complete curve notes for all curves included in the plat;
- (8) Location, type and size of all monuments and lot markers;
- (9) The names of all existing and proposed roads, streets, and other thoroughfares;
- (10) The location and dimensions for all easements and any limitations thereupon;
- (11) Accurate location of all existing abutting tracts, parcels. Lots or blocks;
- (12) All tracts, parcels, lots and blocks contained within the subdivision shall be precisely dimensioned including any property to be dedicated or reserved for public, semi-public, common, or community use;
- (13) All tracts, parcels, lots and blocks contained within the subdivision shall be consecutively numbered;
- (14) All setback lines required by these regulations or fixed within approved protective covenants shall be shown and dimensioned upon the plat;
- (15) The centerlines of streams, rivers or other similar flows; the normal pool elevation of any lake or impoundment; and, an elevation line indicating the elevation of the one hundred (100) year flood, if applicable;
- (16) The names(s), address(es) & signature(s) of the owner(s) & developer(s) of the subdivision or their duly authorized representative;
- (17) The name, address, registration number and seal, & signature of the Illinois Registered Land Surveyor preparing the final plat;

- (18) Certificate required by these regulations to be included upon the final plat;
- (19) A statement of maintenance responsibility for any public improvements.

Section 3.3 Subdivision Plat and Recording Fees

Subdivision recording fees shall be and plat review fees may be established by the County Board, all in accordance with applicable Illinois Revised Statutes.

Section 3.4 Vacation of Plat

Any Plat may be vacated by the owner of the premises at any time before the sale of any lot therein, by a written instrument to which a copy of the plat is attached, declaring it to be vacated. The following provisions shall govern the vacation of plats in the County.

A. Initiation of Proceedings

All owners of record of the real property shall join in the petition to have the recorded Plat vacated.

B. Petition Form

The petition for Vacation (Petition) shall be submitted to the Coles County Regional Planning and Development Commission (CCRP&DC) in writing and shall contain the following:

- (1) A copy of the Plat;
- (2) Evidence of title to the real property contained within the plat;
- (3) Evidence that the Petition has been submitted for approval, and has in fact been approved by the following entities: the County Highway Superintendent and/or County Engineer, the Township Highway Commissioner, District Engineer of the Illinois Department of Transportation, and all public utilities involved in the plat.
- (4) Such other pertinent information as may be required by the CCRP&DC and/or County Board.

C. Fee for Processing Vacation

The Coles County Board may establish a fee for processing the vacation of a plat pursuant to this article in the amount which will reimburse the County for all costs incurred in processing the vacation. Such fee shall be paid by the owners at time of filing the petition to vacate.

D. Conditions of Vacation

Recorded subdivision plats may be vacated only if the following are met:

- (1) All owners of an interest in the real property within the recorded subdivision have consented to the petition for vacation;
- (2) None of the lots shown on the recorded plat have been improved.
- (3) If there are public service facilities in the highways, streets, alleys and other public ways and in easements shown on the plat, the petition shall reserve to the public body or public utility owning such facilities, the property, rights of way and easements necessary for continuing public service by means of those facilities and for the maintenance, renewal and reconstruction of the same.

E. Effective Date

Vacation shall be effective on the date of approval of the Petition by the County Board. The approved Petition shall be filed with the County Recorder of Deeds.

F. Return of Deposits/Release of Securities

When a vacation is effective all deposits shall be returned and all improvements security released.

3.4.1 Vacation of Part of Plat

Any part of a plat may be vacated in the manner provided in the preceding section, and subject to the conditions therein prescribed: Provided, such vacation shall not abridge or destroy any of the rights or privileges of other proprietors in such plat: And, provided, further, that nothing contained in this section shall authorize the closing or obstructing of any public highway laid out according to law.

TITLE IV. SUBDIVISION DESIGN STANDARDS AND SPECIFICATIONS

Section 4.1 General Requirements

4.1.1 Every subdivision plat shall be prepared in conformance with:

- (A) The Statutes of the State of Illinois
- (B) The objectives and policies of applicable municipal comprehensive plans;
- (C) The objectives and policies of the Coles County Regional Comprehensive Planning Program;
- (D) The Coles County Subdivision Regulations;
- (E) All applicable codes and ordinances as adopted by the County of Coles;
- (F) All applicable federal codes and regulations;
- (G) Modern and best available planning and design practices

Section 4.2 Conformity to Natural Features

All subdivision and all areas contained therein shall be planned to take advantage of the natural topography of the land, to reduce the overall amount of grading and disruption of surrounding drainage. The county reserves the authority to deny or require modification of any subdivision or plat thereof which because of its natural characteristics or position, cannot be developed to provide an environmentally sound location. Some conditions which may make land unsuitable for subdivision or development are as follows:

- 4.2.1 Lands lying within or less than one (1) vertical foot above flood level. The flood level is the elevation produced from a storm of a one hundred (100) year frequency or in the absence of this information, from the best possible information available from the Illinois Floodplain Information Repository of the Illinois State Water Survey.

Floodplains are prohibited from receiving fill which raises the one hundred (100) year storm flood stage more than one-tenth (.1) foot.

- 4.2.2 Land areas with high permanent water tables, swamp, highly organic soils subject to overflows, soils subject to extreme erosion, and soils which in other ways present hazards to public and private construction.
- 4.2.3 Subdivision planned for development with septic systems which contain areas with soils which show a high seasonal water table, slow or excessive permeability, or soils subject to excessive frost action. However, a lot will not be denied for subdivision under this subsection when the developer provides proof that a nonconventional sewage and waste system can be developed which is both effective and efficient for the lot or lots in question. Any lot or lots requiring or having the potential need for unconventional sewage and waste systems shall be noted upon the face of the plat.
- 4.2.4 Lands lying on a general overall slope in excess of fifty (50) percent shall be excluded from development and may be placed in a conservation easement. Nonpublic systems for sewage and waste disposal intended to be located on lands lying on more than twelve (12) percent slope shall require special engineering and shall require approval of a system for each such lot prior to approval of the subdivision. Public or private improvements on lands containing more than twelve (12) percent slope will be considered for approval provided that the developer's evidence conclusively indicates no damage will occur to the environment; the approval of the subdivision will not create or intensify negative conditions relating to public health, safety or welfare; and, there will be no increase in replacement or maintenance costs of public facilities when compared to an area of lesser slope. Meeting these conditions, the County Board may approve the subdivision.

Section 4.3 Roads, Streets, and other Thoroughfares

- 4.3.1 The thoroughfare and street layout and alley layout where permitted, shall provide access to all lots and parcels of land within the subdivision. When two (2) roads or streets intersect the same street (T-intersection), offsets or less than one hundred twenty-five (125) feet shall not be permitted.

- 4.3.2 Alleys shall not be permitted in those parts of the plat proposed for single family and tow-family residential use. Service roadways may be required in commercial and industrial developments, except where other acceptable provisions for suitable access and off-street loading and unloading is assured. No dead end alleys shall be permitted.
- 4.3.3 Pavement construction for service roadways and alleys where permitted, shall be established by the County Superintendent of Highways on a case-by-case basis using best engineering practices.
- 4.3.4 Half-streets are prohibited except when a half-street has been previously platted abutting the tract boundary line, the remaining half-street shall be platted and improved within the tract. In cases where the platting of a half-street is approved, it shall not be constructed or used for access to any lot until such time as the adjoining half-street is platted, approved, and the entire street is constructed.
- 4.3.5 Right-of-way Widths: See: Table 1.
- 4.3.6 Whenever a tract of land, proposed to be subdivided or developed, includes a proposed public road, street, or other thoroughfare, or embraces any part of a road, street or other thoroughfare designated on the County Official Road Plan, such street shall be shown, constructed, and dedicated in the location indicated on said plan and to the right-of-way.
- 4.3.7 Partial right-of-way width: In those instances in which the owner or owners of a new subdivision own land on only one side of an existing road or street and the right-of-way is narrower than required by these regulations, the owner shall dedicate additional right-of-way lying between the center line of the existing right-of-way and the outside edge of the additional right-of-way at least equal to one-half (1/2) of the required right-of-way width.
- 4.3.8 The angle of intersection between local roads and streets and collector and arterial roads shall not vary by more than ten (10) degrees from the right angle. All other local roads and streets shall intersect each other as near to a right angle as possible and in no case shall an angle of less than seventy (70) degrees be permitted.
- 4.3.9 Intersections of three or more roads or streets at any one point shall be prohibited.
- 4.3.10 Where parkways or special types of roads or streets are involved, the reviewing authorities may apply special standards to be followed in their design.
- 4.3.11 Horizontal visibility on curved streets and vertical visibility on all roads and streets shall be maintained along the centerline. See: Table 1.
- 4.3.12 Curvature measured along the centerline shall have a minimum radius. See: Table 1.
- 4.3.13 Maximum Grades for roads, streets, and thoroughfares are herein established. See: Table 1.

- 4.3.14 Whenever the proposed subdivision contains or is adjacent to a railroad right-of-way or a highway designated as a Limited Access Highway by the appropriate highway authorities, provisions shall be made for a parallel thoroughfare.
- 4.3.15 Roads, streets, alleys where permitted, and other thoroughfares shall be designed in consideration to their relation to existing and planned roads, streets, and thoroughfares; to reasonable circulation of traffic; to topographical conditions, to runoff of stormwater; to public convenience and safety; to soil conditions; to extraordinary public maintenance and replacement costs; and, in their appropriate relation to the proposed uses of the land to be served by such roads, streets, and thoroughfares.
- 4.3.16 Stormwater systems, roads, streets, alleys where permitted, and other thoroughfares shall have complete plans, profiles, and cross sections, provided by the subdivider and prepared by an Illinois Registered Professional Engineer.
- 4.3.17 Roads, streets, alleys where permitted, and other thoroughfares shall be graded, surfaced and improved to the dimensions as indicated upon the plans,
- 4.3.18 Minimum road surface widths are hereby established by these regulations. See: Table 1. Where a subdivision is being platted upon an existing road, such road must be improved by the developer to meet the minimum standards established for the classification of the road and herein contained. Where use of an existing road or thoroughfare is to be shared between subdivision use and any general public use, required improvements above the minimum standards will be considered on a cost-sharing basis between the developer and the road or thoroughfare authority.
- 4.3.19 All roads, streets, alleys where permitted, and other thoroughfares in any subdivision shall have a drainage plan conforming to all State, County, local and federal laws and regulations applicable and shall represent best modern engineering practices.
- 4.3.20 The diameter of the paved surface of a permanent turnaround shall not be less than one hundred (100) feet.
- 4.3.21 Spite or reserve strips controlling access to public roads, streets, rights-of-way, actual or proposed by the County official Road Plan, shall be prohibited.
- 4.3.22 Dead end or stub end streets are prohibited. A road or street permanently ending in a cul-de-sac shall not be considered "dead end" for purposes of these regulations.
- 4.3.23 All streets, roads, and other thoroughfares providing primary means of access to property shall be named. Names of streets, roads and thoroughfares in the proposed plat shall be chosen to avoid confusion and supplication with existing names, especially with such names located within the jurisdiction supplying fire protection to the site. The developer shall be responsible for the purchase and erection of road and street name signs resulting from the development and shall construct and locate such signs according to the direction of the County Superintendent of Highways.

- 4.3.24 Traffic control and warning devices whose need is created by the subdivision shall be purchased and erected by the developer.
- 4.3.25 Maximum length of permanent cul-de-sac streets shall be six hundred (600) feet measured from the centerline of the intersection of the street to the center of the turning circle. Each cul-de-sac shall be provided at the closed end with a turn around having a minimum diameter of one hundred (100) feet, and a minimum street right-of-way line diameter of one hundred twenty (120) feet. No cul-de-sac may intersect with another cul-de-sac.

Section 4.4 Curbs and Gutters

- 4.4.1 Wherever a proposed subdivision lies adjacent to or between other subdivisions which have been provided with curbs and gutters, the subdivider shall install curbs and gutters on each side of the street or road surface.
- 4.4.2 Subdivisions having a lot area of less than ten thousand (10,000) square feet or whose average lot width is less than one hundred (100) feet at the building setback line, or when the authority duly designated for the acceptance of the roadway requires for reasons of drainage or public safety, shall have curbs and gutters. Determination of need shall be based on pavement drainage, access control, and highway appurtenances design standards of the Illinois Department of Transportation's Bureau of Design, Design Manual, latest amended edition.
- 4.4.3 Gutters and combination gutters shall be Portland Cement concrete of not less than twenty-four (24) inches in overall width and not less than six (6) inches thick, as shown on Plate 1. The curbs and gutters shall conform to one of the construction types shown in Standard Specification Number 1790F, as amended, of the Illinois Department of Transportation or as shown on Plate 1, and herein contained, and shall be constructed according to the following specifications:
- (A) The base for the curbs and gutters shall be well-compacted on the existing base or grade;
 - (B) The minimum specifications shall be as shown for the types of cross sections in the Standard Specifications;
 - (C) All concrete used in the curbs and gutters shall meet or exceed the specifications of the Illinois Department of Transportation.
- 4.4 Integral or monolithic curbs of the same dimensions as shown in the standard Specifications or on Plate 1 may be constructed with concrete pavement, provided the curb widths meet the requirements shown on Plate 1.
- 4.5 The minimum grade of any road or street gutter or drainage swale shall not be less than three-tenths (.3) percent and where open ditches or swales are permitted shall be designed in conformance with Section 4.11 of these regulations.

Section 4.5 Sidewalks and Pedestrian Walkways

- 4.5.1 Wherever a proposed subdivision lies adjacent to or between other subdivisions which have been provided with sidewalks, the subdivider shall install sidewalks on each side of the street.
- 4.5.2 Subdivisions having an average lot area of less than ten thousand (10,000) square feet or an average lot width at the building setback line of one hundred (100) feet or less shall have sidewalk installed on both sides of the street or road. Subdivisions with lots in excess of ten thousand (10,000) square feet or wider than one hundred (100) feet at the building setback line may be required by the Planning and Subdivision Committee to install sidewalks where it is deemed necessary to provide for the safety of pedestrians.
- 4.5.3 Sidewalks shall have a minimum width of four (4) feet and a minimum thickness of four (4) inches. Sidewalks shall be constructed of Portland Cement concrete or an approved equivalent.
- 4.5.4 Pedestrian walkway easements, not less than ten (10) feet in width may be required through the center of blocks more than twelve hundred (1,200) feet in length, where deemed necessary for improved circulation or access to schools, playgrounds, or other community facilities. They shall be surfaced with a Portland Cement concrete walk not less than five (5) feet in width and meeting all other requirements of public sidewalks.
- 4.5.5 Sidewalks and walkways shall be of a continuing common surface, not interrupted by abrupt changes in level. Joints shall not exceed one-half (.5) inch in width and shall be flush with adjoining surfaces. The cross slope or crowning shall be between 1:50 and 1:100, and where vehicular driveways intersect walks, design priority shall be given to the pedestrian and not the vehicle.
- 4.5.6 Sidewalks and walkways with gradients steeper than 1:20 shall not be permitted without the addition of features providing safeguards against slipping and falling hazards.
- 4.5.7 Whenever walks and sidewalks intersect with other walks and sidewalks, parking lots, driveways, roads, streets, the surface shall blend to a common level to allow smooth passage. Specific ramp criteria as indicated in "Accessibility Standards Illustrated," as amended, and as developed by the Capital Development Board of Illinois, shall and are hereby incorporated into these regulations.

Section 4.6 Easements

- 4.6.1 Easements shall be provided for an overhead or underground utilities including but not limited to sanitary sewer, storm sewer, water, gas, telephone, electricity, and cable television. Such easements shall have a minimum width of twelve (12) feet. Where it is intended that both overhead and underground utilities shall share the same easement, additional width sufficient to avoid conflict shall be provided. No surface drainage

easement shall be permitted to be contained in an easement intended for underground utilities where drainage creates problems of seepage or coverage of the underground utilities. To the extent possible, easements shall be established along rear lot lines to provide continuity of alignment through the subdivision.

- 4.6.2 Land subject to a public or private easement shall be restricted to prohibit within such easement structures, plantings or other materials from being placed or permitted to remain which may damage or interfere with the installation or maintenance of utilities; which change the direction of flow or drainage channels in the easement; or, which may obstruct or retain the flow of water through drainage channels in the easement.
- 4.6.3 Conservation easements may be required to protect natural areas of excessive slope or areas subject to flooding in order to prevent erosion, changes of stream quality or flooding characteristics.
- 4.6.4 Drainage easements may be required as specified by Section 4.11 of these regulations.
- 4.6.5 All utilities providing service within a subdivision as well as services providing connections between transmission lines or pipes and individual structure services shall be placed underground and within easements.
- 4.6.6 Any public or private utilities or drainage systems transversing any part of a proposed subdivision and not heretofore possessing a recorded easement shall have an easement indicated upon the plat and meeting the minimum criteria of this section.

Section 4.7 Blocks

- 4.7.1 In any subdivision in which the average width of lots is less than fifty (50) feet, no block shall exceed one thousand three hundred twenty (1,320) feet in length. In any subdivision in which the average width of lots equals or exceeds one hundred fifty (150) feet, no block shall exceed two thousand (2,000) feet in length.
- 4.7.2 Blocks or portions thereof intended for commercial or industrial use shall be designed as such, and the plan shall show adequate off-street areas to provide for parking, loading facilities, and other such facilities.

Section 4.8 Lots

- 4.8.1 Any lot that is served by a State Environmental Protection Agency approved community water supply system and a State approved community sanitary sewer and sewage treatment system shall be a minimum of:
 - (A) Fifty (50) feet wide at the setback line and not less than six thousand five hundred (6,500) square feet in area for single and two family residences;
 - (B) Ninety (90) feet wide at the setback line for the first three (3) units and five (5) feet additional in width for each additional unit and not less than three thousand

- (3,000) square feet in area per dwelling unit for dwellings containing three (3) or more units;
 - (C) For commercial or industrial uses; one hundred (100) feet wide at the building setback line and not less than ten thousand (10,000) square feet in area;
 - (D) The depth-to-width ratio of usable area of a lot shall be at a maximum of three to one (3:1).
- 4.8.2 Any lot that is not served by a State approved community sanitary sewer and sewage treatment system, whether or not that lot is served by an approved community water supply system shall be a minimum of:
- (A) Eighty (80) feet wide at the setback line and not less than one (1) acre area for single and two family residences;
 - (B) One hundred (100) feet wide at the setback line for the first three (3) units and five (5) feet additional in width for each additional unit and not less than one (1) acre, and not less than an additional eight thousand (8,000) square feet in area per dwelling unit for dwelling units containing three (3) or more units;
 - (C) For commercial or industrial uses; two hundred (200) feet wide at the setback line and not less than one (1) acre in area;
 - (D) Or, of sufficient size and capabilities to meet the recommendations of the Illinois Department of Health and the Coles County Health Department to be able to adequately accommodate both a primary and secondary treatment site and a potable water supply. However, in no case shall a lot governed by Section 4.8.2 have setback and width requirements less restrictive than those standards therein contained for single and two family residences.
 - (E) The depth-to-width ratio of the usable area of a lot shall be at a maximum of three to one (3:1).
- 4.8.3 All corner lots shall contain the width necessary to conform to the required setbacks along either roads or streets.
- 4.8.4 All lots shall abut on a publicly dedicated and accepted all-weather road or street meeting the minimum standards for the classification and requirements herein contained.
- 4.8.5 Side lot lines shall be at right angles or radial curved streets and roads.
- 4.8.6 Trees and shrubs shall be planted as to form a tight screen along the rear lot line of any lot in a subdivision which backs upon an arterial road, limited access highway, or collector road, or commercial or industrial area or railroad. Such lots shall in no case be less than one hundred fifty (150) feet in depth.
- (A) Double frontage lots shall not be permitted where both roads and streets are deemed to be classified as "local".
 - (B) In all other cases where double frontage lots are permitted, vehicular access shall be permitted to only one thoroughfare, and that thoroughfare being of the lower classification. Restrictions as to access shall be indicated upon the face of the plat.

4.8.7 The total land area within the boundary of a plat shall be an official part of the plat and accounted for as either lots, tracts, easements, dedicated or reserved public areas, dedicated rights-of-way, or common area.

4.8.8 Side and rear setback lines shall be ten (10) feet as a minimum.

Section 4.9 Required Setbacks

Required setbacks shall be measured from the right-of-way line of the road, street or other thoroughfare to the front of the foundation. Minimum lot widths shall be calculated at the minimum setback line requirement. In cases where the actual foundation is located at a point further than the required setback, the lot width minimum shall be applicable to both the required setback as well as the actual foundation setback: See Table 1 for minimum setbacks.

Section 4.10 Dedication of Public Lands and Open Space

4.10.1 Where a subdivision creates a unique and specifically attributable need for local public facilities sites including but not limited to education, recreation, or public health, safety or welfare purposes, the Planning and Subdivision Committee may recommend and the County Board may require the donation of suitable sites for such purposes. The intention of this requirement is to maintain existing levels of public service and public facilities available within the taxing jurisdiction of each respective responsible public agency.

4.10.2 The developer shall be prepared to conform to the donation requirements of these regulations for public purposes. Specific requirements for parcel size shall be formulated. Sites required to meet the intent of Section 4.10.1 shall not include in area calculation streets, roads or similar rights-of-way nor minimum public utility easements. Maintenance and replacement costs in any area accepted for donation and containing improvements designed wholly or primarily for stormwater management or facilities included for operation in a homeowner's association or similar legal mechanism shall remain the responsibility of the developer, association or such private entity as the case may be.

4.10.3 Cash donations may be required for small subdivisions or subdivisions lacking suitable areas for necessary public purposes. The amount of cash donation required shall be based upon the value of land, which would be necessary to provide a suitable and convenient site near the subdivision's location.

4.10.4 The County Board shall require proof of existing levels of public service and facilities where donations are requested. The requiring of a donation shall be based on sufficient data. Calculations shall be based on the attributable needs of the population of the proposed subdivision and to existing standards and levels of services and facilities presently provided by public agencies serving the taxing area serving the proposed site.

4.10.5 In the event the subdivider dedicates land for public use and the appropriate public agency formally and legally indicates its willingness to accept such land, said public

agency shall provide the subdivider with a resolution of acceptance or similar legal device to accept the dedication or cash lieu of land. Said agreement and its enforcement and application shall be a binding contract between the developer and the respective agency and their respective successors.

Section 4.11 Drainage

- 4.11.1 All subdivisions shall have an engineer designed and County approved drainage system plan which shall include full details of all surface and/or subsurface improvements. Design of the drainage system plan and stormwater management facilities shall be in accordance with current and best engineering practices. The standards for the design shall be adequate for the soils within the site as well as meet applicable local, State and federal requirements in existence at the time of subdivision approval. No permanent structures or hazardous materials shall be permitted within the floodplain of a drainage-way for a one hundred (100) year, twenty-four (24) hour storm.
- 4.11.2 Drainage systems shall have adequate capacity to bypass through the subdivision other flow from all upstream areas currently accepted upon the subdivision site and for that volume of water generated by a storm of one hundred (100) year frequency for Coles County, Illinois. See: Plate 3.
- 4.11.3 Internal drainage of the subdivision shall adequately drain all portions of the subdivision, and shall be designed for a storm of one hundred (100) year frequency with a release rate from the site not to exceed the stormwater runoff rate in its natural undeveloped state, as otherwise herein indicated. Runoff concentrations shall not be permitted which cause erosion or other hazards to life and property within, adjacent to, or downstream from the subdivision.
- 4.11.4 Whenever agricultural tiles are located within a subdivision which drains an area outside of the subdivision, the developer shall dedicate an easement not less than ten (10) feet in width along each side of the agricultural drainage tile for purposes of maintenance, improvements, or replacement of the tile. Tiles may be relocated but shall be placed in easements or contained within public rights-of-way. The developer shall be responsible for relocating all agricultural field tile in the subdivision that service any area located outside of the subdivision. New tile must replace all disturbed agricultural tile. Relocated tile shall retain the design flow of the original tile. Agricultural drainage tiles which drain an area outside of the subdivision shall remain a separate system and not incorporated into the subdivision surface and/or subsurface system, except that a connection may be permitted where the flow entering the agricultural tile system is not increased beyond the flow of the site in its present natural undeveloped state. There shall be no connection between a septic system, storm sewer, road drainage system, or sink to any agricultural field tile. The Planning and Subdivision Committee may require the subdivider to take those actions necessary for the purposes of discovery of the agricultural drainage tile. Agricultural drainage tiles shall, where possible, be aligned in easements located along property lines. Tiles crossing potential building pads and septic system locations shall be relocated or the lot designed to avoid such potential conflict.

- 4.11.5 Design flows for roadside ditches shall conform to the requirements of the Illinois Department of Transportation's Bureau of Design, Design Manual, latest amended edition; however, as a minimum, such ditches shall be designed to accommodate the maximum discharge from a storm of twenty (20) year frequency. Stormwater sewers, which serve as main or terminal collectors, shall be of sufficient design to accommodate a maximum discharge from a storm of ten (10) year frequency. Those storm sewers, which serve as laterals, shall be of sufficient design to accommodate a maximum discharge from a storm of five (5) year frequency.
- 4.11.6 The filling, alteration, widening or any other restriction or alteration of a natural stream and flood basin shall be permitted only as shown upon the final approved engineering drawings. Where erosion occurs along streamside slopes, whether caused by alteration or natural occurrence, suitable erosion controls shall be instituted by the developer. All disturbed areas will be seeded, fertilized, and mulched to prevent soil loss in excess of tolerable soil loss limits as defined by the U.S. Soil Conservation Service. Temporary erosion control measures will be used during time of development to control excess soil erosion caused by development activities. Permanent measures will be installed as well where needed. Where such occurrences exist on stream slopes exceeding twelve percent, said slopes shall be contained and dedicated in a natural easement.
- 4.11.7 Where roadway ditches or swales are permitted, such ditches or swales shall be completely included within the road right of way. Where ditch or swale integrity requires additional protection, additional easements may be required either permanently or during construction. Unless lesser standards are approved by the County Superintendent of Highways due to special circumstances, drainage shall be improved as follows:
- (A) Slopes: both front slopes and back slopes shall not exceed a four to one (4:1) slope;
 - (B) Grades: with grades to four (4) percent, ditches may have sod bottoms and banks; where ditch grades of four (4) to eight (8) percent occur, gradient control structures shall be used to maintain the ditch at four (4) or less; with greater than eight (8) percent grades, ditches, or swales shall have a rip-rap or be paved.
- 4.11.8 Where crossroad culverts occur, the right-of-way shall be sufficient to include any headwall or similar structure.
- 4.11.9 Floodplain data used in all design work shall be the best possible information available from the Illinois Floodplain Information Repository of the Illinois State Water Survey.

Section 4.12 Monuments

- (A) Permanent Monument: a permanent monument shall consist of a ferrous metal pin, one-half (1/2) inch in diameter, thirty-six (36) inches long, set in a concrete post four (4) inches in diameter or equivalent.
- (B) Corner Pin: a corner pin shall consist of a ferrous metal pin, one-half (1/) inch in diameter and twenty-four (24) inches long:

- (C) All subdivisions shall contain a minimum of two (2) permanent monuments, plus additional monuments as may be required. Such monuments shall be located at points of curvature and points of tangency.

Section 4.13 Culverts, Bridges, Intersections, and Private Entrances

- 4.13.1 Entrance culverts shall be constructed by the developer or subsequent owner at the same time of construction upon the lot and shall be as shown upon the final approved engineering plans and laid to the flow line of the existing ditch. St no time shall such culvert pipe be less than twelve (12) inches in diameter nor less than twenty-four (24) feet in length for private drives or fifteen (15) inches in diameter and thirty-two (32) feet in length for crossroads. Larger culvert pipe may be required if necessary for adequate drainage. The standards and requirements shall be included in the covenants.
- 4.13.2 Entrance driveways shall be constructed upon the lots as shown in the approved street design plans or in such a manner as to not interfere with or measurably alter the approved drainage, create traffic hazards, or interfere with public improvement plans.
- 4.13.3 All entrance driveways shall be flared with minimum radius dimensions as follows: residential land uses: ten (10) foot radius; commercial land uses: fifteen (15) foot radius; and, industrial land uses: twenty-five (25) foot radius minimums.
- 4.13.4 Where lots are subdivided upon an existing thoroughfare and driveway entrances are to have access upon such thoroughfares, engineering plans shall be presented which shall conform to Section 4.1.7 and the developer or person initiating driveway construction shall be responsible for conformance to the approved plans. Responsibility and conformance concerning this requirement shall be noted within the covenants.
- 4.13.5 Permits shall be required of all persons, developers, commercial, industrial, or residential interests seeking the connection of a road, street, alley, driveway, or other means of vehicular access to any public road or thoroughfare located within the unincorporated area of the County. The authority having maintenance responsibility over the public road or thoroughfare shall be the authority responsible for the issuance of such a permit

Section 4.14 Water

- 4.14.1 The developer shall provide the subdivision with a complete and state-approved water main supply system, which shall be connected to an existing state-approved municipal or community water supply, except that when such municipal or community water supply is not available, the developer shall provide one of the following:
- (A) A water supply system which will serve the whole development is to be provided in accordance with the minimum requirements of the State of Illinois; or,
 - (B) An individual water supply on each lot in the subdivision is to be provided in accordance with the minimum requirements and recommendations of the State of Illinois and any local ordinances. Private restrictions are to be filed with the final plat and incorporated in each deed so that as soon as a public water supply system

is available, connections to the system shall be made at the property owner's expense within one (1) year, and owners shall bear their full, proportionate share of the cost of the public water main as determined by agreement, special assessment proceedings, or other means authorized by law or regulations established by the public water supply system. A water system shall be deemed available when the distance between the subdivision and the water line is fifty (50) times the total number of lots platted in the subdivision or less and the capacity is available in the existing water system.

- 4.14.2 The plans and specifications for the installation of a water supply system and a statement of responsibility for maintaining the same shall be provided by the developer and approved by the State of Illinois. Upon completion of the water supply installation, the plans for the system "as-built" shall be filed with the Coles County Superintendent of Highways, the Coles County Regional Planning Commission, and the Coles County Health Department.

Section 4.15 Sanitary Sewers, Septic Systems, and On-Site Disposal

- 4.15.1 No plat of any new subdivision shall be approved by the County Board unless the same provides for and assures the construction by the developer of a sanitary sewer system adequate to serve the needs of the entire subdivision when the same is fully developed. The sanitary sewer system shall be connected to a State approved sewage disposal system. In no case shall effluent be allowed to flow into ditches or swales, highway or otherwise. The requirement for a sanitary sewer system is subject to exceptions below.
- 4.15.2 If the subdivision is farther than two hundred (200) feet from the nearest sanitary sewer, each developed lot shall be of adequate size to accommodate individual sanitary sewage disposal. Such disposal shall be in accordance with the rules and regulations established by the Coles County Health Department, and based upon soil limitations. However, if there is a disagreement between standards, the more restrictive standard shall apply. Where the method of performance or the results of on-site percolation tests are in discrepancy with other information, the Planning and Subdivision Committee may designate one or more qualified entities to reconduct or conduct additional tests upon the site.
- 4.15.3 Private restrictions shall be filed with the final plat and incorporated in each deed requiring that as soon as public sewers are available, connections to the public sewers shall be made within one (1) year at the property owner's expense, and owners shall bear their fair and proportionate share of the cost of the public sewer as determined by agreement, special assessment proceedings, or other means authorized to finance construction of sewer systems.
- 4.15.4 The plans for the installation of a sanitary sewer system and a statement of responsibility for maintaining the same shall be provided by the developer and approved by the State of Illinois, County Board, and the corporate authorities of any sanitary district or community in which the subdivision or any part thereof may be located. Such approval shall also be

required when the sewer system connects directly to an interceptor constructed and maintained by such sanitary district or community. Upon the completion of the sanitary sewer installation, the plans for such system "as-built" shall be filed with the Coles County Superintendent of Highways, the Coles County Regional Planning Commission and the Coles County Health Department, and shall be accompanied by an Illinois Registered Professional Engineer's certificate which states that the system has been constructed in accordance with the plans and specifications as set for the herein. In no case shall sanitary sewers be allowed to connect to any other system providing for agricultural or similar land-drainage or storm sewer disposal.

Section 4.16 Street Signs

The developer shall provide and install street signs at each street intersection within the subdivision as well as intersections of the subdivision's streets with existing rural address numbering system.

TITLE V. REQUIRED ENGINEERING PLANS AND CERTIFICATES

Section 5.1 Engineering Drawings Required

The Developer shall prepare and file at least three (3) copies of the engineering drawings and specifications for the subdivision with the Plat Officer simultaneously with the final plat of subdivision.

- 5.1.1 In addition to the required engineering drawings, the developer shall submit to the reviewing authorities additional exhibits illustrating the type and location of additional improvements as required by these regulations.
- 5.1.2 The engineering drawings as required by these regulations shall be prepared by an Illinois Registered Professional Engineer, and bearing his name, address, telephone number, seal, registration number and signature.
- 5.1.3 The developer shall obtain written approval of the engineering drawings from the reviewing authorities in consultation with the County Superintendent of Highways before required physical improvements are installed in the subdivision.
- 5.1.4 If the developer wishes to modify the size, type, quantity, quality and/or location of any or all of the required physical improvements during construction of the subdivision, he shall first obtain approval of the modifications from the reviewing authorities in consultation with the County Superintendent of Highways before proceeding with the installation of the modified improvements. In those cases involving departure from engineering plans and specifications approved by the County Superintendent of Highways, the Superintendent shall have sole power to allow for any engineering related changes, provided such changes conform to the intent and purpose of these regulations.

Section 5.2 Guarantee of Performance

- 5.2.1 The developer's engineer shall make, and the County Engineer shall review for content and accuracy, an estimate of the probably expenditures necessary to enable the developer to conform to the standards of construction and the required improvements contained in these regulations. Each developer or subdivider who seeks the County Board's approval of a map, plat, or subdivision shall post a surety bond when seeking final approval. Such bond being posted with the County Clerk, in a penal sum sufficient to cover the estimate of expenditures approved by the County Engineer for all work required by these regulations of the developer or subdivider. The surety bond shall be in the form of a performance bond; however, in special circumstances and where approved by the County Board, and "irrevocable Letter of Credit," Escrow Account, or similar acceptable means of surety may be authorized. The bond shall be conditioned upon adherence to the rules and regulations of these subdivision regulations and upon the construction of the improvements and full conformity with the approved engineering plans and specifications, within twelve (12) months from the date thereof and with surety thereon satisfactory to the County Clerk. The County Board at its discretion may extend the time of the performance bond for not more than an additional twelve (12) months, to allow for completion. When such an extension is at the request of the developer or subdivider or his legal representative, the Board may require an increase in the value of the bond to cover the cost of inflation.
- 5.2.2 The surety bond shall guarantee that the owner of the land shall be one of the principals under said bond and that the surety shall be responsible for the completion of the work within a reasonable time after being notified of default. The County Board shall determine the length of reasonable time.
- 5.2.3 Upon completion of the bonded improvements, one copy of the "as-built" plans, profiles, cross sections, and any special provisions shall be filed with the County Superintendent of Highways accompanied by an Illinois Registered Professional Engineer's certificate which states that the improvements have been constructed in accordance with the plans and specifications as set forth herein.
- 5.2.4 Any surety bond so given to guarantee the construction of all such improvements may be released by the County Clerk only after receiving a written statement from the County Superintendent of Highways that all improvements have been constructed and that the certificates required in these regulations have been submitted. No portion of the surety bond may be released until after all work is so completed.

Section 5.3 Inspection of Improvements

- 5.3 Before beginning the construction of any improvements, the subdivider shall receive from the County Superintendent of Highways, and where applicable from the Planning and Subdivision Committee, a list of inspections required and shall comply with all their rules, regulations, and instructions pertaining to such required inspections. The number and time of said inspections shall be determined by the County Superintendent of

Highways after he has had an opportunity to study the size and complexity of the proposed subdivision, plat, or map. Regardless of the contracts, agreements, or inspections performed, responsibility for the supervision and inspection of the construction and installation of all improvements in accordance with these regulations shall rest with the developer.

- 5.3.1 When authorized road, street, and drainage improvements have been constructed or installed and have passed the required inspections and the road authority having maintenance jurisdiction has previously indicated an intent to accept the same upon satisfactory completion, the streets, roads, and drainage improvements so intended shall be tendered by the developer to the road authority for acceptance. The power to include or not to include non-municipal roads for public dedication shall be that of the highway commissioner and the County Superintendent of Highways, as applicable under State Statutes. This power is not negated nor standards acceptable, which are less restrictive than those herein, contained, simply by municipal action approving such a plat of subdivision. All responsibility for streets and roads not so accepted for public dedication by the proper authorities remain the responsibility of the developer and his successors.
- 5.3.2 The County Board may establish fees for the providing of inspections.

TITLE VI. VIOLATIONS AND PENALTIES

- 6.1 The following violations shall carry a penalty of twenty-five (25) dollars per day per offense:
- (A) Recording of any plat or document portending subdivision, or a portion thereof not in conformity with these regulations.
 - (B) The sale, offering for sale, or other transfer of ownership or any or all lots without prior recording of an approved subdivision, as set forth in these regulations;
 - (C) Construction in a recorded subdivision, which is not in conformance with the recorded plat and approved engineering plans and specifications.
- 6.2 For purposes of this section of a similar violation occurring on more than one lot or affecting more than one lot shall be deemed to be a separate offense for each such violation on each such lot.

TITLE VII. REQUIRED CERTIFICATES

The following certificates are to be used as a guide to indicate that the developer or his representative is in agreement with the intent of these regulations. Substitutions of alternative wording may be used where the intent is not changed.

Certificate #1 County Board Preliminary Plat Action Certificate

Certificate #3 Deed of Dedication

This certificate shall set forth covenants and dedicate identified easements for public and semi-public use. It shall be a part of the final plat, and so recorded:

DEED OF DEDICATION

“We, the undersigned (names), owner(s) of the real estate shown and described herein, do hereby certify that we have laid off, platted and subdivided, and do hereby lay off, plat and subdivide said real estate in accordance the subdivided plat. This subdivision shall be known and designated as (name of subdivision). Front and side yard building setback lines are hereby established as shown on this plat, between which lines and the property lines of the street, there shall be erected or maintained no building or structure. There are strips of ground marked “easement” reserved for the use of public utilities for the installation of water and sewer mains, surface drainage, poles, ducts, lines and wires, subject at all times to the proper authorities and to the easements herein reserved. No permanent or other structures are to be erected or maintained upon said strips of land, but owners of lots in this subdivision shall take their title to the right of the public utilities or entities holding vested rights.

(Additional dedications and protective covenants, or private restrictions shall be inserted here upon the developer’s initiative, requirements contained in these regulations, or upon the recommendation of the County Board. Important provisions are those specifying the use to be made of the property and construction and design restrictions.)

The foregoing covenants (or restrictions) are to run with the land and shall be binding upon all parties and persons claiming under them until January 1, (year) (a minimum twenty-five year period is suggested), at which time said covenants shall be automatically extended for successive periods of ten (10) years unless changed by vote of a majority of the then owners of the building sites covered by these covenants in whole or in part, and where affecting special rights assigned to public protection, by approval of a majority of the County Board.

Invalidation of any one of the foregoing covenants (or restrictions) by judgment or court order shall in on way affect any of the other covenants (or restrictions), which shall remain in full force and effect.

The right to enforce these provisions by injunction, together with the right to cause the removal by due process, of any structure or part thereof erected or maintained in violation hereto, is hereby dedicated to the public and reserved to the several owners of the several lots in this subdivision and to their heirs, successors, and assigns, as well as to any entity having interest in said included easements.

Witness Our Hands and Seals this (date) Day of (month) , 20 .
STATE OF ILLINOIS)

)SS

COUNTY OF COLES)

Owner's Signature

Owner's Signature

(SEAL)

Before me the undersigned Notary Public, in and for the County and State personally appeared: name(s) of owner(s) and each separately and severally acknowledged the execution of the foregoing instrument of his or her other voluntary act and deed, for the purposes therein expressed.

Witness My Hand and Notary Seal this (date) Day of (month), 20---

Notary Public

Certificate #4 Topographic and Drainage Certificate

An Illinois Registered Professional Engineer and the owner(s) of the Subdivision shall submit this signed certificate with the plans which accompany the plat to certify that the drainage of surface waters will not be changed, or if changed, will not harm adjacent properties.

TOPOGRAPHIC AND DRAINAGE STATEMENT

We the undersigned, respectively a registered professional engineer and the owner(s) of the land subdivided, hereby state that to the best of our knowledge and belief the drainage of surface waters will not be changed by the construction of such subdivision, or that if surface water drainage is changed, adequate provision has been made for the collection and diversion of surface waters into public areas or drains which the subdivider has the right to use, and such surface water practices will be planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to adjoining property because of the construction of the subdivision.

(SEAL)

Engineer's Signature

Engineer's Registration No.

(SEAL)

Owner's Signature

Certificate #8 Acceptance of Streets and Roads

This certificate shall be signed by the road authority who accepts the streets and roads, as applicable under Illinois State Statutes. It will be submitted after the final plat: as-built engineer's certificate accompanied by the as-built plans; and, surveyor's monument and pin certificate have been received and upon completion, inspection and approval by said authorized jurisdiction.

ACCEPTANCE OF STREETS AND ROADS

The (Township Road Commissioner of _____ Township or The Coles County Superintendent of Highways, as applicable) hereby agrees to accept the streets and roads in (name of subdivision) located in Section _____ Township _____ North, Range _____ (East or West) of the _____ Principal Meridian, said subdivision consisting of approximately _____ miles of streets and roads.

The (Township or County, as applicable) will maintain the streets and roads, including snow removal from the traveled way, surface drainage or the streets and roads as it exists at the time of acceptance, existing culverts and surfacing of the streets and roads constructed according to approved plans and specifications.

Dated this (date) Day of (month), 20____

Signature of Township Road Commission or County Superintendent of Highways, as applicable

Date this (date) Day of (month), 20____

Signature of Town Clerk or County Clerk, as applicable

cc: Developer
Highway Commissioner
County Superintendent of Highways
Town or County Clerk
Chairperson, County Board
Chairperson, Planning and Subdivision Committee
Coles County Regional Planning Commission
Project Engineer

Certificate #9 Proximity to Municipality Exercising Special Powers

Any map, plat, or subdivision of land presented for recording shall have attached thereto or endorsed thereon the certificate of an Illinois Registered Land Surveyor indicating that the land is or is not within any incorporated city, town or village, not within one and one-half (1 ½) miles of the corporate limits of any incorporated city, town or village, which has adopted a city plan and is exercising the special powers authorized by Division 12, Article 11 of the Illinois Municipal Code, as now or hereafter amended, and not included in any municipality. If such subdivision is within the corporate limits or within one and one-half (1 ½) miles of a municipality so authorized, the name of the municipality shall be indicated.

PROXIMITY TO MUNICIPALITY EXERCISING SPECIAL POWERS

“A” (Name of Subdivision) is wholly within (name of city, town or village) and incorporated municipality;

OR

“B” (Name of Subdivision) is within the 1 ½ mile planning jurisdiction or (name of city, town or village) an incorporated municipality;

OR

“C” (Name of Subdivision) is not within the 1 ½ mile planning jurisdiction of any municipality.

Dated this (date) Day of (month), 20__

(SEAL)

Surveyor’s Signature

Surveyor’s Registration No.

Certificate #10 Applicability of Airport Hazard Zoning Regulations

Any map, plat or subdivision of land presented for recording shall have attached thereto the certificate of an Illinois Registered Land Surveyor indicating that the land is or is not governed by the “Airport Hazard Zoning Regulations for Coles County Memorial Airport.” Said authority conferred by an Act entitle: “An Act Relating to Airport Zoning,” as authorizing under Illinois Revised Statutes, 1979, Chapter 15 ½, Paragraph 48.1 et. Seq. Further, that said County Regulation having been adopted by the Illinois Department of Transportation on February 5, 1974 and concurred in by the Illinois Commerce Commission on March 20, 1974.

APPLICABILITY OF AIRPORT HAZARD ZONING REGULATIONS

Pursuant to Illinois State Statutes and Federal regulations, (name of subdivision) is or is not under the jurisdiction of the "Airport Hazard Zoning Regulations for Coles County Memorial Airport."

Dated this (date) Day of (month), 20

(SEAL)

Surveyor's Signature

Surveyor's Registration No.

APPENDIX I

PRIVATE SEWAGE DISPOSAL SYSTEM ORDINANCE

An ordinance regulating private sewage disposal systems, the construction and/or reconstruction of such systems, and requiring an annual registration certificate for private sewage disposal system contractors within the limits of Coles County, Illinois.

Pursuant to the powers granted to the Coles County Board by the Statutes of the State of Illinois in such case made and provided therefore, and WHEREAS the improper disposal of sewage is a menace to the public health; Therefore, be it resolved by the County Board of Coles County, Illinois, that the following rules and regulations are hereby made and adopted.

ADOPTED

EFFECTIVE

APPROVED

SECTION I

DEFINITIONS

DOMESTIC SEWAGE shall mean waste water derived principally from dwellings, business or office building, institutions, food service establishments, and similar facilities.

HEALTH AUTHORITY shall mean the Coles County Health Department or an authorized representative thereof.

HOME OWNER shall mean a person who holds legal title to a residential structure which is to be used or is used for his personal, single family residence.

HUMAN WASTES shall mean undigested food and by-products of metabolism, which are passed out of the human body.

PERSON shall mean any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, the State of Illinois or any department thereof, or any other entity.

PERMIT shall mean a written permit issued by the Health Authority permitting the construction, alteration, or extension, of an individual disposal system under this Ordinance.

POPULATION EQUIVALENT shall mean an average waste loading, equivalent to that amount of waste produced by one person which is defined as 100 gallons per day or that amount of waste containing 0.17 pounds BOD₅ (Biochemical Oxygen Demand 5 – day test).

“PRIVATE SEWAGE DISPOSAL SYSTEM INSTALLATION CONTRACTOR” means any person construction, installing, repairing, modifying, or maintaining private sewage disposal systems.

“PRIVATE SEWAGE DISPOSAL PUMPING CONTRACTOR” means any person who cleans or pumps waste from a sewage disposal system or hauls or disposes of waste therefrom.

“PRIVATE SEWAGE DISPOSAL SYSTEM CONTRACTOR’S REGISTRATION” shall mean an annual Registration Certificate issued by the Coles County Health Department to all Private Sewage Disposal Installation Contractors or Private Sewage Disposal System Pumping Contractors engaged in the installation and/or servicing of private sewage disposal systems within the limits of Coles County.

PRIVATE SEWAGE DISPOSAL SYSTEM shall mean any sewage handling or treatment facility receiving domestic sewage from less than 15 people or population equivalent and having a ground surface discharge or any sewage handling or treatment facility receiving domestic sewage and having no ground surface discharge.

PROPERTY OWNER shall mean the person in whose legal title to the real estate is recorded.

WASTE shall mean either human waste or domestic sewage or both.

SECTION II

PERMITS

2.1 It shall be unlawful for any person to construct, alter or extend private sewage disposal systems within Coles County unless he holds a valid permit issued by the Health Authority stating the name of such person for which the specific construction, alteration, or extension is proposed. Said permit shall indicate a maximum permissible waste loading.

2.2 All applications for permits granted under the provision of this Ordinance shall be made to the Health Authority.

2.3 A permit shall only be issued to a homeowner and/or an Illinois Licensed Private Sewage Disposal System Installation Contractor registered in Coles County installing a sewage disposal system.

2.4 Permit application forms provided by the Health Authority shall be completed and signed by each applicant and shall include the following:

2.4.1 Name and address of the applicant and lot and block number or legal description of the proposed site of construction, alteration, or extension.

2.4.2 Complete plan of the proposed private sewage disposal system with substantiating data, if necessary, attesting to its compliance with the minimum standards so stated hereunder in this Ordinance.

2.5 The Health Authority may refuse to grant a permit for the construction of a private sewage disposal system where public or community sewage systems are available. A sewer shall be deemed available when a public sewer line is in place within any street, alley, right of way, or easement that adjoins or abuts the premises for which the permit is requested, or when the improvement to be served is located within a reasonable distance of public sewer to which a connection is practical and is permitted by the controlling authority for the sewer. A reasonable distance for the purpose of this provision shall be deemed not greater than 300 feet for a single-family residence and not greater than 1,000 feet for a commercial establishment or multifamily dwelling.

2.6 A fee may be charged for the initial construction permit, alteration, or extension of an individual sewage system. Said fee shall not exceed the sum of \$15.00 per permit for single-family dwellings or \$30.00 per permit for multifamily dwellings and commercial establishments. The fee shall be collected by the Health Authority at the time an application for permit is submitted, and shall be deposited in the Health Department fund. If the permit is denied, the fee shall be returned to the applicant.

2.7 Said permit to construct is valid for a period of six months from date of issuance. If construction had not started within this period, the permit is void.

SECTION III

CONTACTOR'S REGISTRATION

3.1 An annual contractor's registration shall be required for all Private Sewage Disposal Installation Contractors, and an annual contractors registration shall be required for all Private Sewage Disposal System Pumping Contractors each of which operate within the limits of Coles County. The Health Department shall issue a Private Sewage Disposal Installation and/or Pumping Contractors Registration Certificate to persons for either or both licenses. All such registration certificates shall expire one year from date of issuance.

SECTION IV

COMPLIANCE AND PERFORMANCE

4.1 All private sewage disposal systems within the limits of Coles County shall be installed and/or maintained by Illinois Licensed Private Sewage Disposal System Installation Contractors registered in Coles County; provided however, that a homeowner may install and/or service a private sewage disposal system which serves his own personal residence, including cleaning, pumping, hauling and disposal of waste removed therefrom. Otherwise said cleaning, pumping, hauling and disposal shall be done by Illinois Licensed Private Sewage Disposal System Pumping Contractor.

4.2 Percolation tests, when required, shall be performed according to the provisions of the Illinois Private Sewage Disposal Licensing Act and Code adopted hereinafter by reference. Percolation tests may be performed by Private Sewage Disposal System Installation Contractor holding a valid Coles County Registration Certificate, an Illinois Registered Sanitarian, an Illinois Registered Engineer or Architect, Soil Scientist, homeowner, or person given written permission by the Health Department, or the authorized representative of the Health Department. The Health Department reserves the right to determine the validity of any test and in cases where more than one set of tests have been performed the Health Department shall determine which test results shall prevail. The Health Department shall be notified at least one day prior to the performance of all tests and may supervise any test.

4.3 All sludge disposal sites within Coles County shall be inspected by the Health Department to determine compliance with the provisions of this Ordinance. If the disposal sites are determined to be unacceptable, the Health Department shall issue written notices to the users and owners of that site informing them that the site shall not be used for disposal of sludge.

4.4 A Private Sewage Disposal System Pumping Contractor or homeowner servicing his personal residence system shall supply a list of all sludge sites utilized by either the contractor or homeowner to the Health Department.

4.5 The Private Sewage Disposal System Installation Contractor, the Private Sewage Disposal System Pumping Contractor and the homeowner who installs or pumps a private sewage disposal system for his personal residence shall perform the work in accordance with the standards promulgated under authority granted in the current Illinois Private Sewage Disposal Licensing Act and Code.

SECTION V

SUBSURFACE SEEPAGE FIELDS

Where a subsurface seepage field is installed as a component part of a private sewage disposal system, the seepage area provided shall be in accordance with Table IV of the Private Sewage Disposal Licensing Act and Code and any subsequent amendments or revisions thereto. A minimum of 200 square feet of seepage area shall be provided and unless serial trenches are used, a minimum of two individual seepage lines is required.

SECTION VI

ADOPTION BY REFERENCE

This Ordinance shall be interpreted and enforced in accordance with provisions set forth in the unabridged form of the current Private Sewage Disposal Licensing Act and Code, and any subsequent amendments or revisions thereto, three (3) copies of which shall be on file in the office of the Coles County Clerk, which publication is incorporated herein and adopted by the reference as part of this Ordinance.

Private Sewage Disposal Code are hereby referred to, adopted and made a part thereof, as if fully set out in this Ordinance, with insertions, deletions, and changes prescribed in Section VII of this Ordinance.

SECTION VII

INSERTIONS, DELETIONS, AND CHANGES

The following section of the Private sewage Disposal Code is hereby revised as follows:

Section 905.20 (e) page 4, delete “within 200 feet of a building and is available for connection” and insert in its place, “as prescribed in Section II, Subsection 2.5 of this Ordinance”.

SECTION VIII

APPEAL FOR VARIANCE

9.1 If circumstances exist where compliance with the provisions of this Ordinance would create undue hardship, anyone may request the Health Authority to review a proposal for modification of the requirements. Such requests shall be made in writing and be accompanied by a plan drawn to scale, and shall include pertinent data to support the request.

9.2 The Health Authority shall review all requests for variances and shall approve or deny said variances within ten days of receipt of request.

9.3 Any person aggrieved by the decision of the Health Authority may seek relief therefrom through a hearing before the Coles County Public Health Board. A written request for a hearing must be filed in the office of the Health Authority within ten (10) days after the variance was denied by said Health Authority.

The Public Health Board shall meet for the purpose of conducting the hearing within thirty (30) days of receipt of the request. If as a result of facts elicited as a result of the hearing, the Public Health Board finds that strict compliance with the decision of the Health Authority would cause undue hardship on the petitioner, and that the public health would be adequately protected by altering the decision of the Health Authority, the Public Health Board may grant a variance and as a condition for such variance, may, where it deems necessary, make requirements which are properly protecting the public health.

9.4 Furthermore, any person aggrieved by the decision of the Public Health Board may seek relief therefrom through a hearing before the Health and Safety Committee of the Coles County Board. A written request for a hearing must be filed in the office of the Health Authority within ten (10) days after the variance was denied by the Public Health Board. The Health and Safety Committee shall meet for the purpose of conducting the hearing within thirty (30) days of the receipt of the request. If, as a result of facts elicited as a result of the hearing, the Health and Safety Committee finds that strict compliance with the decision of the Public Health Board would cause undue hardship on the petitioner, and that the public health would be adequately protected by altering the decision of the Public Health Board, the Health and Safety Committee may grant a variance and as a condition for such variance, may, where it deems necessary, make requirements which are additional to those prescribed by this Ordinance, all for the purpose of properly protecting the public health.

SECTION X

ISSUANCE OF NOTICE

10.1 Whenever the Health Authority determines that a violation of any provision of this Ordinance has occurred, the Health Authority shall give notice to the person responsible for such violation. The notice shall:

- 10.1.1 be in writing
- 10.1.2 include a statement of the reasons for issuance of notice
- 10.1.3 allow reasonable time as determined by the Health Authority to correct the violation(s)
- 10.1.4 be served upon the person responsible for the violation(s) when a copy thereof has been sent by registered or certified mail to his last known address as furnished to the Health Authority or when he has been served with such notice by any other method authorized by laws of this State.
- 10.1.5 Contain an outline of remedial action which is required to effect compliance with this Ordinance.

SECTION XI

CITATION NOTICE

11.1 When anyone fails or refuses to correct any violation of this Ordinance after due notice and time specified in Section X, the Health Authority shall issue a citation notice to the person responsible for the violation. The citation notice shall state the date, time and place the person responsible for the violation is to appear in the county court.

11.2 Any person who violates any provision of this Ordinance shall be guilty of a Petty Offense and shall be fined a sum not less than \$100.00, nor more than \$500.00.

11.3 Each day's violation constitutes a separate offense. The States Attorney of Coles County shall bring such actions in the name of the People of the State of Illinois, or may bring action for an injunction to restrain such violation or to enjoin the operation of any such establishment causing such violation.

SECTION XII

REVOCAION OF CONTRACTOR'S REGISTRATION

12.1 For serious or repeated violation of any of the requirements of this Ordinance, or for interference with the Health Authority in the performance of his duties, the private sewage disposal contractor's certificate may be revoked after an opportunity for a hearing has been provided by the Health Authority. Prior to such action, the Health Authority shall notify the contractor in writing, stating the reasons for which the registration certificate is subject to revocation and advising that the certificate shall be revoked at the end of 5 days following

service of such notice, unless a request for a hearing is filed with the Health Authority, by the holder, within such 5 day period. A registration certificate may be suspended for cause pending its revocation or a hearing relative thereto.

12.2 The hearing provided for in this section shall be conducted by the Public Health Board at a time and place designated by them within 30 days from the date on which the written request was filed. Based upon the record of such hearing, the Public Health Board shall make a finding and shall sustain, modify, or rescind any official notice or order considered in the hearing.

12.3 Any private sewage disposal contractor affected by the decisions of the Public Health Board may have the decisions of said Public Health Board reviewed in the Circuit Court of Coles County. The provisions of the “Administrative Review Act” of the State of Illinois, approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto shall apply to and govern all proceedings for the judicial review of final administrative decisions of the said Health Authority.

SECTION XIII

CONFLICT OF ORDINANCE, EFFECT ON PARTIAL INVALIDITY

13.1 If any case where a provision of this Ordinance is found to be in conflict with a provision of any zoning, building, fire, safety, or health ordinance, or code of Coles County existing on the effective date of this Ordinance, the provision which, in the judgment of the Health Authority establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail. In any case where a provision of this Ordinance is found to be in conflict with a provision of any other Ordinance or code of Coles County existing on the effective date of this Ordinance which establishes a lower standard for the promotion and protection of the health and safety of the people, provisions of this Ordinance shall be deemed to prevail, and such other ordinance or codes are hereby declared to be repealed to the extent that they may be found in conflict with this Ordinance.

13.2 If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance should be declared invalid for any reason whatsoever, such decision shall not effect the remaining portions of this Ordinance which shall remain in full force and effect and, to this end, the provisions of this Ordinance are hereby declared to be severable.