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## ARTICLE I

### Section 1. ~~Chapter 6~~, SUBDIVISION AND OFFICIAL MAP, of TITLE IV

Of the Code of Ordinances of the Village of Coal Valley, Illinois is hereby amended to read as follows:

## GENERAL PROVISIONS

### Section 1. PURPOSE.

In accordance with State law (65 ILCS 5/11-12-8--5/11-12-12) this Ordinance regulates the subdivision and development of land in order to implement the Village of Coal Valley Comprehensive Plan and Official Map. Thus, this Ordinance assists in achieving the following specific objectives:

- 1.1. to preserve, protect, and promote the public health, safety, and welfare;
- 1.2. to provide a pleasant living environment by furthering the orderly layout and use of land; and to create an environment conducive to the productive development of the Village;
- 1.3. to avoid legal and other problems by requiring that subdivided land be properly monumented and recorded;
- 1.4. to conserve and increase the value of land, improvements, and buildings;
- 1.5. to preserve the natural beauty and topography to the maximum feasible extent;
- 1.6. to provide adequate light, air, and privacy for all residents of new developments by preventing undue concentration of population;
- 1.7. to protect against injury or damage caused by fire, pollution, flooding, storm water runoff, or erosion and sedimentation;
- 1.8. to provide safe and convenient access to new developments and to avoid traffic congestion by requiring the proper location, design, and construction of streets and sidewalks;
- 1.9. to reduce the cost of installing and maintaining adequate water mains, sanitary sewers, storm water sewers, and other utilities and services; and
- 1.10. to ensure that adequate parks, schools, and similar facilities can be made available to serve the residents of new developments.
- 1.11. provide for the acceptance of lands for public rights-of-way.

### Section 2. JURISDICTION.

This Ordinance shall be applicable within the corporate limits of the Village of Coal Valley and within all unincorporated territory located within one and one-half (1.5) miles of said limits, provided such territory is not located within the subdivision jurisdiction for another municipality. (See 65 ILCS 5/11-12-9 for State requirements concerning jurisdictional boundary lines.)

### Section 3. INTERPRETATION.

Every provision of this Ordinance shall be construed liberally to achieve the purposes outlined in Section 1.1.

- 3.1 **MORE RESTRICTIVE REQUIREMENTS APPLY:** Whenever the requirements of this ordinance differ from those of any statute, lawfully adopted ordinance or regulation, easement, covenant, or deed restriction, the more stringent requirement shall prevail. Thus, in accordance with State law (65 ILCS 5/11-12-11), whenever this Ordinance imposes higher standards than the county subdivision ordinance, said higher standards shall supersede the county regulations in the unincorporated territory located within the Village of Coal Valley's subdivision jurisdiction.
- 3.2 This Ordinance is not intended to abrogate any easement, covenant, deed restriction, or any other private agreement or restriction; provided, that, where the provisions of this Ordinance are more restrictive or impose higher standards or regulations than such easement, covenant, deed restriction, or other private agreement or restriction, the provisions of this Ordinance shall govern. Where the provisions of the easement, covenant, deed restriction, or private agreement or restriction impose duties and obligations more restrictive, or higher standards than the requirements of this ordinance or the determinations of the Village in approving a subdivision or in enforcing this ordinance, and such private provisions are not inconsistent with this ordinance or determinations there under, then such private provisions shall be operative and supplemental to this ordinance and determinations made there under. The Village does not purport to enforce any such private provisions not reflected on the plat and its supporting documents and unless there is expressed in the nature of the document and the approval process an intent to give the Village enforcement rights over same.

Section 4. **DISCLAIMER OF LIABILITY.**

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

Section 5. **VARIANCES.**

When the subdivider can show that a provision of this Ordinance, if strictly adhered to, would cause the unnecessary hardship and when, in the opinion of the Plan Commission, because of topographical or other conditions peculiar to the site, a departure may be made without destroying the intent of such provision, the Plan Commission may recommend a variance or modification to the Board of Trustees. The subdivider shall apply in writing for such variance or modification of the action. Any variance or modification thus authorized shall be attached to and made a part of the final plat.

**DEFINITIONS**

Section 6. **CONSTRUCTION OF TERMS.**



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

- 6.1 Unless the context clearly indicates otherwise, words and phrases shall have the meanings respectively ascribed to them in Section 7; terms not defined in Section 7 shall have the meanings respectively ascribed to them in the Zoning Ordinance of the Village of Coal Valley; if any term is not defined either in Section 7 or in the Zoning Ordinance, said term shall have its standard English dictionary meaning.
- 6.2 Words denoting the masculine gender shall be deemed to include the feminine and neuter genders.
- 6.3 Words used in the present tense shall include the future tense.
- 6.4 Words used in the singular number shall include the plural number, and the plural the singular.
- 6.5 The word "shall" is mandatory; the word "may" is discretionary.
- 6.6 Captions (i.e., titles of sections, subsections, etc.) are intended merely to facilitate general reference and in no way limit the substantive application of the provisions set forth there under.
- 6.7 References to sections shall be deemed to include all subsections within that section; but a reference to a particular subsection designates only that subsection.
- 6.8 A general term that follows or is followed by enumerations of specific terms shall not be limited to the enumerated class unless expressly limited.

## Section 7. SELECTED DEFINITIONS

- 7.1 Administrator: The official appointed to administer this Land Subdivision Ordinance, or his duly authorized representative.
- 7.2 Alley: A public right-of-way which affords a secondary means of vehicular access to the side or rear of premises that front on a nearby street.
- 7.3 Amendment: A change in the provisions of this ordinance, properly effected in accordance with State law and the procedures set forth herein.
- 7.4 Area, Gross: The entire area within the lot lines of the property proposed for subdivision/development, including any areas to be dedicated /reserved for street and alley rights-of-way and for public uses.
- 7.5 Block: An area of land entirely bounded by streets, highways, barriers, or ways (except alleys, pedestrian ways, or exterior boundaries of a subdivision unless exterior boundary is a street, highway, or way) or bounded by a combination of streets, public parks, cemeteries, railroad rights-of-way, waterways, or corporate boundary lines.
- 7.6 Centerline Offset: The distance between the centerlines of two roughly parallel streets, measured along the third street with which both said "parallel" streets intersect.
- 7.7 Collector Street: A street used primarily to collect limited amounts of residential traffic and for access to abutting properties, and on which the speed limit is low and traffic volume is minimal.

- 7.8 Comprehensive Plan: The plan or any portion thereof adopted by the Board of Trustees to guide and coordinate the physical and economic development of the Village of Coal Valley. The Comprehensive Plan includes, but is not limited to, plans and programs regarding the location, character, and extent of highways, bridges, public buildings or uses, utilities, schools, residential, commercial or industrial land uses, parks, drainage facilities, etc.
- 7.9 Cross-slope: The degree of inclination measured across a right-of-way rather than in the direction traffic moves on said right-of-way.
- 7.10 Cul-de-Sac: A street having only one outlet for vehicular traffic and having the other end permanently terminated by a turn-around for vehicles, the term may also be used to refer solely to said turn-around.
- 7.11 Curb and Gutter, Integral: The rim forming the edge of a street plus the channel for leading off surface water, constructed of poured concrete as a single facility.
- 7.12 Dedicate: To transfer the ownership of a right-of-way, parcel of land, or improvement to the Village of Coal Valley or other public entity without compensation.
- 7.13 Develop: To erect any structure or to install any improvements on a tract of land, or to undertake any activity (such as grading) in preparation therefore.
- 7.14 District, Zoning: A portion of the territory of the Village of Coal Valley wherein certain uniform requirements or various combinations thereof apply to structures, lots, and uses under the terms of the Zoning Ordinance.
- 7.15 Easement: A right to use a portion of another person's real property for certain limited purposes.
- 7.16 Erosion: The wearing away of the land surface by the action of wind, water or gravity.
- 7.17 Escrow Deposit: A deposit in cash or other approved securities to assure the completion of improvements within a subdivision.
- 7.18 Frontage: The boundary of a lot along a public street.
- 7.19 Frontage Road: A minor street fronting on an arterial street or highway (usually a limited access highway), used for access to abutting lots.
- 7.20 Grade: The degree of inclination of the site or right-of-way, expressed as a percentage. Synonym for "slope."
- 7.21 Improvements: Any street, curb and gutter, sidewalk, drainage ditch, sewer, catch basin, newly-planted tree, off-street parking area, or other facility necessary for the general use of property owners in a subdivision.
- 7.22 Improvement Plans: The engineering plans showing types of materials and construction details for the structures and facilities to be installed in, or in conjunction with, a subdivision.
- 7.23 Intersection: The point at which two or more public right-of-ways (generally streets) meet.
- 7.24 Local Street: A street serving limited amounts of residential traffic, and used for access to abutting property.

- 7.25 Lot: A tract of land intended as a unit for the purpose (whether immediate or future) of development or transfer of ownership. A "lot" may or may not coincide with a "lot of record."
- 7.26 Lot, Corner: A lot having at least two (2) adjacent sides that abut for their full length upon streets.
- 7.27 Lot, Through: A lot having a pair of approximately parallel lot lines that abut two (2) approximately parallel streets. Both such lot lines shall be deemed front lot lines.
- 7.28 Lot Area: The area of a horizontal plane bounded by the front, side, and rear lines of a lot.
- 7.29 Lot of Record: An area of land designated as a lot on a plat of subdivision recorded with the Recorder of Deeds of Rock Island County or Henry County, Illinois in accordance with state law.
- 7.30 Maintenance Bond: A surety bond, posted by the developer and approved by the Village, guaranteeing the satisfactory condition of installed improvements for the one-year period following their dedication.
- 7.31 Marginal Access Street: A local dead end street providing access to ten or fewer dwelling units.
- 7.32 Minor Arterial Street: A street which carries or is proposed to carry intermediate volumes of traffic from local streets to arterial streets and which may or may not be continuous.
- 7.33 Official Map: The Official Map may show indication of sites for planned public facilities. Public facility sites which may be indicated on the official map may include but are not limited to: sites for new traffic ways or widening of existing traffic ways; school sites; public building sites; and sites for future storm drainage, electrical or other public service or utility easements.
- 7.34 Performance Bond: A surety bond posted by the developer and approved by the Village of Coal Valley, guaranteeing the installation of required improvements within, or in conjunction with, a subdivision.
- 7.35 Plat, Dedication: A plat required for the dedication to the Village of all right-of-way easements, and public improvements outside of a subdivision plat or within a special use classification.
- 7.36 Plat, Final: The subdividers plan and supporting documentation of the subdivision, which if approved, may be filed with the Rock Island or Henry County Recorder of Deeds.
- 7.37 Plat, Preliminary: Preliminary engineering maps, drawings, and supportive material indicating the proposed layout of a subdivision.
- 7.38 Pre-Filing Conference: A conference held between the developer and appropriate Village staff prior to submission of a preliminary or final plat.
- 7.39 Principal Arterial Street: A street designed or utilized primarily for high vehicular speeds or for heavy volumes of traffic on a continuous route with intersections at grade, and on which traffic control devices are used to expedite the safe movement of through traffic.

- 7.40 Reserve: To set aside a parcel of land in anticipation of its acquisition by the Village of Coal Valley (or other government entity) for public purposes.
- 7.41 Right-of-Way, Public: A strip of land, which the owner/sub divider has dedicated to the Village or other unit of government for streets, alleys, and other public improvements.
- 7.42 Sediment: Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, or gravity as a product of erosion.
- 7.43 Setback, Front: The horizontal distance between the street right-of-way line and the building line. Minimum setback requirements are set forth in the Zoning Ordinance.
- 7.44 Sewerage System, Private: A sewer system including collection and treatment facilities established by the developer to serve a new subdivision in an outlying area.
- 7.45 Sidewalk: A pedestrian way constructed in compliance with the standards of this ordinance.
- 7.46 Soil: All unconsolidated mineral and organic material of whatever origin that overlies bedrock which can be readily excavated.
- 7.47 Stop Order: An order used by the Administrator to halt work-in-progress that is in violation of this ordinance.
- 7.48 Street: A public or private way for motor vehicle travel. The term "street" includes a highway, thoroughfare, parkway, through way, road, pike, avenue, boulevard, lane, place, drive, court and similar designations, but excludes an alley or way for pedestrian use only.
- 7.49 Structure: Anything constructed or erected on the ground, or attached to something having a fixed location on the ground. All buildings are structures but not all structures are buildings.
- 7.50 Stub Street: A street that is temporarily terminated, but that is planned for future continuation.
- 7.51 Subdivider: Any person, firm, partnership, association, corporation, estate or other group or combination acting as a unit, dividing or proposing to divide land in a manner that constitutes a subdivision as defined in this Article.
- 7.52 Subdivision: Any division of land into two or more lots, any of which is less than five acres, or any transfer involving an easement of ingress or egress, except as set forth in the Plat Act, 765 ILCS 205/1.
- 7.53 Subdivision, Minor: A division of land into two (2) but not more than five (5) lots, all of which front upon an existing street, and not involving any new streets, other rights-of-way, easements of ingress of egress, improvements, or other provisions for public areas and facilities.
- 7.54 Topography: The relief features or surface configuration of an area of land.
- 7.55 Utility: A business or service which is engaged in regularly supplying the public with some commodity or service which is of consequence and need and which has a duty to serve without discrimination all within its

service area. A utility can be publicly or privately owned and includes, without limitation, the following services or commodities:

- a. Electricity;
- b. Gas, oil, or steam;
- c. Water;
- d. Sanitary sewerage;
- e. Storm sewerage;
- f. Telephone or telegraph;
- g. Cable television and other communication lines;
- h. Transportation lines, such as fixed rail, but only if expressly stated.

7.56 Vacate: To terminate the legal existence of right-of-way or subdivision or portion thereof, and to so note on the final plat recorded with the Rock Island County or Henry County Recorder of Deeds (765 ILCS 205/6-205/8).

7.57 Variance, Subdivision: A relaxation in the strict application of the design and improvement standards set forth in this Ordinance.

## **DESIGN AND IMPROVEMENT STANDARDS**

### **Section 8. APPLICABILITY OF ARTICLE.**

No land within the subdivision jurisdiction of the Village of Coal Valley, other than land that is specifically exempted from the requirements of the Illinois Plats Act (765 ILCS 205/1), shall be subdivided or developed except in compliance with the regulations of this Article and the applicable provisions of State law. (65 ILCS 5/11-12-8; 765 ILCS 205/1 et seq.) No lot in any subdivision shall be conveyed until:

- 8.1 The final plat of said subdivision has been approved by the Village Board of Trustees and recorded in the office of the Rock Island County or Henry County Recorder of Deeds; and
- 8.2 The portion of said subdivision in which the lot is located has been improved in accordance with the requirements of this Article or until a performance bond or other security has been posted to assure the completion of such improvements.

A building permit shall not be issued for any lot conveyed in violation of this section.

### **Section 9. SUITABILITY FOR SUBDIVISION GENERALLY**

Land that is unsuitable for development due to flooding, poor drainage, rough topography, adverse soil conditions, or other features which will be harmful to the health safety, and general welfare of the inhabitants of the subdivision and/or its surrounding areas shall not be subdivided or developed unless the sub divider/developer formulates adequate plans/methods to solve the problems caused by the adverse land conditions.

### **Section 10. LOT REQUIREMENTS.**

All lots in a subdivision shall conform to the minimum lot area and dimensions requirements of the zoning district in which said subdivision is located; land that is under water or proposed for street improvements shall not be counted to satisfy these minimum requirements. Every corner and through lot shall be large enough to permit compliance with the district's front setback requirements on every side of the lot that faces a street. All lot remnants shall be added to adjacent lots to avoid the creation of unbuildable parcels.

#### **Section 10.1. ACCESS AND RELATIONSHIP TO STREET.**

Land shall be subdivided in such a way that each lot abuts a street meeting the requirements of Section 12. All side lot lines shall be at right angles to straight street right-of-way lines or radial to curved street right-of-way lines except where a deviation from this rule will provide a better street and lot design.

## Section 11. PERMANENT REFERENCE MONUMENTS

### Section 11.1. MATERIALS, SIZE, AND LOCATION

- a. Concrete cylinders or rectangular prisms, not less than four (4) inches in diameter or square and forty-two (42) inches long, shall be set at the extreme corners of subdivisions.
- b. Steel pins, not less than one-half (1/2) of an inch in diameter and thirty (30) inches long, with a survey marker cap showing the land surveyor's registration number, shall be set at locations in accordance with the Plat Act.
- c. The intersection of two right-of-way lines at corner lots shall terminate at a tangent to a curve having a minimum radius of fifteen (15) feet.

### Section 11.2. RESETTING MONUMENTS

Any monuments disturbed by construction or grading shall be reset at no cost to the Village.

## Section 12. STREET DESIGN STANDARDS.

All streets shall be properly integrated with the existing and proposed street system indicated in the Comprehensive Plan and Official Map, and shall meet the specifications set forth in tabular form below. For divided boulevards, the Subdivider shall submit an acceptable plan for maintenance to the Planning Commission.

## TABLE OF STREET DESIGN SPECIFICATIONS

<b>Type of Street</b>	<b>Permitted On-Street Parking</b>	<b>Required Right-Of-Way</b>	<b>Required Pavement Width (B B)</b>	<b>Maximum/Minimum Grades</b>
Alley	None	20 ft.	18 ft.	Maximum: 10% Minimum 0.5%
Marginal Access	None	50 ft.	20 ft.	Maximum: 10% Minimum 0.5%
Local Street	One side	50 ft.	27 ft.	Maximum 10% Minimum 0.5%
	Two Side	50 ft.	31 ft.	
Collectors	Both sides	60 ft.	40 ft.	Maximum 10% Minimum 0.5%
Minor Arterials	None	80 ft.	11 ft. lanes	Maximum 5% Minimum 5%
Principal Arterials	None	100 ft.	12 ft. lanes	Maximum 5% Minimum 0.5%
Divided Boulevard	None	70 ft.	14ft	Maximum 10% Minimum 0.5%

## Section 12.1. HORIZONTAL CURVATURES

All changes in horizontal alignment shall be conducted with a horizontal curve with the following minimum centerline radius, designated "R":

- a. For principal, minor and collector streets (Design speed = 35 MPH), R shall equal five hundred feet (500');
- b. For local streets (Design speed = 30 MPH), R shall equal one hundred twenty-five feet (125'); and
- c. For alleys, R shall equal one hundred feet (100').

## Section 12.2. VERTICAL CURVATURES

All changes in street grade for alleys, marginal access, and local types of streets shall be connected by vertical curves of minimum length in feet equal to twenty-five (25) times the algebraic difference in percent of grade. In no case shall the vertical curve be less than one hundred (100) feet in length. For other types of streets, or unique conditions to the site, the Village Engineer shall establish the minimum length of vertical curve to be used.

## Section 12.2. THROUGH TRAFFIC DISCOURAGED

Marginal access and local streets shall be laid out so as to discourage use by through traffic. The rigid rectangular gridiron street pattern should be avoided, and the use of curvilinear streets, cul-de-sacs, or U-shaped streets shall be encouraged to effect a more desirable street layout.

## Section 12.3. LIMITED ACCESS TO ARTERIALS

Where a subdivision abuts or contains an existing or proposed arterial street, the Planning Commission may recommend to the Board of Trustees that access to said arterial may be limited by one of the following means:

- a. The subdivision of lots so that they back onto the arterial street and front onto a parallel local street (double frontage lots), coupled with the installation of screening in an access restricted strip along the rear lot lines of such lots;
- b. A series of cul-de-sacs, U-shaped streets, or short loops entered from and generally at right angles to the arterial street; or
- c. A frontage road separated from the arterial street by a planting strip, but having access thereto at suitable points.

## Section 12.5. DEAD END STREETS

- a. Temporary Stub Streets: Streets shall be so arranged to provide for the continuation of streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire and police protection, and efficient provision of utilities, and where such continuation comports with the Comprehensive Plan. If the adjacent property is owned by the Subdivider (under the same ownership) and undeveloped and the street must dead-end temporarily, the right-of-way shall be extended to the property line, and no strip that would prevent connections with future streets shall be reserved. A temporary turnaround shall be provided at the terminus of any temporary dead-end street. If the adjacent property is under another ownership there should be a permanent turnaround.



- b. Permanent Dead End Streets: Cul-de-sacs shall have a maximum length of 750 feet. A cul-de-sac turn-around, having a minimum right-of-way diameter of ninety-eight (98) feet, a minimum pavement return radius of twenty-five (25) feet, and a pavement diameter of seventy-five (75) feet, shall be provided at the end of every permanent dead-end street.

#### Section 12.6. ALLEYS

Alleys shall be prohibited in single-family residence districts. Alleys may be required in multiple-family districts and in commercial/industrial districts unless other adequate provisions for service access are made. Adequate vehicular turnaround space shall be provided at the terminus of any dead-end alley.

#### Section 12.7. INTERSECTIONS

- a. Only Two Streets: Not more than two (2) streets shall intersect at any one point.
- b. Right Angles: Streets shall be laid out so as to intersect as nearly as possible at right angles; in no case shall two (2) streets intersect at an angle of less than eighty (80) degrees or more than one hundred (100) degrees. An oblique street shall be curved approaching an intersection and shall be approximately at right angles with said intersection for at least one hundred (100) feet there from.
- c. Alignment: Proposed new intersections along one side of an existing street shall, wherever practicable, coincide with any existing intersections on the opposite side of such street. Street jogs with center-line offsets of less than one hundred twenty-five (125) feet shall not be permitted, except where the intersected street has divided lanes without median breaks at either intersection. Intersections involving collector or arterial streets shall be at least eight hundred (800) feet apart.
- d. Curb Radii: To permit safe vehicular movement at corners, the minimum curb radius at the intersection of two streets shall be fifteen (15) feet where both streets are marginal access or local and at other intersections, not less than twenty-five (25) feet.
- e. Grade: Intersections shall be designed with a minimum grade of 0.5%. In hilly terrain, an area having not greater than a two percent (2%) slope for a distance of sixty (60) feet from the nearest right-of-way line of the intersecting street shall be provided at the approach to an intersection.
- f. Cross-Slope: The cross slopes of all streets, including intersections, shall not exceed three percent (3%).
- g. Adequate Sight Lines: Where any street intersection will involve earth banks or existing vegetation, the developer shall cut such ground and/or vegetation (including trees) in connection with the grading of the public right-of-way to the extent necessary to provide adequate sight distance in accordance with the following chart:

30 MPH 130 ft. each way from intersection

35 MPH 155 ft. each way from intersection

#### Section 12.8. REVERSE CURVES

A tangent at least fifty (50) feet long shall be introduced between reverse curves on local streets and one hundred (100) feet long on collector streets.

Section 12.9. ROAD DEDICATIONS AND RESERVATIONS AND IMPROVEMENTS TO EXISTING STREETS

- a. New Perimeter Streets. Street systems in new subdivisions shall be laid out so as to eliminate or avoid new perimeter half-streets. Where an existing half street is adjacent to a new subdivision, the other half of the street shall be improved and dedicated by the sub divider. The Planning Commission may authorize a new perimeter street where the sub-divider improves and dedicates the entire required street right-of-way width within his own subdivision boundaries.
- b. Existing Roads. Where a subdivision borders an existing narrow road or when the Comprehensive Plan, Official Map, or zoning setback regulations indicate plans for realignment or widening a road that would require use of some of the land in the subdivision, the applicant shall be required to improve and dedicate at his expense such areas for widening or re-alignment of such roads as are specifically and uniquely attributable to his subdivision and to reserve for public use any portion of the right-of-way determined not to be specifically and uniquely attributable to his subdivision.
- c. Excess Right-of-Way. Right-of-way in excess of the standards set forth in the Table of Street Design Specifications shall be required to be dedicated when:
  - 1. Due to topography, additional width is necessary to provide adequate earth slopes; or
  - 2. Due to the location of railroad tracks, additional width is needed to construct overpasses, underpasses, and approaches thereto.
- d. "Specifically and Uniquely Attributable" Defined. For purposes of this section, the phrase "specifically and uniquely attributable" shall mean as a minimum that areas currently zoned or to be zoned single family for residential uses in the Comprehensive Plan shall require marginal access, local, or collector streets, depending on density; that areas currently zoned or to be zoned for multi-family residential uses in the Comprehensive Plan shall require local, boulevard, collector, minor arterial, or principal arterial streets, depending on density; that areas currently zoned or to be zoned for commercial uses in the Comprehensive Plan shall require local, collector, minor arterial, or principal arterial streets, depending on whether same is a neighborhood, community, or regional area; and that areas currently zoned or to be zoned for industrial uses in the Comprehensive Plan shall require collector, minor arterial, or principal arterial streets, depending on the size of the industrial area.

Section 13. STREET IMPROVEMENTS STANDARDS.

All new streets shall be graded, curbed, and surfaced in accordance with the standards of Illinois Department of Transportation, Village Standards and the provisions of the subsections below.

Section 13.1 CURB AND GUTTER

All streets shall be bounded by concrete curbs and gutters. Rollover curbs may be allowed on marginal access and local streets pending approval by Village Engineer.

Section 13.2. PAVEMENT

All streets and alleys shall be paved in accordance with the minimum standards as indicated below:

- a. Alleys: six (6) inch thick non-reinforced concrete.
- b. Marginal access, Local:
  - 1. Six (6) inch thick reinforced Portland cement concrete pavement; or
  - 2. Seven (7) inch thick non-reinforced Portland cement concrete; or
  - 3. Asphaltic concrete construction meeting Department of Transportation specifications and satisfactorily meeting the Village Engineer's specifications.
- c. Collector, Minor Arterial:
  - 1. Seven (7) inch thick reinforced portland cement concrete; or
  - 2. Eight (8) inch thick non-reinforced portland cement concrete; or
  - 3. Asphaltic concrete construction meeting Department of Transportation specifications and satisfactorily meeting the Village Engineer's specifications.
- d. Principal Arterial:
  - 1. Eight (8) inch thick reinforced portland cement concrete; or
  - 2. Nine (9) inch thick non-reinforced portland cement concrete; or
  - 3. Asphaltic concrete construction meeting Department of Transportation specifications and satisfactorily meeting the Village Engineer's specifications.

The above thickness requirements shall be increased if traffic volume, sub-grade or other conditions show justifications for increased thickness. A sub-base or base shall be constructed in accordance with the appropriate articles of the standard specifications when required by the Village Engineer. A sub-base or base with an under-drain system may be required in areas where a combination of proposed street grade and soil type may lead to sub-grade erosion and pavement undermining. The Village may require additional engineering documentation to establish that the above standards are appropriate for the reasons stated in this paragraph.

Pavements shall be constructed in accordance with the standards set forth in Section 13 and in conformity with the lines, dimensions and grades shown on the plans and to the form and dimensions shown on the detail drawings included with and being part of the plans.

Section 14. BLOCKS.

- a. Block Width: Blocks shall be sufficiently wide to accommodate two (2) tiers of lots having the minimum depth required by the zoning district regulations; provided, that this requirement may be waived in blocks adjacent to local collector or collector streets, railroads, or water courses.
- b. Block Length: No block shall be longer than one thousand (1,000) feet nor shorter than three hundred (300) feet.

Section 15. SIDEWALKS.

Sidewalks shall be installed on both sides of all collector, minor arterial, principal arterial, and boulevard streets. Sidewalks shall be installed on all lots in a subdivision at the time the lot is developed or prior to issuance of the Occupancy Permit.

(Ord.2000-00-01,9/20/00)

Section 15.1 SIDEWALK CONSTRUCTION STANDARDS

- a. Relationship to Curb: Sidewalks shall be located one (1) foot inside the right-of-way line or on a line to be given by the Village Engineer when it is impossible or not feasible to build or construct the same as aforesaid.
- b. Width: Sidewalks shall be at least four (4) feet wide.
- c. Thickness of Concrete: All sidewalks shall be constructed of concrete at least four (4) inches thick, except that across driveways the thickness shall be increased to six (6) inches.
- d. Grade: No sidewalk shall be constructed at a grade steeper than ten percent (10%).
- e. Ramps at Intersections: Curbs shall be cut and sidewalks shall be ramped at all intersection so as to enhance the mobility of handicapped individuals. Ramps shall equal or exceed the standards of the Illinois Capital Development Board.
- f. Reinforcement Rod. All new and replacement sidewalks are required to be constructed with ½ inch reinforcement rod on 8 inch centers over sewer or water trenches. The reinforcement rod is to be 6 feet on each side of said trench.

Section 16. UTILITIES.

All utilities provided as new installations within a subdivision shall be placed in the right of way or in easements, and shall be provided underground, unless an exception or exemption has been granted.

Section 16.1 RESPONSIBILITY.

For all major subdivisions, the subdivider shall make the necessary arrangements with the appropriate utility companies for the proper installation of utilities to assure that all lots have adequate gas, electrical, and communications service.

Section 16.2 REQUIREMENTS

All underground electric distribution circuits installed by the utility company within the Village shall be installed in accordance with the Safety Rules for the Installation and Maintenance of Electric Supply and Communication Lines, U.S. Department of Commerce, National Bureau of Standards, and General Order No. 160, Rules for Construction of Electric Power and Communication Lines, Illinois Commerce Commission.

Section 16.3. ENFORCEMENT.

The Building Inspector shall not issue any occupancy permits until all utilities have been installed in the subdivision.

Section 16.4. EXCEPTIONS.

The requirements for underground utilities shall not apply in the following instances:

- a. Principal electric distribution feeder circuits and electric transmission circuits shall not be required to be installed underground.
- b. Any service, which is considered by the utility company to be unfeasible for under grounding, due to high voltage or inordinately high and unjustified cost, may be provided overhead when authorized by the Village Board of Trustees.
- c. When topographic or soil conditions cause the cost of under grounding to be extremely and unjustifiably high, services may be provided overhead when authorized by the Village Board of Trustees.
- d. When a subdivision is developed adjacent to or abutting an existing development in which the primary feeder lines have been installed overhead, the new subdivision may use the overhead lines with the following provisions:
  - 1. The service lines to the buildings in the new subdivision shall be installed underground.
  - 2. All additional necessary feeder lines shall be installed underground.
- e. When a building is constructed on a single unoccupied lot in an area, which is fully developed with overhead electric, and communication service, the building may use the overhead service line if it completes the development of the area.
- f. Utilities provided as new installations to lots for industrial purposes may be provided overhead.

#### Section 16.5. EXEMPTIONS

The following specific facilities shall be exempt from the requirements of the Ordinance:

- a. Poles used exclusively for street lighting.
- b. Poles, overhead lines, and associated overhead structures, authorized by the Village Board of Trustees, crossing or entering any portion of a district from which overhead wires have been prohibited, and originating in an area in which overhead wires are allowed.
- c. Overhead lines attached to the exterior of a building by means of a bracket or similar device, and extending from one location on the building to another on the same building, or to an adjacent building without crossing any public street or right-of-way.
- d. Radio antenna and associated structures and equipment used for furnishing communication service.
- e. Service terminals and necessary pad-mounted electric equipment installed above ground, used to distribute communication and electric service in underground systems.

#### Section 17. WATER FACILITIES

- a. Every subdivision shall be provided with a complete water distribution system adequate to serve all lots within the subdivision. The water distribution system shall be designed according to standard specifications and shall be approved by the Village Engineer and the Illinois Environmental Protection Agency. Whenever a water main is extended it shall be extended across the entire frontage of the property being

subdivided and it shall be connected to any other mains which front on or are adjacent to the subdivision to provide for looping of the water system.

- b. The engineer for the Subdivider shall calculate the expected fire flow requirements within the subdivision based upon the intended zoning and expected land use in accordance with the Uniform Fire Code, latest adopted edition. Also taken into consideration when determining the size of pipe to be installed shall be the anticipated demand for water by 'downstream' properties based on anticipated development of such properties based on the Comprehensive Plan for such expansion areas.
- c. Individual service connections within single family residential subdivisions shall be extended from the main to within one (1) foot of the lot line of each lot with an approved corporation and curb box and clearly marked with a fence post or similar material to facilitate their locations.
- d. Upon written request to the Village Engineer, the Village will perform fire flow tests on the existing water mains to be extended and provide the data to the Subdivider's engineer.
- e. GENERAL All water distribution items shall be in accordance with Section 561, 562, 564 AND 565 OF THE Standard Specifications, applicable sections of Division IV "WATER DISTRIBUTION" AND Division V "STANDARD DRAWINGS" of the Specifications for Water and Sewer Construction in Illinois and Village of Coal Valley Standards.

## **WATER MAIN**

Water mains shall have a minimum of five (5) feet cover in all directions.

All water main shall be ductile iron pipe manufactured in the USA in accordance with AWWA/ANSI C150/21.50\* AND C151/A21.51\*, of the pressure class specified on the plans, cement lines meeting AWWA/ASNI C104/A21.4\* with push-on joints meeting AWWA/ASNI C111/A21.11\*. A minimum of three (3) brass wedges per joint shall be installed. Pipe shall have standard asphaltic coating on the exterior.

All water main fasteners are to be Cor-Blue T-Bolts and nuts or equivalent.  
(ORD 2002-00-09 7/2/2002)

Whenever pipe laying is not in progress, the open end of all pipe/fittings shall be plugged with a Clow F-1147 or equal plug.

Where casing pipe is required, the casing pipe shall be six to eight inches larger than the outside diameter of the bells on the ductile iron pipe. Stainless steel casings chocks/spacers shall be used to keep the pipe centered in the casing and to prevent damage when the installation is made. Approved chocks/spacers shall be installed at a maximum of 6-foot intervals within the casing pipe such that the carrier pipe does not rest on the casing pipe. Approved casing chocks/spacers are:

Powerseal 4810  
Cascade CCS or equal

When necessary to deflect pipe from a straight line, the degree of deflection shall be approved by the Village representative. Maximum permissible deflection shall be three (3) degrees or 12 inches on a 20-foot length pipe.

Any interruption of service shall be held to a minimum length as determined and approved by the Village representative. Any damage to existing mains or services shall be repaired immediately. The contractor shall operate no valve, hydrant, or other control on the existing system for any purpose. Water used for trench compaction and for flushing and testing will be made available at the nearest facility by the Village. The contractor will be required to

pay for all water used from the Village facilities. The Village will supply required meters. An approved backflow prevention device is required and shall be supplied by the contractor.

Fittings shall be manufactured in the U.S.A. and be either ductile iron or gray cast iron. Ductile iron fittings shall conform to either AWWA/ASNI C110/A21.10\* or C153/A21.53\*. Gray iron fittings shall be in accordance with AWWA/ASNI C110/A21.10\*. Fittings shall have a standard asphaltic coating on the exterior. Fittings shall also have a cement mortar lining on the interior in accordance with AWWA/ASNI C104/A21.4\*. Connecting pipe shall be at least 18 inches long.

Thrust blocking shall be cast-in-place concrete (3500 psi) bearing against undisturbed soil. Reaction load shall be calculated as follows:

Bends:  $R=236 \times (I.D.) 2 \times \sin(1/2 \text{ angle of bend})$   
Cross, Tee, or Plug:  $R+118 \times (I.D.) 2$

The Engineer shall determine soil-bearing capacity in the field.

If necessary to provide restrained joints for proper retention, retainer glands shall be used meeting the approval of the Village.

Hydrostatic pressure tests shall be made with a minimum pressure of 100 psi for a period not less than one (1) hour and not more than six (6) hours. The basic provisions of AWWA C600 shall be applicable for both pressure and leakage testing except that no leakage shall be allowed.

## VALVES

All valves to be ductile iron or gray cast iron with mechanical joints, vertical non-rising stem with "o" ring seals, two (2) inch operating nut, and shall open in a counter-clockwise direction. The valve body hubs shall rest on a precast concrete block measuring 4x16x16 inches.

Gate valves shall be resilient wedge valves conforming to AWWA C509\*. Approved gate valves are:

Clow Resilient Wedge Valve  
Mueller Resilient Wedge, 2360 Series

Butterfly valves shall be Class 150B conforming to AWWA C504\*. The two (2) inch square operating nut shall connect to the stainless steel shaft through an operator with a minimum gear ratio of 120:1. Butterfly valves shall be installed in a manhole with a minimum inside diameter for five (5) feet. Floor of manhole shall be poured in place or precast and sealed. Manhole lid shall be embossed "WATER". Approved butterfly valves are:

Pratt Groundhog  
Dresser No. 450  
Mueller Line Seal III

Valve boxes shall be installed with all valves and shall be set on clean crushed stone. Valve to be fitted with valve box alignment device to be installed under the operating nut. Valve box lid shall be embossed with "WATER". Approved valve boxes are:

For gate valves: Tyler 6860

## FIRE HYDRANT ASSEMBLY

Hydrants: All hydrants shall conform to AWWA C502\*. They shall be "traffic break away" type with safety flange and stem coupling at the finished grade line. Hydrants shall open counter-clockwise and shall have "o" ring stem seals. The upper barrel section shall have two (2) – 2 ½ inch and one (1) – 4 ½ inch outlet nozzles all with National Standard Threads

and 1 ½ inch pentagon nuts. The lower barrel section length shall provide 5-foot minimum cover. Inlet connection shall be 6-inch standard mechanical joint with a 5 ½ inch main valve opening. Precast concrete blocking shall be used to support hydrants as shown on Standard #27. Sufficient clean one (1) inch rock, CA-7, or equivalent rock shall be placed around the base of the hydrant to provide an adequate drain field. Rock must be placed to a minimum depth of six (6) inches above the lower flange. Exterior hydrant color to be approved by the Village.

Approved hydrants are:

Iowa 5 ½" F-5110 Break Flange  
Mueller Super Centurian  
Clow Medallion

Where fire hydrant assemblies are called for, they shall include the required 6-inch gate valve and cast iron valve box and 6-inch Pressure Class 350 D.I.P. connecting pipe and fittings as shown on Standard #27, and detailed on drawings.

Fire hydrant depth of bury shall be limited to seven (7) feet. If the depth of bury would exceed seven (7) feet, provide two 45-degree fittings with thrust blocks, and/or approved restrained joints, in connecting main to limit depth of bury to six (6) feet.

## **FIRE HYDRANT TO BE RELOCATED**

Where indicated on plans, existing fire hydrant shall be removed and reinstalled at location in accordance with Standard #27 "FIRE HYDRANT ASSEMBLY". Pressure Class 350 D.I.P. 6-inch connecting pipe and fittings shall be required as shown on Standard #27 and detailed on plans. Sufficient clean one (1) inch rock, CA-7, or equivalent rock shall be placed around the base of the hydrant to provide an adequate drain field. Rock must be placed to a minimum depth of six (6) inches above the lower flange.

Fire hydrant depth of bury shall be limited to seven (7) feet. If depth of bury would exceed seven (7) feet, provide two 45-degree fittings with thrust blocks, and/or approved restrained joints, in connecting to limit depth of bury to six (6) feet.

## **WATER SERVICE CONNECTION (CORPORATION)**

COPPER WATER SERVICE PIPE  
CURB STOP & BOX

The making and installation of all service connections, placing of all service pipes and the setting of all water service fittings within public rights-of-way shall be performed by a duly licensed plumber under the supervision of the Village Plumbing Inspector, in complete accordance with all applicable sections of the Village Plumbing Code and the Sewer and Water Specifications and ordinances.

Each water service pipe shall be connected to the water main through a brass corporation stop. The main shall be tapped at an angle of 45 degrees with the vertical, and the stop must be turned so that the T-handle will be on the top.

Service pipes must be placed at least five (5) feet below the surface of the ground. When pipes are placed in streets or grounds subject to fixed grades, where the surface of the ground is higher than the established grades, they shall be so placed that they will be at least five (5) feet below the established grade, except in sandy soil formation, the Village may require pipes to be placed to a depth of at least six (6) feet below the established grade. Service Pipes shall run perpendicular from the main to the curb stop and box.

"All new and replacement water main extensions are required to be installed with UL approved 12 gage solid copper tracer wire. The tracer wire shall be duct taped directly to top of water main for purpose of locating. All services shall have tracer wire nutted and sealed with silicone to water main tracer wire:



For service connection to all water main installed prior to 1993 and to Class 52 D.I.P. water main installed after 1992, the corporation shall be installed through the following methods:

<u>Size of Tap</u>	<u>Method to Tap</u>
Less than or equal to 1"	Direct tap
Less than or equal to 2"	Approved saddle
Greater than 2"	Tapping sleeve

For service connections to pressure class 350 water main installed after 1992, the corporation shall be installed through the following methods:

<u>Size of Tap</u>	<u>Method of Tap</u>
Less than or equal to 2" – main in place	Direct tap (I.A.W. the following table or Approved saddle
Less than or equal to 2" – new main	Direct tap (I.A.W. the following Table) or tapped TEE
Greater than 2" – new main	D.I.P. tee
Greater than 2" – main in place	Tapping sleeve

**Maximum Direct Tap Size for  
3-Through 24-Inch Ductile Iron Pipe**

	<u>Pressure Class</u>			
	150 151	200	250	300 350
3				3/4
4				3/4
6				1
8				1
10				1
12				1 1/4
14			1 1/4	1 1/4
16			1 1/2	2
18			2	2
20			2	2
24	2	2	2	2

Approved service saddles are:  
Powerseal 3131AS or 3132AS  
Smith Blair 317, or equivalent

Outlet connections shall be CC, corporation thread.

Tapping sleeves shall be of stainless steel construction equal to that manufactured by Power Seal 3490AS.

All corporation stops and curb stops shall be fabricated of brass and shall be provided with outlets suitable for copper connections and shall conform with AWWA/ANSI C800\*. Curb stops shall be of the round-way type. Fittings for service pipe shall be copper and of the flare type.

Copper pipe shall be of copper water tube, Type K, soft temper, for underground service, conforming to ASTM B88-88. All joints shall be of the "flared union" type.

A curb stop box and shut-off for controlling the supply of water to customers shall be placed on every service. When connections are made in street or avenues, the stop box shall be placed 12 inches outside sidewalk line on the street side; and when made in alleys or in areas where no sidewalks exist, it shall be placed six (6) inches outside the lot line. The cover of said stop box shall be maintained at the same height as the sidewalk of surrounding ground by the owner of the premises. Where obstacles prevent the location of stop box and shut-off at the point indicated, they shall be placed on public right-of-way as directed by the plumbing inspector. All stop boxes must be set on a line drawn at right angles to the main through the service corporation or connection in the main. Curb boxes shall be of the Buffalo or "arch" type, A.Y. McDonald #5601 or equal, of such construction that it shall be capable of extension to finish grade.

\*All referenced standards shall be latest revisions.

#### Section 17.1 FIRE HYDRANT SPACING

Fire hydrants of the type approved by the Village Engineer shall be installed according to standard engineering practices and shall be placed at intervals of not more than four hundred (400) feet for residential and not more than the maximum specified for commercial and industrial use, in accordance with the Uniform Fire Code.

#### Section 18. SANITARY SEWERS.

All proposed sanitary sewer facilities shall comply with the regulations of the Illinois Environmental Protection Agency, and shall be approved by the Village Engineer.

#### Section 18.1. WHEN PUBLIC SYSTEM AVAILABLE

- a. Whenever the subdivision, any point of which is within three hundred (300) feet of an existing publicly owned sewer main or other collection system and the subdivider has the right to extend public sewer mains or private sewer laterals from said property to said existing publicly owned sewer main or other collection system either by way of street, alley, public way, public easement, or private easement, the subdivider shall construct sewer mains, where technically feasible, which shall be connected to such public sewer and shall provide sewer to all lots within the subdivision.
- b. All sewer main construction shall be done according to standard engineering practices. Whenever a sanitary sewer system is extended it shall be extended across the entire frontage or frontages of the property to be improved by the extension unless the Village has determined, because of land contours or the presence of other mains, that no other property can be technically served or needs to be served by such an extension.
- c. All new and replacement sanitary sewer main extensions are required to be installed with UL approved 12 gage solid copper tracer wire. The tracer wire shall be duct taped directly to top of sanitary sewer main for purpose of locating. All services shall have tracer wire nutted and sealed with silicone to sanitary sewer main tracer wire.

#### Section 18.2. INTERIM DISPOSAL SYSTEMS

Where a sanitary sewer cannot be extended as required by Sec. 18.1, the Subdivider shall construct a sanitary sewer system to serve all lots within the subdivision and shall provide sewage treatment by means of an approved sewage treatment plant which shall be operated and maintained by the Subdivider until such time as the system can be connected to the publicly owned system. Said system shall be temporarily capped. Where the land covered by the preliminary plat contains not more than ten (10) lots, individual sewage disposal systems may be used and shall be installed according to applicable laws and regulations of the appropriate approving agency.

Section 19. EASEMENTS

Section 19.1. UTILITY EASEMENTS

Easements at least fifteen (15) feet wide shall be provided for public and private utilities along the front right-of-way lines of the public streets. Easements located elsewhere shall be at least twenty (20) feet wide and if along lot lines, they shall be centered on the lot lines.

Section 19.2 DRAINAGE EASEMENTS

Adequate easements for storm water drainage shall be established along any natural drainage channel and in any other locations where necessary to provide satisfactory disposal of storm water from streets, alleys, and all other portions of the subdivision. The precise location and minimum widths of said easements shall be determined by the Village Engineer.

Section 20. DRAINAGE AND STORM SEWERS.

The Planning Commission shall not recommend the approval of any plat unless, the Village Engineer determines that the proposed provisions for storm water drainage are adequate within boundaries of the subdivision. Drainage improvements in the subdivision shall be coordinated with existing and planned drainage improvements elsewhere so as to form an integrated Village system. The storm water drainage system shall be separate and independent of the sanitary sewer system and shall meet the following design criteria:

a. Principal and Minor Arterial Streets:

1. Flow from a "ten (10)-year storm" shall not inundate the center twenty (20) feet of the pavement.
2. Flow from a "fifty (50)-year storm" shall be carried without damage to any building.

b. Collector Streets:

1. Flow from a "ten (10)-year storm" shall not inundate the center ten (10) feet of the pavement.
2. Flow from a "fifty (50)-year storm" shall be carried without damage to any building.

c. Local Streets:

1. Flow from a "ten (10)-year storm" shall not top the curb.
2. Flow from a "fifty (50)-year storm" shall be carried without damage to any building.

Section 20.1 CATCH BASINS OR INLETS

Catch basins or inlets, if required, shall be constructed so that the majority of surface water shall be intercepted before reaching the intersection, and not carried for a distance of more than four hundred (400) feet of the pavement.

Section 20.2. ACCOMMODATION OF UPSTREAM DRAINAGE AREAS

A culvert or other drainage facility large enough to accommodate potential runoff from the entire drainage area upstream from the proposed subdivision shall be provided in accordance with the Village's standard specifications. Potential runoff shall be determined on the basis of the maximum development of the upstream area that is permitted or to be permitted under the Comprehensive Plan.

### Section 20.3. AREAS SUBJECT TO FLOODING

Whenever a plat is submitted for an area that is subject to flooding, the Board of Trustees may require appropriate protective measures, including the filling of the flood prone area to a level equal to the regulatory flood elevation, if any.

### Section 21. SOIL EROSION AND SEDIMENTATION CONTROL

In the development of any subdivision, refer to the Stormwater Drainage and Detention, Soil Erosion, and Sediment Control in Appendix 1.

### Section 22. DEDICATIONS FOR PUBLIC USE

The Board of Trustees may require the developer to dedicate (i.e., to transfer without compensation) to the Village or other appropriate governmental entity suitable parcel(s) of land within the subdivision for public purposes provided such facilities are otherwise required by this Ordinance. Any such dedicated area shall be shown on the final plat.

#### Section 22.1. RESERVATIONS FOR PUBLIC USE

Besides requiring the Subdivider to dedicate parcels for public purposes, the Board of Trustees may require that he reserve land for parks, playgrounds, schools, or other public purposes in locations designated in the Village's Comprehensive Plan. Since public acquisition of reserved land requires compensation, it is not essential that the need for such land be uniquely and specifically attributable to the subdivision. (65 ILCS 5/11-12-8)

- a. Adopted There is hereby adopted an Official Map dated July 28, 1986, which shall be applicable to all land situated within the Village, and shall also be applicable to contiguous territory within one and one-half (1 1/2) miles from the corporate limits of the Village and not included within the corporate limits of any other municipality. The Official Map shall be filed in the office of the Village Clerk and is made part of this Ordinance by reference.
- b. Planned Public Improvements to be Shown on Map The Official Map may show indication of sites for planned public facilities. Public facility sites which may be indicated on the Official Map may include but are not limited to: sites for new traffic ways or widening of existing traffic ways; school sites; recreational sites; public building sites; and sites for future storm drainage, electrical or other public service or utility easements.
- c. Availability of Sites for Planned Public Improvements
  1. Whenever the Official Map indicates the necessity for providing a site for a planned public facility, the Board of Trustees may require that the site for the public use be designated on the subdivision plat before granting approval to such plat; and, furthermore, that the site be held for that specific public use for a period of one (1) year from the date of approval of the final plat. When such designation has been required, the Board of Trustees shall notify the responsible public agency in writing of the designation within ten (10) days.
  2. Whenever a site for public use, shown on the official map, has been required to be indicated on a subdivision plat, the responsible agency having jurisdiction of such use shall acquire the land so designated by purchase or commence proceedings to acquire the land by condemnation within one (1) year from date of final approval of the plat; and, if it does not do so within such period of one (1) year, the land so designated may then be used by the owners in any other manner consistent with this

chapter, the Zoning Ordinance, or any other provision of this Code or other ordinance of the Village.

d. Amendments or Additions to the Official Map

1. Amendments to the Official Map, including the indication of additional public sites to be shown on the Map, shall be considered amendments to this Ordinance. Any public agency requesting the establishment on the Official Map of a future public site or easement which is not included in the Comprehensive Plan, shall indicate to the Plan Commission the need for the site in the particular location specified. The Plan Commission, before making a favorable recommendation for the inclusion on the Official Map of such site by the Board of Trustees, shall find that this public site location is determined to be necessary to provide public service consistent with the Comprehensive Plan of the community and shall so indicate in its minutes.

## PLATS AND PLANS

### Section 23. PRE-FILING CONFERENCE

Prior to the submission of the initial plat, a pre-filing conference may be held between the Subdivider and appropriate Village staff. The Subdivider shall present a concept sketch of the proposed development. Village staff shall use a standardized checklist to review the proposed development for conformance to the subdivision ordinance.

### Section 24. PRELIMINARY PLATS

Except as specifically provided below, every person who proposes to subdivide any land located within the subdivision jurisdiction of the Village shall file four (4) full scale copies and eight (8) reduced scale copies on 11 inch by 17 inch paper of the preliminary plat of said subdivision with the Administrator at least three (3) weeks prior to a regularly scheduled meeting of the Planning Commission.

The Subdivider shall also file one (1) copy of the preliminary plat and supporting data with the appropriate Soil and Water Conservation District. Said district shall have not more than thirty (30) days to submit any comments it might wish to make to the Planning Commission. (70 ILCS 405/22.02A)

Whenever a large tract is to be developed in stages and only a portion of that tract is to be submitted for final plat approval, a preliminary plat of the entire tract shall be submitted.

All preliminary plats shall be reviewed and acted upon in accordance with 65 ILCS 5/11-12-8 and the provisions of the subsections below.

EXCEPTION: A preliminary plat shall not be required for:

- a. minor subdivisions; or
- b. land that is specifically exempted from the Illinois Plats Act as now or hereafter amended (765 ILCS 205/1).

#### Section 24.1. INFORMATION REQUIRED

Every preliminary plat shall be prepared by a land surveyor registered in Illinois at a scale of one hundred (100) feet or less to the inch provided the resultant drawing does not exceed thirty-six (36) inches by twenty-four (24) inches. Said preliminary plat, together with the supporting data, shall provide all of the following information.

- a. Names and addresses of the owner, subdivider (if not owner), and registered land surveyor;
- b. Proposed name of the subdivision and all adjoining subdivisions;
- c. Zoning district classification of the tract to be subdivided and proposed setbacks;
- d. North arrow, graphic scale, and date of map;
- e. Dimensions of the tract, and its gross area;
- f. Topography of the tract to be subdivided as indicated by two-(2) foot contour data for land having slopes of zero-four percent (0 - 4%), five-(5) foot contour data for land having slopes between four-twelve percent (4 - 12%), and ten- (10) foot contour data for land having slopes of twelve percent (12%) or more;
- g. Locations of such features as bodies of water, ponding areas, natural drainage ways, railroads, cemeteries, bridges, parks, schools, buildings, areas subject to flooding, etc.;
- h. Locations and right-of-way widths of all existing and proposed streets and alleys;
- i. Locations, widths, and purposes of all existing and proposed easements;
- j. All proposed deed restrictions and covenants;
- k. Location of all existing and proposed public utilities for the tract including size of existing and proposed storm sewers, location and size of all existing and proposed water mains, location and size of all existing and proposed sanitary sewers and any appurtenances thereto in accordance with appropriate city ordinance.
- l. Locations, types, and approximate sizes of all other existing and proposed utilities;
- m. Locations, dimensions, and areas of all parcels to be reserved or dedicated for schools, parks/playgrounds, and other public purposes; and
- n. Locations, dimensions, and areas of all proposed or existing lots within the subdivision numbered sequentially;
- o. For all contiguous holdings of the owner; including land owned by the same person, corporation, firm, entity, partnership, or unincorporated association or owned by different corporations, firms, partnerships, entities, or unincorporated associations in which a stockholder, partner, or associate, or a member of his family owns an interest in each corporation, firm, partnership, entity, or unincorporated association; with an indication of the portion proposed for subdivision: an affidavit of ownership, which shall include the dates the respective holdings of land were acquired, together with the book and page of each conveyance to the present owner as recorded in the county recorder of deed's office or other official records; the name and address and telephone number of the legal owner of the property, the Subdivider, if different from the legal owner, the land surveyor and engineer, and the agents of any of these persons; the name and address and telephone number of the contract owner, if any, of the property and the date the contract of sale was executed; and, if any corporations are involved, a complete list of all directors, officers, and stockholders owning more than five (5) percent of

any class of stock of each corporation; and, if a trust is involved, a complete list of the names of the trustees, and the names and addresses and telephone numbers of all beneficiaries of the trust;

- p. The location by township, range, section, or by other legal description;
- q. A list of requested variances and justifications.

#### Section 24.2. UTILITY COMPANY NOTIFICATION

It is the Subdivider's responsibility to notify the appropriate public utilities. Proof of notification shall be submitted with the preliminary plat to the Village for Village approval.

#### Section 24.3. PLANNING COMMISSION ACTION

The Planning Commission shall either recommend approval, conditional approval, or disapproval of the application for the preliminary plat within ninety (90) days from the date of said application or the filing of the last item of required supporting data, whichever date is later, unless the Planning Commission and the Subdivider mutually agree to extend this time limit. (65 ILCS 5/11-12-8) If the Planning Commission recommends disapproval of the preliminary plat, they shall furnish to the applicant within the ninety-day period a written statement specifying the aspects in which the proposed plat fails to conform to this ordinance and/or the Official Map. If the Planning Commission recommends approval of the preliminary plat, it shall promptly so inform the Board of Trustees.

#### Section 24.4. APPEALS PROCESS

If the preliminary plat is not approved, the Administrator shall write "Not Approved" and the date of the Planning Commission's action on the prints, and shall transmit to the Subdivider one (1) print with a letter stating the reasons for the disapproval. The Subdivider may transmit an amended plat to the Planning Commission for consideration.

If the Subdivider is not satisfied with the decision of the Planning Commission on the preliminary plat, then the Subdivider may appeal the decision to the Board of Trustees. An appeal must be made by letter addressed to the Board of Trustees, stating the reasons for the appeal. Said letter must be received by the Administrator no less than ten (10) days following the date of the Planning Commission's decision. The letter of appeal shall be placed on the next regular Board of Trustees meeting agenda after it is received by the Administrator. The Administrator shall also provide to the Board of Trustees the preliminary plat, the Planning Commission's meeting minutes pertaining to the plat, and the reports and recommendations made to the Planning Commission by the Administrator. The Board of Trustees shall have thirty (30) days from the time the appeal is first placed on its agenda either to: re-affirm the Planning Commission's decision on the preliminary plat; to approve the preliminary plat as submitted by the Subdivider; or to approve the preliminary plat with modifications.

#### Section 24.5. ACTION BY THE BOARD OF TRUSTEES

If the Planning Commission has recommended approval of a preliminary plat, the Board of Trustees shall either accept or reject said plat within thirty (30) days after their next regularly scheduled meeting following the Planning Commission's action. If the Board of Trustees rejects the preliminary plat, their motion shall specify the aspects in which the plat fails to comply with this Ordinance. The Village Clerk shall attach a certified copy of the Board of Trustees' meeting minutes in which the motion of approval or disapproval to the preliminary plat is contained. One copy of the foregoing meeting minutes and plat shall be retained by the Clerk, one copy shall be filed with the Administrator, and one copy shall be given to the Subdivider. Board of Trustees approval shall not qualify a preliminary plat for recording.

#### Section 25. IMPROVEMENT PLANS.

After the Board of Trustees has approved the preliminary plat, but prior to submission of the final plat, the Subdivider shall furnish four (4) copies of the plans and specifications for all improvements to be installed within or in conjunction with the proposed subdivision to the Village Engineer for review. These plans and specifications shall be signed and sealed by the registered professional engineer responsible for their preparation. Until the Village Engineer certifies in writing that the proposed improvements conform to generally accepted engineering practices and to the standards imposed in this Ordinance:

- a. The Village Engineer shall not issue any permit to allow construction of said improvements; and
- b. The Board of Trustees shall not act upon the application for final plat approval.

#### Section 25.1. INFORMATION REQUIRED

Improvements plans shall consist of black or blue line prints not larger than thirty-six (36) inches by twenty-four (24) inches. These plans and the related specifications shall provide all of the following information:

- a. Topography of the tract, both before and after development at the same scale as required in the preliminary plat;
- b. Existing and proposed elevations along the centerlines of all streets;
- c. Radii of all curves and lengths of tangents on all streets;
- d. Locations and typical cross-section of street pavements including curbs/gutters and catch basins;
- e. Locations and typical cross-section of sidewalks and driveway aprons;
- f. Locations, sizes, and invert elevations of all existing and proposed sanitary sewers, storm sewers, and fire hydrants, showing connections to any existing or proposed utility systems;
- g. Locations and sizes of all water, gas, electric, and other utilities;
- h. Locate area(s) for removal of trees six inches or larger;
- i. All proposed measures to control erosion and sedimentation;
- j. High water elevations of all lakes/streams adjoining or within the tract; and
- k. Such other information as the Village Engineer may reasonably require to perform his duties under this section.

#### Section 25.2 INSPECTIONS REQUIRED

The Subdivider shall notify the Village Engineer of the start of construction of improvements.

- a. The Village Engineer shall inspect said improvements while they are under construction. If he determines that they are being built in violation of this Ordinance, he shall promptly notify the Administrator who, in turn, shall issue a stop order. All public improvements proposed to be made under the provisions of this article shall be inspected during the course of construction by the Village Engineer or a duly designated deputy. All fees and costs connected with such inspection and in reviewing the plan and specifications for such improvements shall be paid by the Subdivider. The fees and cost shall be set at the prevailing rate.



- b. The Village Engineer shall also inspect required improvements upon their completion. The Village will not accept any improvement until the Village Engineer has certified that it complies with this Ordinance.

**Section 25.3 FILING "AS BUILT" RECORDS**

The improvements will not be recommended for acceptance until the following is provided for the Village Engineer:

- a. Copies of all daily diary entries.
- b. Copies of all material test results.
- c. Detailed reproducible cloth or polyester reproducible Record Drawings of all public improvements.
- d. Certification by the Subdivider’s engineer that all construction was accomplished within reasonably close conformance to the plans and specifications, and that the "as-built" plans accurately reflect actual field conditions.
- e. A Labor and Material Payment and Maintenance Bond posted prior to construction by the contractor of a Subdivider for the installation of all public improvements, using forms provided by the Village Engineer.
- f. Permanent easements or agreements granted to the Village for all public improvements that are not constructed in dedicated right-of-way, using forms provided by the Village Engineer.
- g. Each sewer lateral or water box in the subdivision shall be identified with a 4"X 4" post buried next to the service extending at least 24" above the ground line. A minimum of three triangular measurements to locate these services shall be listed. Two of these measurements shall be to permanent items, e.g. fire hydrants, manholes, and catch basins. The third shall be from a curb notch sawed on the top of the street curb, perpendicular to the sewer or water curb box.
- h. The information required by (C) and (G) shall be submitted in digital format compatible with the format used by the local agency in which the record Drawings are being filed. If the surveyor/engineer does not have computer digital formatting capabilities, the following fees will be required to compensate the jurisdiction converting the information required by (C) and (G) to digital format:

1-5 Lots	\$25.00
6-10 Lots	\$50.00
More than 10 Lots	\$50.00 plus \$10.00 per lot over 10

**Section 25.4 PRIVATELY DEVELOPED AND OPERATED FACILITIES**

Where the subdivision is to contain sewers, sewage treatment plants, water supply systems, park areas, or other physical facilities which will not be maintained by existing public agencies, provision should be made by trust agreement, which is a part of the deed restrictions and which is acceptable to the proper public agencies, for jurisdiction over the continuous maintenance, supervision, operation and reconstruction of such facilities by the lot owners in the subdivision.

**Section 26. ASSURANCE FOR COMPLETION OF REQUIRED IMPROVEMENTS**

The Board of Trustees shall not approve any final plat (and, hence, said final plat shall not be entitled to recording) until:

- a. All improvements required in the approved improvements plan have been completed by the Subdivider at his expense, inspected by the Village Engineer, and dedicated to the Village or other appropriate entity; or
- b. In accordance with the subsections below, the Subdivider has provided the Village with legal assurance to guarantee the satisfactory completion and dedication of all required improvements.
- c. Necessary title assurances have been given.

#### Section 26.1 FORMS OF ASSURANCE

The required legal assurance may be a performance bond, an escrow deposit or a letter of credit. Every performance bond shall be approved as to form by the Village Attorney, and posted with the Village Clerk. Any funds held in escrow shall be deposited with an approved Escrow Agent. (See Appendix 2, 3 and 4 for suggested language.)

#### Section 26.2 AMOUNT OF BOND OR DEPOSIT

The amount of the legal assurance shall be equal to the Village Engineer's estimate of the costs of constructing the uncompleted portion of the required improvements plus all required inspections fees. Any escrow deposit may be in the form of:

- a. An irrevocable letter of credit or commitment from a lending institution guaranteeing to the Village the availability of the escrow funds from time to time upon demand; or
- b. Interest bearing accounts with a financial institution authorized to serve as an Escrow Agent.

#### Section 26.3 ELIGIBLE SURETIES

No person shall be eligible to act as surety unless he has been approved by the State of Illinois to act as a surety on public works improvements.

#### Section 26.4 TERM OF ASSURANCE, EXTENSION

The initial term of any performance bond or escrow agreement shall not exceed two (2) years. If all the required improvements have not been completed by the end of the two-year period, the Village Engineer, with the advice and consent of the Board of Trustees may extend said bond/escrow agreement for one (1) year only.

#### Section 26.5 RELEASE OF BOND/ESCROW DEPOSIT

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

appropriate entity.

#### Section 26.6 FAILURE TO COMPLETE IMPROVEMENTS

If all the required improvements have not been completed by the end of the two-year period (or three-year period, in the case of an extension), the Village Engineer, with the assistance of the Village Attorney, may:

- a. Require the surety to perform on the bond, and to pay to the Village an equal amount to the cost of completing the required improvements (as estimated by the Village Engineer) or the amount of the bond not theretofore released, whichever is less; or
- b. Order the Escrow Agent to retain all escrowed funds needed to complete the required improvements, and to return the balance (if any) of such funds to the subdivider/developer.

#### Section 27. FINAL PLATS

The Rock Island County and Henry County Recorders of Deeds shall not record any final plat of a subdivision located within the subdivision jurisdiction of the Village until said final plat has been approved by the Board of Trustees. The Board of Trustees shall not approve any final plat unless they determine that it is in compliance with all pertinent requirements of this Ordinance including those set forth in the subsections below.

##### Section 27.1 FILING, TIME LIMITS

The subdivider of every subdivision, who desires final plat approval shall file four (4) full scale copies and eight (8) reduced scale copies on 11 inch by 17 inch paper of the final plat and supporting data with the Administrator not later than one (1) year after preliminary plat approval has been granted.

##### Section 27.2 INFORMATION REQUIRED

Every final plat shall be prepared by a land surveyor authorized to practice land surveying in the State of Illinois on polyester-based film with waterproof black ink at a scale not greater than one hundred (100) feet equals one (1) inch, provided that the resultant drawing shall not be less than 8 1/2 X 14 and shall not exceed twenty-four (24) by thirty-six (36) inches. Submission of final plats in digital format will be used by Rock Island County for direct importation into the countywide Geographic Information System (GIS) To import digital files GPS (Global Positioning System) points will be collected on four monuments, as established by the surveyor. Accuracy of GPS points will be acceptable when obtained to sub-meter accuracy and will be used for the express purpose of file transportation into GIS. GPS points will be for internal use only in the development and maintenance of the county-wide GIS and not for use by the general public nor for future survey work.

GPS points, when collected by the surveyor to the above referenced standards, may be delivered to the County under separate digital file and such information will ~~not~~ be required as part of plat submission. If the County collects GPS points, the fee for such collection will be \$20.00 per point (\$80.00 per plat). The fee be shall be paid as described hereinbefore.

The final plat and supporting data shall portray/ provide all of the following information.  
(ORD.2000-0-03,4/19/00)

- a. North arrow, graphic scale, and data;
- b. Name of subdivider and subdivision;
- c. Accurate metes and bounds or other adequate legal description of the tract tied to section or 1/4 section corner;

- d. Accurate boundary lines, with dimensions and bearings or angles which provide a survey of the tract, closing with an error of closure of not more than one (1) foot in fifteen thousand (15,000) feet and provide a copy of the closure calculations;
- e. Reference to recorded plats of adjoining platted land by record name, plat book, and page number;
- f. Accurate locations of all existing streets intersecting the boundaries of the subdivision;
- g. Right-of-way lines of all streets, other rights-of-way, easements, areas to be reserved, and lot lines with accurate dimensions, angles, or bearings and curve data, including radii, arcs or chords, points of tangency, central angles, and accompanying legal descriptions;
- h. Name and right-of-way width of every proposed street;
- i. Location, width and purpose of any existing or proposed easement;
- j. Number of each lot, lot dimensions, and (in a separate list) lot areas;
- k. Purpose(s) for which sites, other than private lots, are reserved;
- l. Building or setback lines with accurate dimensions;
- m. Restrictions of all types which will run with the land and become covenants in the deeds of lots;
- n. The names of all legal owners and other parties with an interest, whether recorded or not, in the property being subdivided, together with formal irrevocable offers of dedication to the public of all streets, local government uses, utilities, parks, and easements, signed by all parties of interest or their authorized agents, in a form approved by the Village Attorney, if the plat is proposed for final approval without improvements in place and accepted with a deed of dedication to the public in fee simple absolute unless otherwise called for on the plat of such lands; and with a commitment for title insurance policy or title opinion from a licensed attorney showing that those signing the plat are necessary and sufficient to create the subdivision and, prior to signing the plat, a title policy for the local government in the sum of ten thousand dollars (\$10,000.00) for any lands or interests to be dedicated to the public;
- o. Monument identification;
- p. Notification approval of easements by appropriate utilities. This approval will not be noted in the final plat.

### Section 27.3 MODIFICATIONS AND EXCEPTIONS

If the final plat is under one (1) ownership and is no more than five lots, no formal Planning Commission approval is needed and the final plat can go directly to the Board of Trustees unless there are new streets, other public improvements, or easements of egress or ingress.

### Section 27.4 CERTIFICATES REQUIRED

As required by State law (765 ILCS 205), the following certificates shall be accompanied with the final plat;

- a. Owner's Certificate

The following is an example of the owner's certificate:

State of Illinois )  
County of \_\_\_\_\_ ) SS.  
Village of Coal Valley )

Know all men by these presents, that we/I, \_\_\_\_\_ (name(s)) of \_\_\_\_\_ owner(s), \_\_\_\_\_ owner(s) and proprietor(s) of the land shown on the accompanying plat and described in the accompanying certificate of the surveyor do hereby certify that I/we have caused said survey to be made and acknowledge the said plat as correct, and do hereby adopt and accept the same and cause it to be known as

\_\_\_\_\_ (name of subdivision) \_\_\_\_\_.

Easements are hereby dedicated for the use of the Village of Coal Valley, and public facilities franchised to do business within the Village of Coal Valley, as indicated on the plat and marked drainage and utility easement to install, lay, construct, renew, operate and maintain drainage ways, drainage structures, gas, water, sewer pipes, conduits, cable, poles and wires, overhead and underground, with all necessary braces, guys, anchors and other appliances for the purpose of serving the subdivision and other property with gas, water, sewer, electric, cable television telecommunications, and telephone service and to overhang all lots with aerial service wires to serve adjacent lots, together with the right to enter upon lots at all times to install, lay, construct, renew, operate and maintain said gas, water and sewer pipes, conduits, cables, poles, wires, braces, guys, anchors and other appliances, and to trim and keep trimmed any trees, shrubs or saplings that interfere or threaten to interfere with said public utility equipment, but same may be used for gardens, shrubs, landscaping and other purposes that do not interfere with the use of said easement for public utility purposes.

(Additional dedications and protective covenants, or private restrictions would be inserted here upon the Subdivider's initiative or the recommendation of the Planning Commission or the Board of Trustees; important provisions are those specifying the use to made of the property and, in the case of residential use, the minimum habitable floor area.)

Sidewalks, where required, shall be constructed at the time a structure is constructed or at the direction of the Board of Trustees of the Village of Coal Valley.

All streets, alleys, and public open spaces shown and not heretofore dedicated, are hereby dedicated to the public.

Building setback lines are hereby established as shown on this plat, between which lines and the property lines of the streets there shall be erected or maintained no building structure.

The foregoing covenants (or restrictions), are to run with the land and shall be binding on all parties and all persons claiming under them until (25 year period is suggested), at which time said covenants (or restrictions) shall be automatically extended for successive periods of ten (10) years unless by vote of a majority of the then owners of the building sites covered by these covenants (or restrictions), in whole or in part. Invalidation of any one of the foregoing covenants (or restrictions), by judgment or court order, shall in no way affect any of the other covenants (or restrictions), which shall remain in full force and effect.

In witness whereof, we hereunto affix our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_\_.

\_\_\_\_\_(Seal)

\_\_\_\_\_(Seal)

b. Irrevocable offers of dedication forms

1. The following form shall be placed upon a final plat of a

subdivision whenever said plat is approved upon submission of a performance bond or escrow agreement as provided for in Section 26:

The owner, or his representative, hereby irrevocably offers for dedication to the Village of Coal Valley, in fee simple absolute unless otherwise called for on the plat all the streets, local government uses, easements, parks, and required utilities shown within the subdivision plat and construction plans in accordance with an irrevocable offer of dedication dated \_\_\_\_\_ and recorded in the Office of the Recorder of Deeds of Rock Island County or Henry County, Illinois.

By \_\_\_\_\_  
\_\_\_\_\_

Date \_\_\_\_\_

2. The form in Appendix 5 shall accompany any final plat set forth in B.1 above and shall be presented for recording simultaneously with any such plat, but shall be recorded immediately prior to the recording of the plat.

c. Notary Public's Certificate

State of Illinois )  
County of \_\_\_\_\_ ) ss

I, \_\_\_\_\_, a Notary Public in and for the County aforesaid, do hereby certify that \_\_\_\_\_ Owners, are personally known to me to be the same persons whose names are subscribed to the foregoing instrument, and that they appear before me this day in person and acknowledge that they signed and sealed the same as their free and voluntary act for the uses and purposes therein set forth, including the release waiver for the right of homestead.

Given under my hand and Notaries Seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

d. Surveyor's Certificate

The following surveyor's certificate shall accompany or be placed on the final plat:

State of Illinois )  
County of \_\_\_\_\_ ) ss

I, \_\_\_\_\_, an Illinois Registered Land Surveyor, hereby certify that the attached plat is a true and correct representation of a survey made by me or under my direction according to the surveying laws of the State of Illinois and the Village of Coal Valley Subdivision Ordinance, for the following described property to wit:

Monuments as shown on the plat are set or will be set within 30 days after the completion of the required improvements and their acceptance by the Village, and such monuments are or will be sufficient to enable the survey to be retraced and will occupy the positions shown thereon.

No part of the property covered by this plat of subdivision is located within a special flood hazard area as identified by the Federal Emergency Management Agency.

In witness I hereunto set by hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, A.D. \_\_\_\_\_.

e. County Clerk's Certificate

I, \_\_\_\_\_, County Clerk of Rock Island/Henry County, Illinois, do hereby certify that I find no unpaid or forfeited taxes against any of the real estate included with this plat.

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

\_\_\_\_\_  
Date

f. Certificate of Village Board

I, \_\_\_\_\_, President of the Village Board of Trustees, of the Village of Coal Valley, Illinois, do hereby certify that plat shown hereon was duly presented to the Village Board and approved at a meeting of same held on \_\_\_\_\_

g. School District Certification

State of Illinois)  
  )ss  
County of                    )

I, hereby affirm that the property designated \_\_\_\_\_, in \_\_\_\_\_, County, Illinois, is situated in \_\_\_\_\_ School District No. \_\_\_\_\_.

\_\_\_\_\_  
Owner

h. Roadway Access and Sewage Disposal Systems

1. The following form shall be required on the face of the plat where roadway access is to a highway under the jurisdiction of the Illinois Department of Transportation or another relevant local highway authority.

This plat approved with respect to roadway access under provisions of 765 ILCS 205/2.

\_\_\_\_\_  
Agency

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

2. The following form shall be required on the face of the plat where any part of the platted land will not be served by a public sewer system.

This plat is approved with respect to sewage disposal systems under provisions 765 ILCS 205/2.

\_\_\_\_\_  
Agency

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

i. Required Disclosures to be on face of Final Plat

The following disclosures are to be placed on the face of the final plat:

1. Either of the following, depending upon which is the most appropriate, shall be placed upon the face of the final plat by a registered professional engineer and the owner or his duly authorized attorney:

To the best of our knowledge and belief the drainage of surface waters both within and around this subdivision will not be changed by the construction of same or any part thereof.

(seal)

\_\_\_\_\_  
Registered Professional Engineer  
Registration No. \_\_\_\_\_  
\_\_\_\_\_  
Owner or Attorney

To the best our knowledge and belief the drainage of surface waters either within or around this subdivision will be changed by the construction of same or parts thereof but adequate provisions have been made to collect and divert said surface waters to public drains or private drains to which the owner has legal access and said provisions are such that the capacity of no natural or man-made drain will be exceeded and no damage to adjoining properties will incur because of said provisions.

(seal)

\_\_\_\_\_  
Registered Professional Engineer  
Registration  
No. \_\_\_\_\_  
\_\_\_\_\_  
Owner or Attorney

2. In addition to one of the above, the owner or subdivider shall disclose on the face of said subdivision final plat the following if a bond or escrow agreement is provided:

I hereby disclose and give notice to all that this subdivision has been approved by the Village upon the condition that I post bond or enter into an escrow agreement to secure installation of all improvement required by said Village. The terms of same allow me a period of two (2) years to install said improvements or provide the Village the right to install same to the extend of funds provided by such security. Village ordinances do not permit, however, occupancy of any premises until adequate provisions for access for water and sanitary sewerage are made.

\_\_\_\_\_  
Owner or Subdivider

3. Also, any disclosure required by state or federal statute shall be displayed upon said plat.



## Section 27.5 ACTION BY VILLAGE BOARD

- a. The Village Board shall either approve or disapprove the application for final plat approval by resolution within Sixty(60) days from the date of said application or the filing of the last item of required supporting data, whichever date is later, unless the Village Board and the developer mutually agree to extend this time limit. (65 ILCS 5/11-12-8) The Village Board shall not approve any final plat unless:
  1. The Final plat substantially conforms to the approved preliminary plat if required; and
  2. The final plat manifests, substantial compliance with the design and improvements standards of this Ordinance and the Zoning Map; and
  3. To the Village Board's knowledge and belief, the final plat complies with all pertinent statutory requirements; and
  4. Either of the following has been met:
    - I. All required improvements have been completed, inspected, accepted, and dedicated; or
    - II. The developer has posted an acceptable form of assurance as stated in Section 26.
- b. If the Village Board disapproves the final plat, their resolution shall specify the aspects in which the plat fails to meet the above conditions for approval.

## Section 27.6. MAINTENANCE OF IMPROVEMENTS

- a. The developer shall maintain all the improvements in the subdivision for a period of one (1) year and provide a one year maintenance bond prior to acceptance and dedication to the Village of Coal Valley or other appropriate entity. Said bond shall be in the amount determined by the Village Engineer to be sufficient to guarantee the satisfactory condition of the required improvements for a period of one (1) year from the date of their acceptance and dedication. If at any time during the one-year period the improvements are found to be defective, they shall be repaired/replaced at the developer's expense. If the developer refuses to pay such costs within ninety (90) days after demand is made upon him by the Village Engineer, the Village of Coal Valley shall use the maintenance bond to make the necessary repairs/replacement. If the cost of repairs/replacement exceeds the bond amount, the developer shall be liable for the excess. At the end of the one-year period, the maintenance bond shall be released.

## **OTHER ADMINISTRATIVE MATTERS**

### Section 28. ENFORCEMENT OFFICER, DUTIES.

The Public Works Director, referred to herein as the "Administrator", is hereby authorized and directed to administer and enforce the provisions of this Ordinance.

### Section 29. AMENDMENTS.

Amendments to this Ordinance may be proposed by the Board of Trustees, the Planning Commission, or any party in interest. Every amendment proposal shall be filed on a prescribed form in the Administrator's office. The Administrator shall promptly transmit

each proposal; together with any comments or recommendations he may wish to make, to the Planning Commission for a public hearing.

Section 29.1. PUBLIC HEARING, NOTICE

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

Section 29.2 ADVISORY REPORT, ACTION BY BOARD OF TRUSTEES

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

Section 30. PENALTIES

- a. Any person who is convicted of a violation of this Ordinance shall be guilty of a petty offense and shall be fined not more than five hundred dollars (\$500.00). Each day that a violation continues shall be considered a separate offense.
- b. Nothing contained in this section shall prevent the Village from taking any other lawful action that may be necessary to secure compliance with this Ordinance.

Section 31. REPEAL

All ordinances or parts of ordinances in conflict herewith, are to the extent of such conflict hereby repealed.

Section 32. SEPARABILITY

If any section, subsection, sentence, clause, phrase, or word of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this article. The Board of Trustees hereby declares that it would have adopted the article and each section, subsection, sentence, clause, phrase, or word thereof without incorporation in this article of any such invalid section, subsection, clause, phrase or word.

Section 33. PUBLICATION

This Ordinance shall be in full force and effect from and after passage, approval, and publication in pamphlet form in the manner provided by law.

**APPENDIX 1 ARTICLE I STORM WATER ORDINANCE**

Authority and Purpose; Other Relevant Permitting; Applicability; Exemptions; Exceptions; and Separability:

Section 34. AUTHORITY AND PURPOSE:

This ordinance is enacted pursuant to the police powers granted to the Village of Coal Valley, Illinois, by the Illinois Compiled Statutes, 65 ILCS 5/1-2-1, 5/11-12-12, 5/11/30-2, and 5/11/31-2.

The purpose of this ordinance is to diminish threats to public health and safety, protect property, prevent damage to the environment and promote public welfare by guiding, regulating, and controlling the design, construction, use, and maintenance of any new development or redevelopment or other activity which disturbs or breaks the topsoil or otherwise results in the movement of earth and/or changes the stormwater drainage pattern and/or stormwater flows from that which would have occurred if the land had been left in its natural state. This stormwater runoff and resulting soil erosion could result in the inundation of damageable properties, the erosion and destabilization of downstream channels, and the pollution of valuable stream and lake resources. One cause of increases in stormwater runoff quantity or rate and impairment of quality, and loss of valuable topsoil is the new development or redevelopment of the land. This ordinance regulates these activities to minimize adverse impacts.

This ordinance is adopted to accomplish the following objectives:

- a. To assure that new development or redevelopment does not increase the drainage or flood hazards, or create unstable conditions susceptible to soil erosion;
- b. To protect new buildings and major improvements to buildings from flood damage due to increased stormwater runoff and soil erosion;
- c. To protect human life and health from the hazards of increased flooding and soil erosion on a watershed basis;
- d. To lessen the burden on the taxpayer for flood control projects, repairs to flood-damaged public facilities and utilities, correction of channel erosion problems, and flood rescue and relief operations caused by stormwater runoff and soil erosion quantities from new development or redevelopment;
- e. To protect, conserve, and promote the orderly development of land and soil, water, air, animal, and plant resources;
- e. To preserve the natural hydrologic and hydraulic functions of watercourses, wetlands and flood plains for protecting water quality, and enhance stormwater management and aquatic habitats;
- f. To preserve the natural characteristics of stream corridors in order to manage flood and storm water impacts, improve water and groundwater quality, reduce soil erosion, protect aquatic and riparian habitat, maintain quality forest resources, provide recreational opportunities, provide aesthetic benefits, enhance community and economic development.

**Section 35. OTHER RELEVANT PERMITTING:**

Before a Development Permit under this ordinance becomes effective, all required Federal, State, and Local permits will have been received for the site subject to new development or redevelopment. The acquisition of these permits shall be the sole responsibility of the applicant. These may include but are not limited to Section 404 of the Clean Waters Act; Section 106 of the National Historic Preservation Act; Section 10 of the Rivers and Harbors Act; or permitting required by the Illinois Department of Natural Resources, Office of Water Resources in accordance with the Rivers, Lakes and Streams Act, 615 ILCS; the Soil and Water Conservation Districts Act, 70 ILCS; the Farmland Preservation Act, 505 ILCS; the Illinois Groundwater Protection Act, 415 ILCS; and the National Pollutant Discharge Elimination System Permit (NPDES) and Section 401 of the Clean Water Act thru the Illinois Environmental Protection Agency, Division of Water Pollution Control; and the Threatened and Endangered Species Act, 16 USC 1531 ET. SEQ. Compliance is also required with but not limited to the Zoning Ordinance of the Village of Coal Valley, Illinois, and the Uniform Building Code, most recent edition adopted by the Village, Chapter on Excavation and Grading.

Section 36. APPLICABILITY:

This ordinance shall apply to all new development or redevelopment in the Village. Except as otherwise provided in this ordinance, no person, firm or corporation, public or private, the State of Illinois and its agencies or political subdivisions, the United States of America, and its agencies or political subdivisions, any agent, servant, officer or employee of any of the foregoing which meets the following provisions or is otherwise exempted in this ordinance, shall not commence any development activities without first having obtained a development permit from the Zoning Officer.

- 36.1 Any new development or redevelopment that will include an area that will meet or exceed ten thousand (10,000) square feet of total impervious surface (i.e., streets, roof, patio or parking area or any combination thereof); or
- 36.2 Any land disturbing activity (i.e., clearing, grading, stripping, excavation, fill, or any combination thereof) that will affect an area that will meet or exceed ten thousand (10,000) square feet or that will exceed 100 cubic yards; or
- 36.3 Any land disturbing activity greater than 500 square feet if the activity is within 100 feet of a river, lake, pond, stream, abandoned mine, or wetland; and is done in conjunction with sub sections 36.1 or 36.2; or
- 36.4 Any land disturbing activity on the sloping side of the slope disturbance line and is in conjunction with sections 36.1, 36.2, or 36.3; or
- 36.5 Any tree cutting or mechanized land clearing where the tree, native to Northwestern Illinois, is in excess of eight (8) inches in diameter and is done in conjunction with Article I, Sections 36.1, 36.2, 36.3 or 36.4.
- 36.6 The construction of one single family dwelling that is not constructed as part of a residential development shall not be subject to the provisions of this ordinance regarding permanent stormwater control measures.
- 36.7 The Village in consultation with the Rock Island or Henry County Soil and Water Conservation District (RISWCD), reserves the right to require any non-agricultural, construction development activity, regardless of disturbed area or type of activity, to comply with this ordinance if it is determined to be the cause of or a contributor to an existing or potential erosion, sediment, or storm water impact.
  - a. Soil erosion and sediment control planning for individual home sites may utilize a soil erosion and sediment control planning "kit" provided by the Rock Island or Henry County Soil and Water Conservation District.

Section 37. EXEMPTIONS:

A development permit shall not be required for the following:

- a. Any new development, redevelopment or other activity falling below the minimum standards as set forth in Article I, Section 12.
- b. The agricultural use of land, including the implementation of conservation measures included in a farm conservation plan approved by the Natural Resources Conservation Service, and including the construction of agricultural structures.
- c. The maintenance of any existing storm water drainage/detention component or structure or any existing soil erosion/sediment control component or structure; including dredging, levee restoration, tree removal or other function which maintains the original design capacities of the above.

- d. The construction of, improvements to, or the maintenance of any street, road, highway or interstate highway performed by any unit of government whose powers grant such authority.

Section 38. VARIANCES:

The Board of Appeals, after a public hearing, may determine and vary the requirements and regulations of this ordinance in harmony with its general purpose and intent, where the Board of Appeals make written findings of fact in accordance with the standards herein after prescribed and further, find that there are practical difficulties or particular hardships in the way of carrying out the strict letter of requirements and regulations of this ordinance.

- 38.1 Application for variance shall be made by a verified petition of the applicant for a development permit, stating fully the grounds of the petition and the facts relied upon by the applicant. Such petition shall be filed with the development permit application. Each application for a variance shall be made in writing and filed with the Zoning Officer. The Zoning Officer and the Village Engineer will review and transmit recommendations to the Board of Appeals, which shall review such recommendations prior to granting or denying the variance.
- 38.2 Standards for variance. The Board of Appeals shall not vary the requirements and regulations of this ordinance, as authorized in this section, unless there is evidence presented to it in each specific case:
- 38.3 The land is of such shape or size or is affected by such physical conditions or is subject to such title limitations of record, that it is impossible or impractical for the applicant to comply with all of the requirements of this ordinance;
- 38.4 The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
- 38.5 The granting of the variance will not be detrimental to the public welfare, environment or injurious to other property in the vicinity of the subject's property.
- 38.6 The Board of Appeals shall hold a public hearing on each application for variance, in accordance with Article XV subsection 157.022 of the Village of Coal Valley Zoning Ordinance. Within thirty (30) days after the public hearing, the Board of Appeals shall either approve the site development permit application with the variances and conditions it deems necessary or it shall disapprove such development permit application and variance application or it shall take other such action as appropriate.

Section 39. RESPONSIBILITY:

The applicant shall not be relieved of responsibility for damage to persons or property otherwise imposed by law, and the Village or its officers or agents, including the directors and staff of the Rock Island County SWCD will not be made liable for such damage, by (1) the issuance of a development permit under this ordinance, (2) compliance with the provisions of that development permit or conditions attached to it by the Zoning Officer (3) failure of the Village of Coal Valley Officials to observe or recognize hazardous or unsightly conditions, (4) failure of the Village officials to recommend denial or to deny a development permit, or (5) exemptions from development permit requirements of this ordinance.

**APPENDIX 1 ARTICLE II - DEFINITIONS:**

Section 40. DEFINITIONS:

For the purposes of this ordinance certain terms are defined and set forth below:

- 40.1 Abandoned Mine: An abandoned mine is a large excavation in the earth that is no longer being used. These conditions make such areas unstable and susceptible to subsidence and surface collapse. Subsurface excavations and fractures in the

bedrock may channel runoff water to public or private water supplies, making those sources especially susceptible to groundwater contamination.

- 40.2 Adverse Impacts: Any negative impact on plant, soil, air or water resources affecting their beneficial uses including recreation, aesthetics, aquatic habitat, quality, and quantity.
- 40.3 Applicant: Any person, firm, or governmental agency who executes the necessary forms to procure official approval of a development or permit to carry out construction of a new development or re-development from the Village of Coal Valley, Illinois.
- 40.4 Base Flood Elevation: The elevation at all locations delineating the level of flooding resulting from the 100-year frequency flood event, which has a one percent (1%) probability of being equaled or exceeded in any given year. The base flood elevation at any location is defined in Article III, Section 2. of Ordinance No. 02-00-10, The Village of Coal Valley Floodplain Ordinance.
- 40.5 Board of Appeals: "Board of Appeals" shall mean the Zoning Board of Appeals of the Village of Coal Valley, Illinois, with the jurisdiction as set forth in Article XVIII, Section 4.003, of an ordinance dated August 4, 1965, "Village of Coal Valley Zoning Ordinance."
- 40.6 Building Official: Is the officer or other designated authority charged with the administration and enforcement of the Uniform Building Code for the Village of Coal Valley, Illinois.
- 40.7 Building Permit: A permit issued by the Village of Coal Valley, Illinois, for the construction, erection or alteration of a structure or building and the related ground and surface preparation prior to and after completion of construction, erection or alteration of a structure or building.
- 40.8 Bypass Flows: Stormwater runoff from upstream properties tributary to a property's drainage system but not under its control.
- 40.9 Certify or Certification: Formally attesting that the specific inspections and tests were performed, and that such inspections and tests comply with the applicable requirements of this ordinance.
- 40.10 Channel: Any defined river, stream, creek, brook, branch, natural or artificial depression, ponded area, on-stream lake or impoundment, abandoned mine, flowage, slough, ditch, conduit, culvert, gully, ravine, wash, or natural or manmade drainage way, which has a definite bed and bank or shoreline, in or into which surface or groundwater flows, either perennially or intermittently.
- 40.11 Channel Modification: Alteration of a channel by changing the physical dimensions or materials of its bed or banks. Channel modification includes damming, rip rapping (or other armoring), filling, widening, deepening, straightening, relocating, lining, and significant removal of bottom or woody rooted vegetation. Channel modification does not include the man-made clearing of debris or removal of trash.
- 40.12 Clearing: Any activity, which removes the natural vegetative ground cover.
- 40.13 Compensatory Storage: An artificially excavated, hydraulically equivalent volume of storage within the floodplain used to balance the loss of natural flood storage capacity when fill or structure are placed within the floodplain.
- 40.14 Conduit: Any channel, pipe, sewer or culvert used for the conveyance or movement of water, whether open or closed.
- 40.15 County: County of Rock Island or Henry, Illinois.

- 40.16 Cubic Yard: A one- (1) yard by one (1) yard by one (1) yard amount of material in excavation and/or fill.
- 40.17 Detention Basin: A facility constructed or modified to provide for the temporary storage of storm water runoff and the controlled release by gravity of this runoff at a prescribed rate during and after a flood or storm.
- 40.18 Detention Time: The amount of time storm water is held within a detention basin.
- 40.19 Development: Any manmade change to real estate or property, including:
- a. The division or subdivision of any duly recorded parcel of property;
  - b. Construction, reconstruction or placement of a building or any addition to a building valued at more than one hundred dollars (\$100);
  - c. Installation of a manufactured home on a site, preparing a site for a manufactured home, or installing a travel trailer on a site for more than 180 days per year;
  - d. Construction of roads, bridges, or similar projects;
  - e. Redevelopment of a site;
  - f. Filling, dredging, grading, clearing, excavating, paving drilling, mining or other non-agricultural alterations of a ground surface;
  - g. Storage of materials or deposit of solid or liquid waste;
  - h. Any other activity that might alter the magnitude, frequency, direction, or velocity of storm water flows from a property.
- 40.20 Drainage Plan: A plan, including engineering drawings and supporting calculations, which describes the existing storm water drainage system and environmental features, including grading, as well as proposed alterations or changes to the drainage system and environment of a property.
- 40.21 Dry Basin: A detention basin designed to drain after temporary storage of storm water flows and to normally be dry over much of its bottom area.
- 40.22 Erosion: The general process whereby soil or earth is moved by rainfall, flowing water, wind or wave action.
- 40.23 Excavation: Any act by which organic matter, earth, sand, gravel, rock or any other similar material, is cut into, dug, quarried, uncovered, removed, displaced, re-located or bulldozed and shall include the conditions resulting from such actions.
- 40.24 Excess Storm water Runoff: The volume and rate of flow of storm water discharged from a new development or re-development, which is or will be in excess of that volume and rate which existed before development or re-development.
- 40.25 Existing Grade: The vertical location of the existing ground surface prior to excavation or filling.
- 40.26 Fill: Any act by which earth, sand, gravel, rock, or any other material, is deposited, placed, replaced, pushed, dumped, pulled, transported or moved by man to a new location and shall include the conditions resulting there from.
- 40.27 Final Grade: The vertical location of the ground surface after grading work is

completed in accordance with the engineering plans.

- 40.28 Flood Fringe: That area as designated by the Federal Emergency Management Agency (FEMA) on either side of the floodway. This area is subject to inundation from the base flood but conveys little or no flow.
- 40.29 Flood Hazard Boundary Map (FHBM): A very generalized map prepared by the Federal Emergency Management Agency (FEMA) which shows only where floodplains are located based on very basic data. FHBM's do not include base flood elevations.
- 40.30 Flood Insurance Rate Map (FIRM): A map prepared by the Federal Emergency Management Agency (FEMA) that depicts the special flood hazard area (SFHA) within a community. This map includes insurance rate zones and regulatory floodplains and may or may not depict regulatory floodways.
- 40.31 Floodplain: That land adjacent to a body of water with ground surface elevations at or below the base flood or the 100-year frequency flood elevation, which is subject to inundation. The floodplain as designated by the Federal Emergency Management Agency (FEMA) is also known as the Special Flood Hazard Area (SFHA). This area is the collective combination of the regulatory floodway and the flood fringe.
- 40.32 Floodway: The channel and that portion of the floodplain, including on-stream lakes, adjacent to a stream or watercourse which is needed to store and convey the anticipated existing and future 100-year frequency flood discharge with no more than a 0.1 foot increase in stage due to any loss of flood conveyance or storage and no more than a ten percent (10%) increase in velocities.
- 40.33 Grading: The excavation or fill or any combination thereof and shall include the conditions resulting from any excavation or fill.
- 40.34 Hydrograph: A graph showing for a given location on a stream or conduit, the flow rate with respect to time.
- 40.35 Hydrograph Method: This method estimates runoff volume and runoff hydrographs for the point of interest by generating hydrographs for individual sub areas, combining them, and routing them through stream lengths and reservoir structures. Factors such as rainfall amount and distribution, runoff curve number, time of concentration, and travel time are included.
- 40.36 Impervious Surface: That area of property that is covered by materials other than soil and vegetation and that has no intended capacity to absorb storm water, such as parking lots, driveways, sidewalks, patios, tennis courts, roofs and other structures.
- 40.37 Infiltration: The passage or movement of water into the soil surfaces.
- 40.38 Loessal Soil: A sediment, commonly non-stratified and unconsolidated, composed predominately of silt sized particles with accessory clay and sand.
- 40.39 Lot: An individual platted parcel in an approved subdivision.
- 40.40 Major Drainage System: That portion of a drainage system needed to store and convey flows beyond the capacity of the minor drainage system.
- 40.41 Minor Drainage System: That portion of a drainage system designed for the convenience of the public. It consists of street gutters, storm sewers, small open channels, and swales and, where manmade, is to be designed to handle the 10-year runoff event.
- 40.42 Mitigation: Mitigation is when the prescribed controls are not sufficient and



additional measures are required to offset the development, including those measures necessary to minimize the negative effects which stormwater drainage and development activities might have on the public health, safety and welfare. Examples of mitigation include, but are not limited to compensatory storage, soil erosion and sedimentation control, and channel restoration.

- 40.43 Natural: Conditions resulting from physical, chemical, and biological processes without intervention by man.
- 40.44 Natural Drainage: Channels formed in the existing surface topography of the earth prior to changes made by unnatural causes.
- 40.45 One Hundred-Year Event: A rainfall, runoff, or flood event having a one percent (1%) probability of equaled or exceeded in any given year. A 24-hour storm duration is assumed unless otherwise noted.
- 40.46 Parcel: All contiguous land in one ownership.
- 40.47 Peak Flow: The maximum rate of flow of water at a given point in a channel or conduit.
- 40.48 Permittee: Any person to whom a building permit or a development permit is issued.
- 40.49 Person: Any individual, firm or corporation, public or private, the State of Illinois and its agencies or political subdivisions, the United States of America, and its agencies or political subdivisions, and any agent, servant, officer or employee of any of the foregoing.
- 40.50 Plan Commission: Plan Commission shall mean the Plan Commission of the Village of Coal Valley, Illinois, as created and with the jurisdiction as set forth in Article XVIII, Section 5, of ordinance, "Village of Coal Valley Zoning Ordinance."
- 40.51 Positive Drainage: Provision for overland paths for all areas of a property including depressional areas that may also be drained by storm sewer.
- 40.52 Prime Farmland: Prime farmland is land that is best suited to food, feed, forage, fiber and oilseed crops. It may be cropland, pasture, woodland, or other land, but it is not urban and built up land or water areas. It is either used for food or fiber or is available for those uses. The soil qualities, growing season and moisture supply are those needed for a well-managed soil to economically produce a sustained high yield of crops. Prime farmland produces the highest yields with minimum inputs of energy and economic resources, and farming it results in the least damage to the environment.
- 40.53 Property: A parcel of real estate.
- 40.54 Retention Basin: A facility designed to completely retain a specified amount of storm water runoff without release except by means of evaporation, infiltration, emergency bypass or pumping.
- 40.55 Rock Island County SWCD/RICSWCD: Rock Island County Soil & Water Conservation District.
- 40.56 Sedimentation: The process that deposits soils, debris, and other materials either on other ground surfaces or in bodies of water or storm water drainage systems.
- 40.57 Site: A parcel of land, or a contiguous combination thereof, where grading work is performed as a single unified operation.
- 40.58 Slope Disturbance Line: The line which delineates relatively level building areas from areas where slopes exceed 7 percent (7%) and where special precautions

must be taken.

- 40.59 Storm water Drainage System: All means, natural and manmade, used for conducting storm water to, through or from a drainage area to the point of final outlet from a property. The storm water drainage system includes but is not limited to any of the following: conduits and appurtenance features, canals, channels, ditches, streams, culverts, streets, storm sewers, detention basins, swales and pumping stations.
- 40.60 Storm water Runoff: The waters derived from melting snow or rain falling within a tributary drainage basin which are in excess of the infiltration capacity of the soils of that basin, which flow over the surface of the ground or are collected in channels or conduits.
- 40.61 Storm Sewer: A closed conduit for conveying collected storm water.
- 40.62 Stream: Any river, creek, brook, branch, flowage, ravine, or natural or man-made drainage way which has a definite bed and banks or shoreline, in or into which surface or groundwater flows, either perennially or intermittently.
- 40.63 Stripping: Any activity, which removes the vegetative surface cover including tree removal, by spraying or clearing, and storage or removal of topsoil.
- 40.64 Ten-Year Event: A runoff, rainfall, or flood event having a ten percent (10%) chance of occurring in any given year. A 24 hour storm duration is assumed unless otherwise note.
- 40.65 Time of Concentration: The elapsed time for storm water to flow from the most hydraulically remote point in a drainage basin to a particular point of interest in that watershed.
- 40.66 Tributary Watershed: All of the land surface area that contributes runoff to a given point.
- 40.67 Two-Year Event: A runoff, rainfall, or flood event having a fifty percent (50%) chance of occurring in any given year. A 24-hour storm duration is assumed unless otherwise noted.
- 40.68 Vacant: Land on which there are no structures or only structures which are secondary to the use or maintenance of the land itself.
- 40.69 Village: Village of Coal Valley, Illinois.
- 40.70 Village Attorney: Attorney for the Village of Coal Valley, Illinois.
- 40.71 Village Engineer: Engineer for the Village of Coal Valley, Illinois.
- 40.72 Watershed: All land area drained by, or contributing water to, the same stream, creek, ditch, lake, marsh, storm water facility, groundwater or depressional area.
- 40.73 Wet Basin: A detention basin designed to maintain a permanent pool of water after the temporary storage of storm water runoff.
- 40.74 Wetlands: Wetlands are defined by regulation as "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions." For general, but not inclusive locations of designated wetlands refer to mapping prepared jointly by the U.S. Department of Interior, Fish and Wildlife Service and the Illinois Department of Natural Resources, Office of Resource Conservation; National Wetlands Inventory Mapping, 1987. More specific wetland information is published in the Rock River Wetlands Special Area Management Plan, by the Bi-State Regional

Commission in cooperation with the Natural Resources Conservation Service (NRCS), the US Fish and Wildlife Service and the US Army Corps of Engineers. The applicant may be required to provide a field investigation by a qualified wetland delineator.

- 40.75 Zoning Officer: Zoning Officer for the Village of Coal Valley, Illinois, with the powers and duties as set forth in Article XVIII, Section 2, of "Village of Coal Valley Zoning Ordinance."

## **APPENDIX 1 ARTICLE III- STORM WATER DRAINAGE AND DETENTION:**

### **Section 41. DRAINAGE PLAN SUBMITTAL REQUIREMENTS:**

Each applicant shall submit the following information, to ensure that the provisions of this ordinance are met. The submittal shall include sufficient information to evaluate the environmental characteristics of the property, the potential adverse impacts and benefits of the development on water resources both on-site and off-site, and the effectiveness of the proposed drainage plan in managing storm water runoff, and meet the provisions of Article I, Section 11. The applicant shall certify on the drawings that all clearing, grading, drainage, and construction shall be accomplished in strict conformance with the drainage plan. The following information shall be submitted for both existing and proposed property conditions for all new developments or re-developments that meet or exceed the minimum requirements of Article I, Section 12.

- 41.1 Drainage Plan Requirements: A topographic survey of the property at two-foot (2) contours unless otherwise specified or approved by the Village Engineer. The plan map shall be keyed to a consistent datum specified by the Village. If the mapping is compiled using a digital format and the Global Positioning System (GPS), the applicant will provide both paper and digital copies including GPS points.
- 41.2 Mapping and Descriptions: An existing drainage and proposed drainage plan for the property and one hundred (100) feet surrounding the property at a scale of not more than one hundred (100) feet to one (1) inch, and including the following: Unless otherwise specified by the Village Engineer
- a. Property boundary, dimensions, and approximate acreage;
  - c. Building setback lines;
  - d. All existing and proposed structures and sizes;
  - e. Square feet of existing and proposed impervious surface;
  - f. All existing, or proposed easements;
  - g. All existing, abandoned, or proposed water or monitoring wellhead locations;
  - h. All sanitary or combined sewer lines and septic systems;
  - i. The banks and centerline of streams and channels;
  - j. Shoreline of lakes, ponds, and detention basins with normal water level elevation;
  - k. Farm drains and tiles;
  - l. Soils classifications;
  - m. Location, size and slope of storm water conduits and drainage swales;

- n. Depressional storage areas;
- o. Detention facilities;
- p. Roads, streets and associated storm water inlets including finished grades;
- q. Base flood elevation, flood fringe, and regulatory floodway;
- r. Basis of design for the final drainage network components;
- s. A statement giving any applicable engineering assumptions and calculations;
- t. A vicinity map showing the relationship of the site to its general surroundings at a scale of not less than two thousand (2,000) feet to one (1) inch (1:24,000);
- u. Title, scale, north arrow, legend, seal of Licensed Professional Engineer, date, and name of person preparing plans;
- v. Cross-section data for open channel flow paths and designated overland flow paths;
- w. Direction of storm flows;
- x. Flow rates and velocities at critical points in the drainage system;
- y. A statement by the design engineer of the drainage system's provision for handling events greater than the 100 year, 24 hour runoff;
- z. A statement of certification of all drainage plans, calculations, and supporting data by a Licensed Professional Engineer;
- aa. Abandoned mine location and type; and
- bb. Sub watershed boundaries within the property.

**Section 41.3 ENVIRONMENTAL FEATURES:**

A depiction of environmental features of the property and immediate vicinity including the following:

- a. The limits of designated regulatory and non-regulatory wetland areas;
- b. The location and limits of abandoned mining activity;
- c. The location of trees greater than eight (8) inches in diameter;
- d. Any designated natural areas, prime farmland; and
- e. Any proposed environmental mitigation features.

**Section 42. MINIMIZATION OF INCREASES IN RUNOFF VOLUMES AND RATES:**

In the selection of a drainage plan for a new development or redevelopment, the applicant shall evaluate and implement site design features, which minimize the increase in runoff volumes and rates from the site and addresses the water quality treatment requirements of this ordinance. The applicant's drainage plan submittal shall include evaluations of site design features, which are consistent with the following hierarchy:

- a. Preservation of regulatory floodplains, flood prone and wetland areas;

- b. Minimize impervious surfaces on the property, consistent with the needs of the project;
- c. Attenuate flows by use of open vegetated swales and natural depressions and preserves the existing natural stream channel;
- d. Infiltration of runoff on-site;
- e. Provide storm water retention structures;
- f. Provide wet or wetland detention structures;
- g. Provide dry detention structures; and
- h. Construct storm sewers.

Section 43. WATER QUALITY AND MULTIPLE USES:

The drainage system should be designed to minimize adverse surface and groundwater quality impacts off-site and on the property itself. Detention basins shall incorporate design features to capture storm water runoff pollutants. In particular, designers shall give preference to wet bottom and wetland type designs and all flows from the development shall be routed through the basin (i.e. low flows shall not be bypassed). Detention of storm water shall be promoted throughout the property's drainage system to reduce the volume of storm water runoff and to reduce the quantity of runoff pollutants.

The drainage system should incorporate multiple uses where practicable. Uses considered compatible with stormwater management include open space, aesthetics, aquatic habitat, recreation (boating, fishing, trails, playing fields), wetlands and water quality mitigation.

Section 44. DESIGN CRITERIA, STANDARDS, AND METHODS:

- 44.1 Release Rates: The drainage system for new developments or redevelopments shall be designed to control the peak rate of discharge from the property for the 2 year, 24 hour and 100 year, 24 hour events to pre project levels which will not cause an increase in flooding or channel instability downstream when considered in aggregate with other developed properties and downstream drainage capacities. The peak discharge rate from events less than or equal to the 2 year, 24 hour event and the peak discharge rate for the 100-year, 24 hour event shall be determined by the Village Engineer.
- 44.2 Detention Basin Outlet Design: Backwater on the outlet structure from the downstream drainage system shall be addressed when designing the outlet.
- 44.3 Detention Storage Requirements: The design maximum storage to be provided in the detention basin shall be based on the runoff from the runoff difference before and after development from the 100 year, 24 hour event. All detention basin storage shall be computed using Hydrograph Methods utilizing reservoir routing (also called modified pulse or level pool) or equivalent method as described in Section 44.7.
- 44.4 Drainage System Design and Evaluation: The following criteria should be used in evaluating and designing the drainage system. The design will provide capacity to pass the 10 year, 24 hour peak flow in the minor drainage system and an overload flow path for flows in excess of the design capacity. Whenever practicable, the storm water systems shall not result in the interbasin transfer of drainage unless no other alternative exists.
- 44.5 Design Methodologies: Major and minor conveyance systems for areas up to 10 acres, may be designed using the Rational Formula. The Rational Formula may also be used in sizing the minor drainage system for larger sites up to 100 acres. Runoff hydrograph methods as described in Section 44.7 must be used for major

drainage system design for all systems with greater than 10 acres of drainage area and for the design of all detention basins.

- 44.6 Positive Drainage: Whenever practicable, all developments must be provided an overland flow path that will pass the 100 year, 24 hour flow at a stage at least one (1) foot below the lowest foundation grade in the vicinity of the flow path. Overland flow paths designed to handle flows in excess of the minor drainage system capacity shall be provided drainage easements. Street ponding and flow depths shall not exceed curb heights.
- 44.7 Methods for generating runoff hydrographs: Runoff hydrographs shall be developed incorporating the following assumptions of rainfall amounts and antecedent moisture.
- 44.8 Rainfall: Unless a continuous simulation approach to drainage system hydrology is used, all design rainfall events shall be based on the Illinois State Water Survey's Bulletin 70. The first quartile point rainfall distribution shall be used for the design and analysis of conveyance systems with critical durations less than or equal to 12 hours. The third quartile point rainfall distribution shall be used for the design and analysis of detention basins and conveyance system with critical durations greater than 12 and less than or equal to 24 hours. The fourth quartile distribution shall be used in the design and analysis of systems with durations greater than 24 hours. The first, third, and fourth quartile distributions described by Huff are presented in Table 37 of Bulletin 70. Refer to Table 13 of Bulletin 70 for rainfall depth, duration, and frequency. The NRCS Type II distribution may be used as an alternate to the Huff distributions.
- 44.9 Antecedent Moisture: Computations of runoff hydrographs, which do not rely on a continuous accounting of antecedent moisture conditions, shall use wet antecedent moisture condition as a minimum.
- 44.10 Agriculture Tiles and Sanitary Sewers: Connections to sanitary sewers or existing agricultural storm water management system (tiles) shall not be permitted for new developments. However, in exceptional circumstances and with the approval of the Village Engineer, connections to existing agricultural storm water management systems may be allowed if the applicant demonstrates that the existing system, has adequate hydraulic capacity, and structural integrity. Additionally, development meeting the criteria in Section 44 shall either obtain a maintenance agreement or deed or plat restriction covering the entire downstream drain tile in accordance to be determined of this ordinance before a connection to that system is permitted. Field tile systems disturbed during the process of land development must be reconnected by those responsible for their disturbance unless the approved drainage plan incorporates the tiles in the land development design.
- 44.11 Wet Detention Basin Design: Wet detention basins shall be designed to remove storm water pollutants, to be safe, to be aesthetically pleasing, and as much as feasible to be available for recreational use.
- 44.12 Wet Basin Depths: Wet basins shall be at least three feet deep, excluding near-shore banks and safety ledges. If fish habitat is to be provided they shall be at least ten (10) feet deep over twenty-five (25%) percent of the bottom area to prevent winterkill.
- 44.13 Wet Basin Shoreline Slopes: The side slopes of wet basins at the normal pool elevation shall not be steeper than five to one (5 to 1 horizontal to vertical). It is recommended that native aquatic vegetation be established around the perimeter to provide protection from shoreline erosion.
- 44.14 Permanent Pool Volume: The permanent pool volume in a wet basin at normal depth shall be equal to the runoff volume from its watershed for the 2 year, 24-hour event as a minimum.

- 44.15 Wet Basin Inlet and Outlet Orientation: The distance between detention inlets and outlets shall be maximized. Inlets and outlets shall be at opposite ends of the basin providing that the orientation does not create undue hardship based on topography or other natural constraints. Designers are encouraged to use baffles or berms in the basin bottom to prevent short-circuiting. There shall be no low flow bypass between the inlet and outlet. Paved low flow channels shall not be used. The minimum flow length shall be ten (10) feet with a recommended minimum ratio of two to one (2:1) for width.
- 44.16 Dry Detention Basin Design: In addition to the other requirements of this ordinance, dry basins shall be designed to remove storm water pollutants, to be safe, to be aesthetically pleasing and as much as feasible to be available for multiple uses.
- 44.17 Dry Basin Drainage: Dry basins shall be designed so that eighty percent (80%) of their bottom area shall have standing water no longer than seventy-two (72) hours for any runoff event less than the 100-year, 24 hour event. Grading plans shall clearly distinguish the wet portion of the basin bottom. Under drains directed to the outlet may be used to accomplish this requirement.
- 44.18 Velocity Dissipation: Velocity dissipation measures shall be incorporated into dry basin designs to minimize erosion at inlets and outlets and to minimize resuspension of pollutants.
- 44.19 Dry Basin Inlet and Outlet Orientation: Shall be the same as Article III, Section 44.15.
- 44.20 Temporary Sediment Trap: A sediment trap shall be constructed at each major inlet to a dry basin during construction. The temporary sediment trap should be designed in accordance with criteria in the Illinois Urban Manual.
- 44.21 Existing Depressional Areas: Existing depressional storage volume will be maintained and the volume of detention storage provided to meet the requirements of this ordinance shall be in addition to existing storage.
- 44.22 Minimum Detention Outlet Size: Where a single pipe outlet or orifice plate is to be used to control discharge, it shall have a minimum diameter of twelve (12) inches. If design release rates call for smaller outlets, a design that minimizes the possibility of clogging shall be used. Minimum outlet restrictor size shall be 4" provided there is adequate downstream capacity. Detention volumes for a development shall be dictated by adherence to the release rates specified in Section 44.1.
- 44.23 Detention in Flood Plains: The placement of detention basins within the flood plain is strongly discouraged because of questions about their reliable operation during flood events. However, the storm water detention requirements of this ordinance may be fulfilled by providing detention storage within flood fringe areas on the project site provided the following provisions are met as well as compliance with Article I, Section 11.
- 44.24 Detention in Flood Fringe Areas: The placement of a detention basin in a flood fringe area shall require compensatory storage for 1.5 times the volume below the base flood elevation occupied by the detention basin including any berms. The release from the detention storage provided shall still be controlled consistent with the requirements of this section. The applicant shall demonstrate its operation for all stream-flow and flood plain backwater conditions. Excavations for compensatory storage along watercourses shall be opposite or adjacent to the area occupied by detention. All flood plain storage lost below the existing ten-year flood elevation shall be replaced below the existing ten-year elevation. All flood plain storage lost above the existing ten-year flood elevation shall be replaced above the existing ten-year flood elevation. All compensatory

storage excavations shall be constructed to drain freely and openly to the watercourse and comply with Article I, Section 11.

- 44.25 Detention on Prime Farmland: The placement of detention basins shall avoid the utilization of prime farmland. All detention basin construction shall examine potential impacts to adjacent agricultural land and shall address measures that will be implemented to eliminate such impacts and comply with Article I, Section 11.
- 44.26 Detention in Floodways: Detention basins shall be placed in the floodway only in accordance with Article III, Section 44.27.
- 44.27 On-Stream Detention: On-stream detention basins are discouraged but allowable if they provide regional public benefits and if they meet the other provisions of this ordinance with respect to water quality and control of the 2 year and 100 year, 24 hour events from the property. Further criteria are presented in Article III, Section 34 of this ordinance. If on-stream detention is used in watersheds larger than one square mile, the applicant will use hydrographic modeling to demonstrate that the design will not increase the water level for any properties upstream or downstream of the property. Also, impoundment of the stream as part of on-stream detention:
- a. Shall not prevent the migration of indigenous fish species, which require access to upstream areas as part of their life cycle, such as for spawning;
  - b. Shall not cause or contribute to the degradation of water quality or stream aquatic habitat;
  - c. Shall include a design calling for gradual bank slopes, appropriate bank stabilization measures, and a pre-sedimentation basin;
  - d. Shall not involve any stream channelization or the filling of wetlands;
  - e. Shall require the implementation of an effective non-point source management program throughout the upstream watershed which shall include as a minimum: runoff reduction "Best Management Practices" (BMP's) consistent with Article III, Section 42; 2 year, 24 hour detention / sedimentation basins for all development consistent with Article III, Section 44.20;
  - f. Shall not occur downstream of a wastewater discharge;
  - g. Shall not contribute to the duration or flood frequency of any adjacent
  - h. land, and
  - i. Shall comply with Article I, Section 11.
- 44.28 Drainage Into Wetlands, Rivers, Streams, Lakes, Ponds, and Depressional Storage Areas: Wetlands, lakes, ponds and depressional storage areas shall be protected from damaging modifications and adverse changes in runoff quality and quantity associated with land developments. In addition to the other requirements of this ordinance, the following requirements shall be met for all developments whose drainage flows into wetlands, rivers, lakes, ponds or depressional storage areas:
- 44.29 Detention in Wetlands, Rivers, Streams, Lakes, Ponds or Depressional Storage Areas: Existing wetlands, rivers, lakes, ponds or depressional storage areas shall not be modified for the purposes of storm water detention unless it is demonstrated that the proposed modifications will maintain or improve its habitat and ability to perform beneficial functions and shall comply with Article I, Section 11. Existing storage and release rate characteristics of wetlands, rivers, lakes,



ponds or depressional storage areas shall be maintained and the volume of detention storage provided to meet the requirements of this section shall be in addition to this existing storage.

- 44.30 Sediment Control: The existing wetlands, rivers, lakes, ponds, or depressional storage areas shall be protected during construction and as further regulated in Article IV of this ordinance, and shall not be filled.
- 44.31 Alteration of Drainage Patterns: Site drainage patterns shall not be altered to substantially decrease or increase the existing area tributary to wetlands, rivers, lakes, ponds or depressional storage areas. Drainage patterns shall not be altered by development to direct runoff offsite to other than natural drainage outlets existing prior to development.
- 44.32 Detention/Sedimentation: All runoff from the development shall be routed through a preliminary detention/sedimentation basin designed to capture the two-year, 24-hour event and hold it for at least 24 hours, before being discharged to the wetland, river, lake, pond, or depressional storage area. This basin shall be constructed before property grading begins and shall be maintained throughout the construction process. In addition, the drainage hierarchy defined in Article III, Section 41 should be followed to minimize runoff volumes and rates being discharged to the wetland, river, stream, lake, pond, or depressional storage area and as further regulated in Article II and Article IV of this ordinance.
- 44.33 Vegetated Buffer Strip: A buffer strip of at least 25 feet in width, preferably vegetated with native plant species, shall be maintained or restored around the periphery of a wetland, river, stream, lake, pond or depressional storage area.
- 44.34 Loessal Soils: Care must be taken to avoid open flow discharges of storm water over silt (Loessal) soils due to high potential for erosion.
- 44.35 Abandoned Mines: The following requirements apply for new developments or re-developments where abandoned mines are determined to be present:
- a. A storm water detention basin shall not be placed in or over an abandoned mine;
  - b. Storm water detention basins shall not be located closer than one hundred (100) feet from the opening of an abandoned mine;
  - c. The outflow from a storm water detention basin, channel, ditch or any storm water runoff generated as a result of a new development or redevelopment shall not empty into or be directed, redirected by any means into or through any abandoned mine;
  - d. If, after the review of the storm water drainage plan, the Village Engineer may determine that more detailed information is required, a abandoned mine evaluation may be required. A abandoned mine evaluation which addresses the geologic, engineering and environmental factors resulting from a new development or redevelopment be performed by a professional with experience and expertise in abandoned mine topography, whom shall certify the results of the evaluation. This evaluation shall be the responsibility of the applicant and performed at no cost to the Village. After a review of this evaluation and with the consultation of the Rock Island or Henry Soil and Water Conservation District, the Village Engineer may either approve or disapprove the drainage plan as submitted;
  - e. Whenever an abandoned mine is discovered or it becomes apparent that the abandoned mine has not yet been identified, it shall be reported to the Rock Island or Henry Soil and Water Conservation District; and

f. Shall comply with Article I, Section 11.

- 44.36 Street Detention: Parking Lot Detention, and Culvert Drainage:
- 44.37 Street Detention: If streets are to be used as part of the minor or major drainage system, ponding depths shall not exceed curb heights and shall not remain flooded for more than eight (8) hours for any event less than or equal to the 100 year, 24 hour event.
- 44.38 Parking Lot Detention: The maximum storm water ponding depth in any parking area shall not exceed six (6) inches for more than four (4) hours.
- 44.39 Culvert, Road and Driveway Crossings: Sizing of culvert crossings shall consider entrance and exit losses as well as tail water conditions on the culvert.
- 44.40 Infiltration Practices: To effectively reduce runoff volumes, infiltration practices including basins, trenches, and porous pavement and shall follow criteria in the Illinois Urban Manual with Article I, Section 11. An appropriate sediment control device shall be provided to remove coarse sediment from storm water flows before they reach infiltration basins or trenches. Storm water shall not be allowed to stand more than seventy-two hours over eighty percent of the dry basin's bottom area for the maximum design event to be ex-filtrated. The bottom of infiltration basins or trenches shall be a minimum of three feet above the seasonally high groundwater and bedrock level. Engineering calculations demonstrating infiltration rates shall be included with the application.
- 44.41 Vegetated Filter Strips and Swales: To effectively filter stormwater pollutants and promote infiltration of runoff, sites should be designed to maximize the use of vegetated filter strips and swales, shall be designed to follow criteria in the Illinois Urban Manual. Whenever practicable, runoff from impervious surfaces should be directed onto filter trips and swales comprised of native grasses and forbs before being routed to a storm sewer or detention basin.
- 44.42 Safety Considerations: The drainage system components, especially all detention basins, shall be designed to protect the safety of any children or adults coming in contact with the system during runoff events and shall comply with Article I, Section 11.
- 44.43 Side Slopes: The side slopes of all detention basins at 100 year, 24 hour capacity shall be as level as practicable to prevent accidental falls into the basin and for stability and ease of maintenance. Side slopes of detention basins and open channels shall not be steeper than three (3) to one (1) (horizontal to vertical).
- 44.44 Safety Ledge: All wet detention basins shall have a level safety ledge at least four feet in width 2.5 to 3 feet below the normal water depth.
- 44.45 Velocity: Velocities throughout the surface drainage system shall be controlled to safe levels taking into consideration rates and depths of flow.
- 44.46 Overflow Structures: All storm water detention basins shall be provided with an overflow structure capable of safely passing excess flows at a stage at least one foot below the lowest foundation grade in the vicinity of the detention basin. The design flow rate of the overflow structure shall be equivalent to the 100 year, 24-hour inflow rate.
- 44.47 Maintenance Considerations: The storm water drainage system shall be designed to minimize and facilitate maintenance. Turfed side slopes shall be designed to allow lawn-mowing equipment to easily negotiate them. Wet basins shall be provided with alternate outflows, which can be used to completely drain the pool for sediment removal. Pumping may be considered if drainage by gravity is not feasible. Pre-sedimentation basins shall be included, where feasible, for localizing sediment deposition and removal. Site access for heavy equipment

shall be provided. Use of native vegetation is strongly encouraged to reduce maintenance, increase wildlife habitat, and to provide other benefits.

- 44.48 A maintenance plan for the ongoing maintenance of all stormwater management system components including wetlands is required prior to plan approval. The plan shall include:
- a. Maintenance tasks;
  - b. The party responsible for performing the maintenance tasks;
  - c. A description of all permanent public or private access maintenance easements and overland flow paths, and compensatory storage areas; and
  - d. A description of dedicated sources of funding for the required maintenance.

Section 45. ACCOMMODATING FLOWS FROM UPSTREAM TRIBUTARY AREAS:

Storm water runoff from areas tributary to the property shall be considered in the design of the property's drainage system. Whenever practicable, flows from upstream areas that are not to be detained should be routed around the basin being provided for the site being developed.

- 45.1 Upstream Areas Not meeting Ordinance Requirements: When there are areas not meeting the storage and release rates of this ordinance, tributary to the applicant's property, regionalized detention on the applicant's property shall be explored by the applicant. The following steps shall be followed:
- a. The applicant shall compute the storage volume needed for his property using the release rates of Article III, Section 44, the applicant's property area, and the procedures described in Article III, Section 43;
  - b. Areas tributary to the applicant's property, not meeting the storage and release rate requirements of this ordinance, shall be identified; and
  - c. Using the areas determined above plus the applicant's property area, total storage needed for the combined properties shall be computed.

Allowable release rates shall be computed using the combined property areas. Storage shall be computed as described in Article III, Section 44. If tributary areas are not developed, a reasonable fully developed land cover, based on local zoning, shall be used for the purposes of computing storage.

Once the necessary combined storage is computed the Village may choose to pay for over-sizing the applicant's detention basin to accommodate the regional flows. The applicant's responsibility will be limited to the storage for his property as computed above. If regional storage is selected by the Village then the design produced in Article III, Section 43 shall be implemented. If regional storage is rejected by the Village the applicant shall bypass all tributary area flows around the applicant's basin whenever practicable. If the applicant must route upstream flows through his basin and the upstream areas exceed one-square mile in size, the applicant must meet the provision of Section 44.27 for on-stream basins.

- 45.2 Upstream Areas Meeting Ordinance Requirements: When there are areas which meet the storage and release rate requirements of this ordinance, tributary to the applicant's property, the upstream flows shall be bypassed around the applicant's detention basin if this is the only practicable alternative. Storage needed for the applicant's property shall be computed as described in Article III, Section 45.2. However, if the Village decides to route tributary area flows through an applicant's basin, the final design storm water releases shall be based on the combined total of the applicant's property plus tributary areas. It must be shown that at no time

will the runoff rate from the applicant's property exceed the allowable release rate for his/her property alone.

Section 45. EARLY COMPLETION OF DETENTION FACILITIES:

Where detention, retention, or depressional storage areas are to be used as part of the drainage system for a property, they shall be constructed as the first element of the initial earthwork program. Any eroded sediment captured in these facilities shall be removed by the applicant on a regular basis and before project completion in order to maintain the design volume of the facilities.

Section 45. FEE IN LIEU OF DETENTION:

All new development or redevelopment not exceeding fifteen thousand (15,000) square feet of impervious surface may pay a fee of \$10,000 for each acre-foot of detention which would be required under this ordinance rather than installing detention facilities on the property, unless specifically directed to do otherwise by the Zoning Officer. The Village, also shall have the option of requiring a fee of \$10,000 for each acre-foot of detention needed in lieu of the applicant building a basin on-site provided a new development or re-development project exceeds fifteen thousand (15,000) square feet of impervious surface, provided the property will discharge storm water to the Village storm drainage system, if applicable.

In instances where regional benefits and economies of scale can be achieved, it will be permissible for adjacent properties to utilize a common regional detention basin. Applicants shall have the option of paying a fee of \$10,000 for each acre-foot of detention required so that the Village can build regional facilities or the applicants can jointly build the necessary facilities themselves.

**APPENDIX IV ARTICLE V - SOIL EROSION AND SEDIMENT CONTROL:**

Section 46. FINDINGS:

The Village hereby finds that:

- a. The soil types found in the Village Illinois are susceptible to erosion and if left unprotected could cause severe loss of soil with resultant damage to property;
- b. The topography of the Village contains areas with steep slopes upon which, if clearing of trees and/or inappropriate construction takes place, could result in severe erosion and slope stability problems, which could result in damage to property;
- c. Excessive quantities of soil may erode from areas undergoing development for certain non-agricultural uses including but not limited to the construction of dwelling units, commercial buildings and industrial plants, the building of roads and highways, the modification of stream channels and drainage ways, and the creation of recreational facilities;
- d. The washing, blowing, and falling of eroded soil across and upon roadways endangers the health and safety of users thereof, by decreasing vision and reducing traction of road vehicles;
- e. Soil erosion necessitates the costly repairing of gullies, washed out fills, and embankments;
- f. Sediment from soil erosion clogs drainage systems and pollutes rivers, streams, lakes, wetlands, and reservoirs;
- g. Sediment limits the use of water and waterways for most beneficial purposes, promotes the growth of undesirable aquatic weeds, destroys

fish and other desirable aquatic life, and is costly and difficult to remove; and

- h. Sediment reduces the channel capacity of waterways and the storage capacity of flood plains and natural depressions, resulting in increased chances of flooding at risk to public health and safety.

Section 47. GENERAL PRINCIPLES:

It is the objective of this ordinance to control soil erosion and sedimentation caused by development activities, including clearing, grading, stripping, excavating, and filling of land, in the Village. Measures taken to control soil erosion and off-site sediment runoff shall be adequate to assure that sediment is not transported from the site by a storm event of ten-year, 24 hour frequency or less. The following principles shall apply to all new development or redevelopment activities within the Village and to the preparation of the submissions required under Article IV, Section 48 of this ordinance:

- a. New development or redevelopment shall be related to the topography and soils of the site so as to create the least potential for erosion. Areas of steep slopes greater than seven percent (7%) where high cuts and fills maybe required are to be avoided wherever possible, and natural contours should be followed as closely as possible,
- b. Natural vegetation shall be retained and protected wherever possible. Areas immediately adjacent to natural watercourses, lakes, ponds, and wetlands are to be left undisturbed wherever possible. Temporary crossings of watercourses, when permitted, must include appropriate stabilization measures,
- c. Special precautions shall be taken to prevent damages resultant from any necessary development activity within or adjacent to any stream, lake, pond, abandoned wetland or mine. Preventive measures shall reflect the sensitivity of these areas to erosion and sedimentation,
- d. The smallest practical area of land should be exposed for the shortest practical time during development,
- e. Sediment basins or traps, filter barriers, diversions, and any other appropriate sediment or runoff control measures shall be installed prior to site clearing and grading and maintained to remove sediment from runoff waters from land undergoing development,
- f. The selection of erosion and sediment control measures shall be based on assessment of the probable frequency of climatic and other events likely to contribute to erosion, and on evaluation of the risks, costs, and benefits involved,
- g. In the design of erosion control facilities and practices, aesthetics and the requirements of continuing maintenance must be considered,
- h. Provisions shall be made to accommodate the increased run-off caused by changed soil and surface conditions during and after development. Drainageways should be designed so that their final gradients and the resultant velocities and rates of discharge will not create additional erosion on-site or downstream,
- i. Permanent vegetation and structures shall be installed and functional as soon as practical during development,
- j. Those areas being converted from agricultural purposes to other land uses shall be vegetated with an appropriate protective cover prior to development,

- k. All waste generated as a result of site development activity shall be properly disposed of and shall be prevented from being carried off the site by either wind or water,
- l. All construction sites shall provide measures to prevent sediment from being tracked onto public or private roadways, and
- m. All temporary soil erosion and sediment control practices shall be maintained to function as intended until the contributing drainage area has been permanently stabilized at which time they shall be removed.

Section 48. SOIL EROSION AND SEDIMENT CONTROL PLAN SUBMITTAL REQUIREMENTS:

Each applicant shall submit the information depending on development size, as regulated to ensure that the provisions of this ordinance are met. The submittal shall include sufficient information to evaluate the environmental characteristics of the property, the potential adverse impacts of the development related to erosion both on-site and off-site, and the effectiveness of the proposed erosion and sediment control plan in reducing sediment loss and meet the provisions of Article I, Section 11. The applicant shall certify on the drawing that all clearing, grading, drainage, and construction shall be accomplished in strict conformance with the erosion and sediment control plan. The following information shall be submitted for both existing and proposed property conditions; new developments or re-developments meeting the requirements of Article I, Section 12.

- 48.1 Soil Erosion and Sediment Control Plan Requirements: Shall meet the requirements of Article III, Section 41.1, Section 41.2, and Section 41.3.
- 48.2 Mapping and Descriptions: The existing and proposed erosion and sediment control features of the property and immediate vicinity including:
  - a. As required in Article III, Section 41.1, Section 41.2, and Section 41.3;
  - b. Location of the slope disturbance line;
  - c. Location and description of the soil erosion and sediment control measures to be employed during construction;
  - d. For any structures proposed to be located on the slope side of the slope disturbance line the map shall include the limits of disturbance including tree removal, soil erosion and sediment control measures during construction, cross section view of any proposed cut or fill, erosion and sediment control measures during construction, details of method (s) proposed for providing slope stability, permanent storm water control measures, and permanent erosion and sediment control measures all being certified by a registered professional engineer or a "Certified Professional Erosion Control Specialist;"
  - e. The predominant soil types on the site, their location, and their limitations for the proposed use as defined by the U.S.D.A. Natural Resources Conservation Service;
  - f. The proposed use of the site, including present and planned development, areas of clearing, stripping, grading, excavation and filling; proposed contours, finished grades, and street profiles; the storm water plan as required in Article II; kinds and locations of utilities, areas and acreages proposed to be paved, sodded or seeded, vegetatively stabilized, or left undisturbed; and the location of trees over eight (8) inches in diameter and their type;

g. A soil erosion and sediment control plan, including a narrative, shall be submitted showing all measures necessary to meet the objectives of this ordinance throughout all phases of construction. The development of a soil erosion and sediment control plan shall follow the requirements of this ordinance and the procedures in the latest edition of the "Illinois Procedures and Standards for Urban Soil Erosion and Sediment Control" (commonly known as the Green book), which is hereby incorporated into this ordinance by reference. The Village in consultation with the RISWCD, may waive specific requirements for the content of submissions upon finding that the information submitted is sufficient to show that the work will comply with the objectives and principles of this ordinance. Permanent soil erosion and sediment control features needed at the completion of any development site shall be included in the submittal. The submitted soil erosion and sediment control plan shall include:

1. Location and description, including standard details, of all sediment control measures and specifics of sediment basins and traps, including outlet details;
2. Location and description of all soil stabilization and erosion control measures, including seeding mixtures and rates, types of sod, method of seedbed preparation (type and extent of tillage, weed control, planting equipment, etc...), expected seeding dates, type, method and rate of lime and fertilizer application (soil fertility testing required), kind and quantity of mulching for both temporary and permanent vegetative control measures, and types of non-vegetative stabilization measures;
3. Location and description of all runoff control measures, including diversions, waterways, and outlets;
4. Location and description of methods to prevent tracking of sediment off-site including construction entrance details, as appropriate;
5. Description of dust and traffic control measures;
6. Locations of stockpiles and description of stabilization methods;
7. Description of offsite fill or borrow volumes, locations and methods of stabilization;
8. Provisions for maintenance of control measures, including type and frequency of maintenance, easements, and estimates of the cost of maintenance; and
9. Identification (name, address, and telephone) of the person(s) or entity which will have legal responsibility for maintenance of soil erosion control structures and measures during development and after development is completed.

**Section 49. DESIGN AND OPERATION STANDARDS AND REQUIREMENTS:**

The practice standards and specifications outlined in the Soil Erosion and Sediment Control plan shall follow criteria in the latest edition of the Illinois Urban Manual.

- a. All clearing, grading, stripping, excavating, and filling which is subject to the approval requirements of this ordinance shall be subject to the applicable standards and requirements set forth and/or referenced in this ordinance;
  - b. Responsibility: The permittee shall not be relieved of responsibility for damage to persons or property otherwise imposed by law, and the Village or its officers or agents, including the Directors and Staff of the RISWCD will not be made liable for such damage by (1) the issuance of a permit under this ordinance, (2) compliance with the provisions of that permit or with conditions attached to it by the Village, (3) failure of the Village officials to observe or recognize hazardous or unsightly conditions, (4) failure of the Village officials to recommend denial of or to deny a permit, or (5) exemptions from the permit requirements of this ordinance; and
  - c. Site Design Requirements: Practice standards and specifications for measures outlined in the soil erosion and sediment control plan shall follow criteria in the latest edition of the "Illinois Urban Manual: A Technical Manual Designed for Urban Ecosystem Protection and Enhancement", which is hereby incorporated into this ordinance by reference.
- 49.1 Erosion and Sediment Control Design Requirements: New developments or redevelopments shall comply with Article IV, Section 48 and meet the following:
- 49.2 Control measures shall be constructed to control runoff from the property to such an extent possible that sediment is retained on-site.
- 49.3 Temporary on-site control measures required shall be constructed and functional prior to initiating clearing, grading, stripping, excavating or fill activities on the site.
- 49.4 Disturbed areas shall be stabilized with permanent measures within seven (7) calendar days following the end of active disturbance, or redisturbance consistent with the following criteria:
- a. Appropriate permanent stabilization measures shall include seeding, mulching, sodding, with non-vegetative measures as a last resort; and
  - b. Areas having slopes greater than 12% shall be stabilized with sod, mat, or blanket in combination with seeding or equivalent.
- 49.5 All temporary and permanent erosion and sediment control practices must be maintained and repaired as needed to assure effective performance of their intended function.
- 49.6 All temporary erosion and sediment control measures shall be disposed in a proper manner within thirty (30) days after final site stabilization is achieved with permanent soil stabilization measures. Trapped sediment and other disturbed soils resulting from the disposition of temporary measures shall be permanently stabilized to prevent further erosion and sedimentation.
- 49.7 In the event the developer of a subdivision constructs a temporary detention basin, it shall be the responsibility of the developer to maintain the detention basin during development of the subdivision, and upon the completion of the development of the subdivision, to remove the detention basin and all material used in its construction. Completion of development of the subdivision as it relates to this Ordinance shall mean the stabilization of all sites within the subdivision has been achieved with permanent soil stabilization measures and approved by a Village representative or the Village Engineer. As a part of the developer's soil erosion and sediment control plan, the developer shall provide the following:



- a. The reservation of an access easement by the developer to assure access to the detention basin, in order for the developer to close and remove the detention basin and all material used in its construction, and to properly seed the area, all at the direction of the Village Engineer, after completion of development of the subdivision, or
- b. A provision in the developer's soil erosion and sediment control plan, whereby the developer sets forth a plan by which the developer assures the Village that the developer will otherwise, upon completion of the development of the subdivision, remove the temporary detention basin and all material used in its construction and properly see the area, at the direction of the Village engineer.
- c. The developer shall be fully obligated under the subdivision performance bond, as filed with the Village pursuant to Section 17, to comply with all provisions of this section.

49.8 Site Development Requirements: On-site sediment control measures, as specified by the following criteria, shall be constructed as specified in the referenced handbooks, and functional prior to initiating clearing, grading, stripping, excavating or fill activities on the site.

- a. For new developments or redevelopments less than one (1) acre, filter barriers (including filter fences, straw bales, or equivalent control measures) shall be constructed to control all on-site runoff. Vegetated filter strips, with a minimum width of twenty-five (25) feet, may be used as an alternative only where runoff in sheet flow is expected;
- b. For new developments or re-developments more than one (1) acre but less than five (5) acres, a sediment trap or equivalent control measure shall be constructed at the down slope point of the disturbed area,
- c. For new developments or re-developments greater than five (5) acres, a sediment basin or equivalent control measure shall be constructed at the down slope point of the disturbed area;
- d. Sediment basin and sediment trap designs shall provide for both "dry" detention and "wet" detention sediment storage. The detention storage shall be composed of equal volumes of "wet" detention storage and "dry" detention storage and each shall be sized as regulated in Article III, Section 44. The release rate of the basin shall be that rate as regulated in Article III. The elevation of the outlet structure shall be placed such that it only drains the dry detention storage;
- e. The sediment storage shall be sized to store the estimated sediment load generated from the site over the duration of the construction period with a minimum storage equivalent to the volume or sediment generated in one year. For construction periods exceeding one year, the 1-year sediment load and a sediment removal schedule may be substituted; and
- f. To the extent possible or as otherwise regulated in this ordinance all desirable trees eight (8) inches in diameter and larger shall be protected for their present and future value for erosion protection and other environmental benefits. Trees that have been selected for preservation shall be marked prior to the beginning of any clearing, grading, stripping, excavation, or filling of the site. A "No" construction zone shall be established and marked at the perimeter of the drip line of each tree, which is to be preserved.

49.9 Storm water conveyance channels, including ditches, swales, and diversions, and the outlets of all channels and pipes shall be designed and constructed as regulated in Article III. All constructed or modified channels shall be stabilized

within 48 hours, consistent with the following standards and as required in the referenced handbooks:

- a. For grades up to 4 percent, seeding in combination with mulch, erosion blanket, or an equivalent control measure shall be applied. Sod or erosion blanket or mat shall be applied to the bottom of the channel;
  - b. For grades of 4 to 8 percent, sod or an equivalent control measure shall be applied in the channel; and
  - c. For grades greater than 8 percent, rock, riprap, or an equivalent control measure shall be applied over filter fabric or other type of soil protection, or the grade shall be effectively reduced using drop structures.
- 49.10 Land disturbance activities in stream channels shall be avoided, where possible, or as regulated in Article III. If disturbance activities are unavoidable, the following requirements shall be met.
- a. Construction vehicles shall be kept out of the stream channel to the maximum extent practicable. Where construction crossings are necessary, temporary crossings shall be constructed of non-erosive material, such as riprap or gravel;
  - b. The time and area of disturbance of stream channels shall be kept to a minimum. The stream channel, including bed and banks, shall be stabilized within 48 hours after channel disturbance is completed, interrupted, or stopped; and
  - c. Whenever channel relocation is necessary, the new channel shall be constructed under dry conditions and fully stabilized before flow is diverted, incorporating meanders, pool and riffle sequence, and riparian planting.
- 49.11 Storm sewer inlets and culverts shall be protected by sediment traps or filter barriers meeting accepted design standards and specifications.
- 49.12 Soil storage piles containing more than 10 cubic yards of material shall not be located with a downslope drainage length of less than 50 feet to a roadway, drainage channel, or abandoned mine. Filter barriers, including straw bales, filter fence, or equivalent, shall be installed immediately surrounding the perimeter of the pile.
- 49.13 If dewatering devices are used, discharge locations shall be protected from erosion. All pumped discharges shall be routed through appropriately designed sediment traps or basins, or equivalent and shall not be deposited into an abandoned mine.
- 49.14 Each site shall have graveled (or equivalent) entrance roads, access drives, and parking areas of sufficient length and width to prevent sediment from being tracked onto public or private roadways. Any sediment reaching a public or private road shall be removed by shoveling or street cleaning (not flushing) before the end of each workday and transported to a controlled sediment disposal area.

Section 50. MAINTENANCE OF CONTROL MEASURES:

All soil erosion and sediment control measures necessary to meet the requirements of this ordinance shall be maintained by the applicant or subsequent landowner during the period of land disturbance and development of the site in a satisfactory manner to ensure adequate performance. The applicant or contractor responsible for maintaining the soil erosion and sediment control practices shall inspect all such practices at least once every 7 days or within 24 hours of a precipitation event equal to or exceeding 0.5" of rainfall.

## **APPENDIX 1 ARTICLE V - LONG TERM MAINTENANCE RESPONSIBILITY:**

### **Section 51. LONG TERM MAINTENANCE RESPONSIBILITY:**

Maintenance of storm water drainage, and soil erosion and sediment control facilities located on private property shall be the responsibility of the owner of that property. Before an appropriate permit is obtained from the Village, the applicant shall execute a maintenance agreement with the Village guaranteeing that the applicant and all future owners of the property will maintain its storm water drainage and soil erosion and sediment control system. Such agreement shall be recorded with the Recorder of Deeds of the County. The maintenance agreement shall include a schedule for regular maintenance of each aspect of the property's storm water drainage and soil erosion and sediment control system and shall provide for access to the system for inspection by authorized personnel of the Village. The maintenance agreement shall also stipulate that if the appropriate personnel of the Village, notify the property owner in writing of maintenance problems which require correction, the property owner shall begin such corrections within twenty four (24) hours and shall not extend beyond seven (7) calendar days of such notification. If the corrections are not made within this time period the Village may have the necessary work completed and assess the cost to the property owner. The Village shall require a bond to be filed by the property owner for maintenance of the storm water drainage and soil erosion and sediment control system.

## **APPENDIX 1 ARTICLE VI - INSPECTIONS:**

### **Section 52. INSPECTIONS:**

The Rock Island County SWCD shall make inspections as hereinafter required and shall either approve that portion of the work completed or shall notify the permittee wherein the work fails to comply with the site development or erosion and sediment control plan as approved. The Rock Island County SWCD will notify the Village of permittees failure to comply with ordinance regulations. Plans for grading, stripping, excavating, and filling work bearing the stamp of approval of the Village and Rock Island County SWCD shall be maintained at the site during progress of the work. In order to obtain inspections and to ensure compliance with the approved erosion and sediment control plan, the grading or building permit, and this Ordinance, the permittee shall notify the Village and the Rock Island County SWCD within two (2) working days of the completion of the construction stages specified below:

- a. Upon completion of installation of sediment and runoff control measures (including perimeter controls and diversions), prior to proceeding with any other earth disturbance or grading;
- b. After stripping and clearing;
- c. After rough grading;
- d. After final grading;
- e. After seeding and landscaping deadlines; and
- f. After final stabilization and landscaping, prior to removal of temporary sediment controls.

If stripping, clearing, grading and/or landscaping are to be done in phases or areas, the permittee shall give notice and request inspection at the completion of each of the above work stages in each phase or area. If an inspection is not made and notification of the results given within five (5) working days after notice is received by the Village from the permittee, the permittee may continue work at his/her own risk, without presuming acceptance by the Village. Notification of the results of the inspection shall be given in

writing at the site. A duplicate copy shall be kept by the enforcing agency of the Village and/or the Rock Island County SWCD.

Section 53. SPECIAL PRECAUTIONS:

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

53.1 Where it appears that storm damage may result because the grading on any development site is not complete, work shall be stopped and the permittee required to install temporary structures or take such other measures as may be required to protect adjoining property or the public safety. On large developments or where unusual site conditions prevail, the Zoning Officer shall specify the time of starting grading and time of completion or may require that the operations be conducted in specific stages so as to ensure completion of protective measures or devices prior to the advent of seasonal rains.

Section 54. AMENDMENT OF PLANS:

Major amendments to storm water drainage and detention or erosion and sediment control plans shall be submitted to the Zoning Officer and the Rock Island County Soil and Water Conservation District. Plan amendments shall be processed and approved or disapproved in the same manner as the original plans. Field modification of a minor nature may be authorized by the Zoning Officer and/or Rock Island County Soil and Water Conservation District, by written authorization to the permittee.

**APPENDIX 1 ARTICLE VII - PERMITTING:**

Section 55. APPLICATION FOR PERMIT:

Application for a development permit shall be made by the owner of the property or his authorized agent to the Zoning Officer on a form furnished for that purpose. Each application shall bear the name(s) and address (es) of the owner or developer of the site, the contractor(s) and of any consulting firm retained by the applicant together with the name of the applicant's principal contact at such firm. Each application shall include certification that any land clearing, construction, or development involving the movement of earth shall be in accordance with the plans approved upon issuance of the permit.

Section 55.1 APPLICATION FEE:

All applications for a development permit shall be accompanied with an application fee as set forth in Exhibit A, attached hereto and incorporated herein. In addition, the applicant shall be responsible for reimbursing the Village for any additional cost necessary for review, inspection, and approval of this project including, but not limited to the engineering services of the Village Engineer. The Zoning Officer shall require a \$500.00 deposit to cover these additional costs.

Section 55. BOND REQUIRED:

The applicant for a development permit shall be required to file with the Village a faithful performance bond or bonds, letter of credit, or other improvement security satisfactory to the Village Attorney, in an amount deemed sufficient by the Zoning Officer, and for such period as specified by the Village. These faithful performance bond or bonds, letter of

credit, or other improvement security would be used to cover engineering and inspection costs, and the cost of failure or repair of improvements installed on the site.

Section 55. REVIEW AND APPROVAL:

Each application for an erosion and sediment control plan shall be reviewed and acted upon according to the following procedures:

- a. As a condition of this ordinance, the Village shall require the applicant, or designated agent, to consult with the Rock Island County Soil and Water Conservation District (RISWCD) on soil erosion and sediment control plans. The applicant shall submit all required items to the RISWCD the same day that the application is made to the Village.

The RISWCD shall:

1. Review the applicant's soil erosion and sediment control plans and provides written evaluation to the Village regarding the adequacy (effectiveness) to address the provisions of this ordinance. The RISWCD shall retain the services of a professional trained in the implementation of soil erosion and sediment control practices to perform the services outlined in this section. The RISWCD will assess a fee as set forth in Exhibit B, attached hereto, and incorporated herein to be paid by the applicant for performing these services;
2. Attend a pre-construction meeting with the applicant or designated agent to review implementation of erosion and sediment control plans;
3. Conduct onsite inspections during the active construction phases of land development projects to determine whether site development is in compliance with the approved erosion and sediment control plans, and determine adjustments needed to the approved plans. After construction has been completed, determine whether permanent site stabilization has been achieved and identify operation and maintenance needs;
4. Prepare correspondence as needed regarding the effectiveness (or corrective measures needed) or adequacy of soil erosion and sediment control measures, and
5. Consult with land developers, consultants, and contractors concerning the design criteria, installation and maintenance procedures and other information regarding conservation practices recommended under the provisions of this ordinance.

The Village of Coal Valley shall:

1. After review of the application and required submissions if it is found to be in conformance with the provisions of this ordinance, approve the erosion and sediment control plan;
2. Approve the erosion and sediment control plan subject to such reasonable conditions as may be necessary to secure substantially the objectives of this ordinance, and issue the approval subject to these conditions; or
3. Disapprove the erosion and sediment control plan, indicating the deficiencies and the procedure for submitting a revised application and/or submission.

- b. No approval for an erosion and sediment control plan shall be issued for an intended development site unless one or more of the following have been obtained:
  - 1. The development, including but not limited to subdivisions and planned unit development, has been approved by the Village where applicable; or
  - 2. Such permit is accompanied by or combined with a valid building permit issued by the Village Building Official; or
  - 3. The proposed earth moving is coordinated with any overall development program previously approved by the Village for the area in which the site is situated; and
  - 4. All relevant federal and state permits including, but not limited to: NPDES, 404, 401, NRI's, etc. have been received for the portion of the site subject to soil disturbance, and
  - 5. Applicant is successful in the appeals process.

55.1 Failure of the Zoning Officer to act on an original or revised application within thirty (30) days of receipt shall authorize the applicant to proceed in accordance with the plans as filed and in compliance with the regulations contained herein, unless such time is extended by agreement between the Zoning Officer and the applicant. Pending preparation and approval of a revised plan, development activities shall be allowed to proceed in accordance with conditions established by the Zoning Officer.

Section 56. EXPIRATION OF PERMIT:

Every development permit shall expire and become null and void if the work authorized by such permit has not been commenced within one hundred and eighty (180) days, or if not completed by a date which shall be specified in the permit; except that the Zoning Officer may, if the permittee presents satisfactory evidence that unusual difficulties have prevented work being commenced or completed within the specified time limits, grant a reasonable extension of time if written application is made before the expiration date of the permit. The Zoning Officer may require modification of the erosion control plan to prevent any increase in erosion or off-site sediment runoff resulting from any extension.

Section 57. SCOPE OF APPEALS:

57.1 An appeal may be taken to the Board of Appeals by the applicant, any person or agency which received notice of the filing of the application, or by any person, firm, corporation, office, department, board or bureau aggrieved by decision of the Zoning Officer. Such appeal shall be taken within such time as shall be prescribed by the Board of Appeals by general rule by filing with the Zoning Officer a notice of appeal specifying the grounds thereof. The Zoning Officer shall forthwith transmit to the Board of Appeals all of the papers constituting a record upon which the Section appealed from was taken.

57.2 The Factors to be considered on appeal shall include, but need not be limited to, the effects of the proposed development activities on the surface water flow to tributary and downstream lands, any comprehensive watershed management plans, or the use of any retention facilities; possible saturation of fill and unsupported cuts by water, both natural and domestic; runoff surface waters that produce erosion and silting of drainageways; nature and type of soil or rock which when disturbed by the proposed development activities may create earth movement and produce slopes that cannot be landscaped; and excessive and unnecessary scarring of the natural landscape through grading or removal of vegetation.

- 57.3 Findings on Appeal:
- 57.4 An appeal shall stay all proceedings in furtherance of the action appealed from unless the Zoning Officer certifies to the Board of Appeals, after the notice of the appeal has been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property.
- 57.5 The Board of Appeals shall select a reasonable time and place for the hearing of the appeal, give due notice thereof to the parties, and shall render a written decision on the appeal without unreasonable delay. The Board of Appeals may affirm or may, upon the concurring vote of four (4) members, reverse wholly or in part or modify the order, requirement, decision, or determination that, in its opinion, ought to be done. To that end, the Board of Appeals shall have all the powers of the officer from whom the appeal is taken. The Zoning Officer shall maintain records of all actions of the Board of Appeals relative to appeals.

Section 58. RETENTION OF PLANS:

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

Section 59. AMENDMENTS:

- 59.1 This ordinance may be amended, provided that in all amendments adopted under the authority of this Section, due allowance shall be made for existing conditions, the conservation of property values, and the direction of building development to the best advantages of the entire community.
- 59.2 Initiations of Amendments: Amendments may be proposed by the Village Board, Plan Commission, Village President, Zoning Official or the Rock Island County SWCD.
- 59.3 Application for Amendment: An application for an amendment shall be filed with the Zoning Officer in such form and accompanied by such information as required by the Zoning Officer. Such application shall be forwarded to the Plan Commission with the request to hold a public hearing on said application for amendment.
- 59.4 Hearing on Application: The Plan Commission shall hold a public hearing on each application for an amendment at such time and place as shall be established by the Plan Commission. The hearing shall be conducted and a record of such proceedings shall be preserved in such manner, as the Plan Commission shall, by rule, prescribe from time to time.
- 59.5 Notice of Hearing: Notice of time and place of such hearing shall be published at least once in one or more newspapers of general circulation in the Village of Coal Valley not less than fifteen (15) nor more than thirty (30) days before such hearing. Supplemental or additional notices may be published or distributed as the Plan Commission may, by rule, prescribe from time to time.
- 59.6 Findings of Fact and Recommendation of the Plan Commission:
- 59.7 Within forty-five (45) days after the close of the hearing on a proposed amendment, the Plan Commission shall make written findings of fact and shall submit same together with its recommendations to the Village Board.
- 59.8 The Plan Commission shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such amendment is in the public interest.
- 59.9 Action by Village Board:

- 59.10 The Village Board shall not act upon a proposed amendment to this Ordinance until it shall have received a written report and recommendation from the Plan Commission on the proposed amendment.
- 59.11 The Village Board may grant or deny any amendment.
- 59.12 The Village Board may request specific changes to a proposed amendment to this Ordinance once it has received a written report and recommendation from the Plan Commission on the proposed amendment. However, before the proposed amendment with the Village Board's specific changes, can be adopted by the Village Board; the proposed amendment with the specific changes must be forwarded to the Plan Commission for another Public Hearing, Findings of Fact, and written recommendation.
- 59.13 A proposed amendment or a proposed amendment with specific changes that doesn't receive a written recommendation from the Plan Commission, shall not be adopted except by a concurrence of two-thirds (2/3) of the Village Trustees then holding office.
- 59.14 Effect of Denial of Amendment: No application for an amendment that has been denied wholly or in part by the Village Board shall be resubmitted for a period of one (1) year from the date of said denial except on the grounds of new evidence or proof of change of conditions found to be valid by the Plan Commission.

**APPENDIX 1 ARTICLE VIII -ENFORCEMENT:**

Section 60. STOP-WORK ORDER; REVOCATION OF PERMIT:

In the event any person holding a development permit pursuant to this ordinance violates the terms of the permit, or carries on-site development in such a manner as to materially adversely affect the health, welfare, environment, or safety of persons residing or working in the neighborhood of the development site or so as to be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, the Zoning Officer shall suspend or revoke the development permit.

- 60.1 Suspension of a permit shall be by a written stop-work order issued by the Zoning Officer and delivered to the permittee or his agent or the person performing the work. The stop-work order shall be effective immediately, shall state the specific violations cited, and shall state the conditions under which work may be resumed. A stop-work order shall remain in effect until appealed by the permittee to the Board of Appeals at which time the conditions of Article VII, Section 74 can be met or until the specific violations cited are corrected to the satisfaction of the zoning officer.
- 60.2 No development shall be revoked until a hearing is held by the Board of Appeals. Written notice of such hearings shall be served on the permittee, either personally or by certified mail return receipt requested, and shall state:
  - a. The reasons for revocation, in clear and concise language; and
  - b. The time, date and place where such hearing will be held.

Such notice shall be served on the permittee at least five (5) days prior to the date set of the hearing. At such hearing, the permittee shall be given an opportunity to be heard and may call witnesses and present evidence on his behalf. At the conclusion of the hearing the Board of Appeals shall determine whether the permit shall be revoked.

Section 61. FEES:

The fee for variances and appeal shall be Seventy-five (\$75.00) dollars.



Section 62. VIOLATIONS AND PENALTIES:

No person shall construct, enlarge, alter, repair or maintain any grading, excavation or fill, or cause the same to be done, contrary to or in violation of any terms of this ordinance. Any person violating any 9of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and each day during which any violation of any of the provisions of this ordinance is committed, continued, or permitted shall constitute a separate offense. Upon conviction of any such violation, such person, partnership, or corporation shall be punished by a fine of not less than Seventy-five dollars (\$75.00) and nor more than Seven Hundred Fifty dollars (\$750.00) for each offense. In addition to any other penalty authorized by this section, any person, partnership, or corporation convicted of violating any of the provisions of the ordinance shall be required to restore the site to the condition existing prior to commission of the violation, or to bear the expense of such restoration.

## APPENDIX 1A DESIRABLE TREES NATIVE TO NW IL

### DESIRABLE TREES NATIVE TO NORTHWESTERN ILLINOIS

Ash, Blue, *Fraxinus quadrangulata*  
Ash, Green, *Fraxinus pennsylvanica*  
Ash, White, *Fraxinus americana*  
Birch, River or Red, *Betula nigra*  
Coffeetree, Kentucky, *Gymnocladus dioica*  
Hackberry, Common, *Celtis occidentalis*  
Hickory, Shagbark, *Carya ovata*  
Ironwood (Hophornbeam), *Ostrya virginiana*  
Larch, American (Tamarack), *Larix laricina*  
Linden, American (Basswood), *Tilia americana*  
Maple, Black, *Acer nigrum*  
Maple, Red or Swamp, *Acer rubrum*  
Maple, Sugar or Rock, *Acer saccharum*  
Oak, Black, *Quercus velutina*  
Oak, Bur, *Quercus macrocarpa*  
Oak, Chinkapin, *Quercus muehlenbergii*  
Oak, Pin or Swamp, *Quercus palustris*  
Oak, Red, *Quercus rubra*  
Oak, Swamp White, *Quercus bicolor*  
Pecan, *Carya illinoensis*  
Redbud, *Cercis canadensis*  
Arborvitae, White Cedar, *Thuja occidentalis*  
Juniper, Eastern Redcedar, *Juniperus virginiana*  
Pine, Easter White, *Pinus strobus*

## APPENDIX 1B DESIRABLE TREES TO COAL VALLEY

### DESIRABLE TREES NATIVE TO AREAS COAL VALLEY, ILLINOIS. ADDITIONAL PLANTING IS ENCOURAGED.

Baldcypress, *Taxodium distichum*  
Beech, European, *Fagus sylvatica* (except)  
Buckeye, Red, *Aesculus pavia*  
Dogwood, Flowering, *Cornus florida*  
Hickory, Shellbark, *Carya laciniosa* (for wet areas)  
Persimmon, Common, *Diospyros virginiana*  
Sassafras, Common, *Sassafras albidum*  
Sourgum (Black Tupelo), *Nyssa sylvatica*  
Sweetgum, *Liquidambar styraciflua*  
Tuliptree, *Liriodendron tulipifera*

## **SITE PLAN CHECKLIST**

The soil erosion and sediment control plan cannot be reviewed until all of the following information is submitted for each upcoming active construction phase:

1. Existing site conditions and natural resources present, including:
  - \_\_\_\_\_ Site boundaries and adjacent lands which accurately identify site location.
  - \_\_\_\_\_ Buildings, roads and utilities.
  - \_\_\_\_\_ Topography, vegetation, drainage patterns, subwatershed delineation, critical erosion areas, and any subsurface drainage tiles.
  - \_\_\_\_\_ Wetland and floodplain delineation.
  - \_\_\_\_\_ Location and identification of soil types.
  - \_\_\_\_\_ Adjacent areas that affect or are affecting the project site, e.g. drainage onto or through the site affecting wetlands, streams, lakes, and drainage areas downstream.
  - \_\_\_\_\_ Vicinity map.
  - \_\_\_\_\_ Show areas where trees and vegetation are to be preserved.
  - \_\_\_\_\_ Map legend, including north arrow and scale on all materials submitted.
  
2. Final site conditions, including:
  - \_\_\_\_\_ An accurate depiction of post-construction appearance, e.g. roads, buildings, open space.
  - \_\_\_\_\_ Locations, dimensions, cross sections and elevations of all (temporary and permanent) stormwater management facilities (including sediment basins), plus inlet and outlet locations.
  - \_\_\_\_\_ Surface flow direction, including sheet flow and concentrated flow direction.
  - \_\_\_\_\_ Post-construction topography, final contours should be easily distinguished (2 foot contour is preferred) including subwatershed delineations.
  
3. A complete soil erosion and sediment control plan, including:
  - \_\_\_\_\_ Location and detailed drawings of all permanent and temporary soil erosion and sediment control practices.
  - \_\_\_\_\_ A schedule outlining the installation of the practices with the responsible parties identified.
  - \_\_\_\_\_ Inspection, and maintenance schedules with responsible parties identified.
  - \_\_\_\_\_ Seeding information: rates, species, dates, fertilization, temporary or permanent.
  - \_\_\_\_\_ Location and dimension of all temporary soil and aggregate stockpiles.
  
4. Locations, dimension & phase timeline of all land disturbing activities, including:
  - \_\_\_\_\_ Designate construction limits, areas that will be disturbed and areas of wetland fill.
  - \_\_\_\_\_ Describe grading and building schedule and phasing timeline.

## NARRATIVE CHECKLIST

The soil erosion and sediment control plan cannot be reviewed until all of the following information is submitted for each upcoming active construction phase:

- \_\_\_\_\_ Project description - Briefly describes the nature and purpose of the land disturbing activity, and the area (acres) to be disturbed.
- \_\_\_\_\_ Existing site conditions - A description of the existing topography , vegetation, drainageways, subsurface drain tile, buildings, roads and utilities.
- \_\_\_\_\_ Adjacent areas - A description of neighboring areas such as streams, lakes, residential areas, roads, etc. which might be affected by the land disturbance. Describe any adjacent or neighboring activities that may affect the soil erosion and sediment control plan.
- \_\_\_\_\_ Off-site areas - Will any other areas be disturbed? Describe any off-site land disturbing activities.
- \_\_\_\_\_ Soils - Provide a brief description of the soils on the site at the exposed soil horizon such as soil name, mapping unit, erodibility, permeability, texture, structure and depth to seasonal high groundwater. (this information is available from the local Soil and Water Conservation District).
- \_\_\_\_\_ Critical areas - A description of areas on the site which have potentially serious problems, e.g. steep or long slopes, channels, intermittent streams, and side hill seeps.
- \_\_\_\_\_ Soil erosion and sediment control measures - A description of the methods which will be used to control erosion and sedimentation on the site. Control methods should meet the standards in section 4 of the Illinois Urban Manual.
- \_\_\_\_\_ Permanent stabilization - A brief description including specifications of how the site will be stabilized after construction is completed.
- \_\_\_\_\_ Stormwater runoff calculations - Will the development site cause an increase in peak runoff rates? Will the increase in runoff cause soil erosion or channel degradation downstream? Describe the strategy to control stormwater runoff.
- \_\_\_\_\_ Calculations - Detailed calculations for the design of temporary sediment basins, permanent stormwater detention basins, diversions, channels, etc.. Include pre and post development runoff.
- \_\_\_\_\_ Detail drawings - Include detail drawings form the Illinois Urban Manual. Any structural practices used that are not referenced to the Illinois Urban Manual or local handbooks should be explained and illustrated with detail drawings.
- \_\_\_\_\_ Maintenance - Provide a schedule of maintenance for all temporary and permanent erosion and sediment control practices to ensure that they perform properly. Identify the parties responsible for maintenance.

## EXHIBIT B

### DEVELOPMENT APPLICATION FEE SCHEDULE

50 cubic yards (38.2m<sup>3</sup>) or less \$23.50

51 to 100 cubic yards ( 40 m<sup>3</sup> to 76.5 m<sup>3</sup>) \$37.50

101 to 1000 cubic yards ( 77.2 m<sup>3</sup> to 764 m<sup>3</sup>), \$37.00 for the first 100 cubic yards (76.5 m<sup>3</sup>), plus \$17.50 for each additional 100 cubic yards ( 76.5 m<sup>3</sup>) or fraction thereof.

1,001 to 10,000 cubic yards ( 765.3 m<sup>3</sup> to 7645.5 m<sup>3</sup>) , \$194.50 for the first 1000 cubic yards (764.6 m<sup>3</sup>), plus \$14.50 for each additional 1,000 cubic yards ( 764.6 m<sup>3</sup>) or fraction thereof.

10,000 to 100,000 cubic yards (764.6 m<sup>3</sup> to 76455 m<sup>3</sup>) \$325.00 for the first 10,000 cubic yards (7645.5 m<sup>3</sup> ), plus \$66.00 for each additional 10,000 cubic yards (7645.5 m<sup>3</sup>) or fraction thereof.

100,000 cubic yards (76456 m<sup>3</sup>) or more \$919.00 for the first 100,000 cubic yards (76456 m<sup>3</sup>) plus \$36.50 for each additional 10,000 cubic yards (76456 m<sup>3</sup>) or fraction thereof.

#### Other inspection Fees:

1. Inspections outside of normal business hours \$50.50 per hour  
(Minimum charge two hours)
2. Reinspection fees assessed under provisions of Section 108.8 \$50.50 per hour
3. Inspections for which no fee is specifically indicated \$50.50 per hour  
(Minimum charge one-half hour)

## EXHIBIT C

### FEE SCHEDULE

Fee is based on acreage of the site

Base Fee: \$100.00 (One acre or less)

Round acres to nearest whole number

161 acres - \$5 for each additional acre.

Acre	Fee	Acre	Fee	Acre	Fee	Acre	Fee	Acre	Fee	Acre	Fee
1	100	31	1584	61	2502	91	2976	121	3330	151	3510
2	100	32	1644	62	2520	92	2988	122	3338	152	3515
3	400	33	1704	63	2538	93	3000	123	3342	153	3522
4	400	34	1764	64	2558	94	3012	124	3348	154	3528
5	400	35	1824	65	2574	95	3024	125	3354	155	3534
6	400	36	1884	66	3597	96	3035	126	3360	156	3540
7	400	37	1944	67	2610	97	3046	127	3366	157	3546
8	400	38	2004	68	2628	98	3060	128	3372	158	3552
9	400	39	2064	69	2646	99	3072	129	3378	159	3558
10	400	40	2124	70	2664	100	3084	130	3364	160	3564
11	420	41	2142	71	2682	101	3096	131	3380		
12	554	42	2160	72	2700	102	3108	132	3396		
13	624	43	2176	73	2718	103	3120	133	3402		
14	684	44	2196	74	2736	104	3132	134	3408		
15	744	45	2214	75	2754	105	3144	135	3414		
16	804	46	2232	76	2772	106	3158	136	3420		
17	864	47	2250	77	2790	107	3169	137	3426		
18	924	48	2268	78	2808	108	3183	138	3432		
19	974	49	2286	79	2875	109	3192	139	3438		
20	974	50	2301	80	2843	110	3204	140	3444		
21	984	51	2322	81	2856	111	3216	141	3450		
22	1044	52	2340	82	2868	112	3228	142	3456		
23	1102	53	2358	83	2880	113	3240	143	3456		
24	1154	54	2376	84	2897	114	3252	144	3462		
25	1224	55	2394	85	2904	115	3264	145	3468		
26	1284	56	2412	86	2916	116	3276	146	3474		
27	1344	57	2430	87	2926	117	3288	147	3480		
28	1404	58	2448	88	2940	118	3300	148	3486		
29	1464	59	2468	89	2952	119	3312	149	3492		
30	1524	60	2484	90	2964	120	3324	150	3498		

## APPENDIX 2 CREDIT

### CREDIT

\_\_\_\_\_ (name of bank)

\_\_\_\_\_ (village bank's location), \_\_\_\_\_ (state)

Irrevocable Credit No. \_\_\_\_\_ Date: \_\_\_\_\_, 19\_\_\_\_\_

Village of Coal Valley, Illinois All drafts must be marked: \_\_\_\_\_, Illinois "Drawn under Credit No. \_\_\_\_\_, dated \_\_\_\_\_, 20\_\_."

Gentlemen:

We hereby open an Irrevocable Letter of Credit in the amount of \_\_\_\_\_ (\$ \_\_\_\_\_) in your favor for the account

\_\_\_\_\_ (Subdivider), the subdivider of \_\_\_\_\_ (name of subdivision)

\_\_\_\_\_ a subdivision proposed for final plat in the Village of Coal Valley, Illinois, or within its territorial jurisdiction, for the benefit of the Village of Coal Valley. Said money hereunder shall be available by your drafts at sight drawn on us drawn in the name of the Village of Coal Valley, Illinois. All drafts so drawn must be marked "Drawn under \_\_\_\_\_ (name of bank) \_\_\_\_\_, Credit No. \_\_\_\_\_, dated \_\_\_\_\_, 20\_\_."

\_\_\_\_\_

Drafts must be accompanied by a signed statement by the Village Engineer of the Village of Coal Valley, Illinois that the request is for the installation or construction of improvements required pursuant to the plans, specifications, and cost estimates dated \_\_\_\_\_, 20\_\_, and approved by the Village of Coal Valley, Illinois, and on file with this Letter of Credit made prior to \_\_\_\_\_ (must be 2 years after filing) \_\_\_\_\_, 20\_\_, shall be submitted by subdivider and accompanied by a certified estimate of units and value of work completed with contractor's sworn statement and waiver of mechanics' liens, all approved by the Subdivider's engineer and the Village Engineer of the Village of Coal Valley, Illinois. It is understood as to all disbursements that the Village Engineer shall approved partial drawings only as long as there remains a sufficient balance to the Credit to cover his then current estimate of costs for the required improvements which at that time remain to be completed but in no case shall his approval exceed ninety percent (90%) of the value of work completed.

\_\_\_\_\_

In the event that all of the work for the improvements is not completed to the satisfaction of the Village on or before \_\_\_\_\_ (1 day short of 2 years after filing) \_\_\_\_\_, 20\_\_, the funds remaining under this Letter of Credit shall be available to the Village of Coal Valley, Illinois upon presentation of their drafts at sight drawn on us in the name of the Village of Coal Valley. This draft so drawn must be marked "Drawn under \_\_\_\_\_ (name of bank) \_\_\_\_\_, Credit No. \_\_\_\_\_, dated \_\_\_\_\_, 20\_\_." Further, such draft shall be accompanied by a signed statement by the Village Engineer of the Village of Coal Valley, Illinois as follows: "I, \_\_\_\_\_ (name) \_\_\_\_\_, Village Engineer of the Village of Coal Valley, Illinois, do hereby certify that work on required improvements in the subdivision named \_\_\_\_\_ has not been completed to the satisfaction of the Village of Coal Valley on or before \_\_\_\_\_ (one day short of two years after filing) \_\_\_\_\_, 20\_\_.

(1) This Credit shall expire on \_\_\_\_\_ (2 years after filing) \_\_\_\_\_, 20\_\_, provided, however the undersigned shall notify the Administrator by certified mail, return receipt required, at least 90 days prior to expiration date that this Letter of Credit is about to expire and provided, however, in no event shall this Credit expire except upon prior written notice, it being

expressly agreed by the undersigned that the above expiration date shall be extended as shall be required to comply with this notice provision.

The undersigned further agrees that this Credit shall remain in full force and effect and pertain to any and all amendments or modifications which may be made from time to time to the specifications, and agreements for the subdivisions, without notice from the Village of the amendments or modifications.

All acts, requirements and other preconditions for the issuance of this Irrevocable Letter of Credit have been completed.

We hereby engage with the drawers, endorsers, and bona fide holders of drafts, drawn under and in compliance with the terms of this Credit, that same shall be honored upon presentation to the drawer. This Credit must accompany any draft which exhausts the Credit and must be surrendered concurrently with the presentation of such draft.

We hereby undertake and engage that all demands made in conformity with this Credit will be honored upon presentation. If; within then (10) days of the date any demand made in conformity with this Credit is presented, we fail to honor same, we agree to pay all attorneys' fees, court costs, and other expenses incurred by the Village of Coal Valley in enforcing the terms of this Credit.

Dated: \_\_\_\_\_, 20\_\_\_\_,

\_\_\_\_\_ (name of bank)

\_\_\_\_\_

By \_\_\_\_\_

(title)

Attest:

\_\_\_\_\_

(title)



### APPENDIX 3 SUBDIVISION PERFORMANCE BOND

#### SUBDIVISION PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS, THAT \_\_\_\_\_, as  
PRINCIPAL, \_\_\_\_\_, as SURETY, and \_\_\_\_\_  
as ADDITIONAL SURETY, are held and firmly bound unto the VILLAGE OF COAL VALLEY,  
ILLINOIS, as OBLIGEE, in the sum of \_\_\_\_\_ (\_\_\_\_\_)

lawful money of the United States, for the payment whereof to the Obligee, the Principal and the Surety, and Additional Surety bind themselves, their heirs, executors, administrators, successors, and assigns, jointly and severally, firmly to these presents:

SIGNED, SEALED AND DATED, THIS \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

WHEREAS, application was made to the Obligee for approval of a subdivision shown on plat entitled "\_\_\_\_\_", a subdivision to the Village of Coal Valley, County of Rock Island or Henry, Illinois, filed with the Public Works Director of the Village of Coal Valley, Illinois on \_\_\_\_\_, 20\_\_, said final plat may be approved upon certain conditions, one of which is that a performance bond in the amount of \_\_\_\_\_ (\_\_\_\_\_), to be filed with the Village Clerk to guarantee certain improvements in said subdivision;

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION is such that if the above named Principal shall within two (2) years from the date hereof will and truly make and perform the required improvements and construction of public improvements in and adjacent to said subdivision in accordance with the specifications of the Subdivision Regulations of the Village of Coal Valley, then this obligation to be void; otherwise to remain in full force and effect.

It is hereby understood and agreed that in the event that any required improvements have not been installed as provided aforesaid within the term of this Performance Bond, the Village Board may thereupon declare this bond to be in default and collect the sum remaining payable thereunder and upon receipt of the proceeds thereof, the Village of Coal Valley shall install such improvements as are covered by this bond and commensurate with the extent of building development that has taken place in said subdivision but not exceeding the amount of such proceeds.

\_\_\_\_\_ Principal

By: \_\_\_\_\_ Principal

\_\_\_\_\_ Surety

By: \_\_\_\_\_  
Attorney in Fact

Additional Surety

Approved as to Form:

By \_\_\_\_\_  
Village Attorney

## APPENDIX 4 ESCROW AGREEMENT

### ESCROW AGREEMENT

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

by and

between \_\_\_\_\_

hereinafter called "SUBDIVIDER"; the VILLAGE OF COAL VALLEY, ILLINOIS, hereinafter call

"VILLAGE"; and the

\_\_\_\_\_

hereinafter called "ESCROW HOLDER."

### WITNESSETH

WHEREAS, Subdivider has submitted a proposed plat of a subdivision within the Village and said Developer is required by Chapter 6, "Subdivision Regulations" of Title IV the Code of Ordinances of said Village either to make certain improvements in said subdivision, or to guarantee that said improvements will be made within a period of two years from the date of the filing of the plat of said subdivision, which requirements must be met prior to acceptance of the subdivision by the Village; and

WHEREAS, under the terms of the subdivision regulations of the Village, Subdivider may deposit the estimated cost of the required improvements in escrow with the Village as one method of insuring to said Village that the required improvements will be completed and Subdivider has elected to do so;

NOW, THEREFORE, in consideration of the mutual covenants contained herein and the mutual benefits to be derived there from, it is hereby agreed and understood by and between the parties hereto as follows:

1. Subdivider has this date deposited the sum of \$\_\_\_\_\_ with the Escrow Holder, which sum is composed of the following sums for the noted improvements, to-wit: the receipt of which is hereby acknowledged, said sum being the estimated cost of the required improvements for the development of the proposed subdivision to be known as \_\_\_\_\_.
2. Whenever the Subdivider shall complete any required improvement and said improvement shall be approved and accepted by the Village of Coal Valley within a period of \_\_\_\_\_ from the recording of said subdivision plat, then in such event the Escrow Holder shall return to Subdivider upon the approval and acceptance of said improvement by the Village of Coal Valley, such portion of the sum of money deposited herewith as shall have been deposited for the particular improvement completed, so that upon the completion by Subdivider and approval by Village of all required improvements, all the money deposited shall be returned to Subdivider.
3. In the event Developer shall fail to complete any portion of the required improvements within the period of \_\_\_\_\_ from the recording of said subdivision plat, then Escrow Holder is hereby expressly authorized to disburse such portion of the money deposited here with as shall be required to complete the required improvements for said subdivision plat. In the event Subdivider shall notify Village of his

inability to complete said improvements within said \_\_\_\_\_ period, then in such event Escrow Holder may also expend such sums as necessary to complete said improvements. Upon the completion of all said required improvements, then Escrow Holder shall return to Subdivider any unexpended balance of the sum deposited herewith, less any other charges which may be outstanding against Subdivider in connection with said subdivision.

4. In the event Escrow Holder shall use the sum deposited herewith for the construction or completion of the construction of any or all of the required improvements, the construction of said improvements may be done by the Village of Coal Valley under the direction of its Village Engineer and at its actual cost including a reasonable charge for engineering and supervision; or may be done by contract between the Village of Coal Valley and some responsible contractor or contractors, after sufficient opportunity has been given for competitive bidding, in accordance with the normal practices of the Village, and in such event the cost of construction shall be based upon the actual contract amount or amounts plus a reasonable charge for engineering and inspection by the Village of Coal Valley.
5. The deposit of said sum with the Escrow Holder is in a interest bearing account, the interest from which shall be the property of the Village. But if no claim is made for non-performance hereunder within two (2) years from the date hereof for the construction of said improvements, the escrow account shall be released to the Subdivider and the interest from which shall revert to the Subdivider upon the failure of said condition; neither the Village nor the Subdivider shall have the right to withdraw interest from said account during the term thereof.
6. The Village shall allow substitution of Escrow Holder and Subdivider, and it shall allow this instrument to be substituted by a bond with adequate surety which guarantees payment under the terms hereof. Said substitution shall be by filing with the Village an assignment, replacement instrument, or bond and upon said filing the Village Attorney shall execute the necessary release.
7. By execution of these presents and for valuable consideration paid to it by Subdivider, the Escrow Holder consents and agrees to meet the obligations imposed upon it hereby.
8. The parties hereto agree that should any litigation arise out of this Escrow Agreement, the venue for such litigation shall be in the Circuit Court of Rock Island or Henry County, Illinois, and the parties hereto expressly waive all rights to venue inconsistent herewith.

9. This Agreement shall be binding upon the heirs, assigns, administrators, executors and successors of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed on the date first above mentioned.

\_\_\_\_\_

\_\_\_\_\_  
"SUBDIVIDER"

VILLAGE OF COAL VALLEY, ILLINOIS

By \_\_\_\_\_  
President

Attest: \_\_\_\_\_  
Village Clerk

Approved as to Form:

\_\_\_\_\_  
Village Attorney

\_\_\_\_\_

\_\_\_\_\_

Attest: \_\_\_\_\_

## APPENDIX 5 OFFER OF IRREVOCABLE DEDICATION

Agreement made this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by and between \_\_\_\_\_, \_\_\_\_\_, having \_\_\_\_\_ office and place of business at \_\_\_\_\_, hereinafter referred to as "Subdivider", and the Village of Coal Valley a municipal corporation having its principal office at 900 1<sup>st</sup> Street, hereinafter designated as "Village;"

WHEREAS, the Village is in the process of approving a subdivision plat entitled \_\_\_\_\_, dated \_\_\_\_\_, and made by \_\_\_\_\_; and

WHEREAS, said plat and the construction plans associated therewith designated certain property interests and public improvements consisting of \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ to be dedicated to the Village free and clear of all encumbrances and liens, pursuant to the provisions the Coal Valley Code of Ordinances; and

WHEREAS, the Subdivider, simultaneously with final plat approval or before, shall post a sub dividers bond with the Village for the construction and payment therefore, maintenance, and dedication of said interests and improvements; and

WHEREAS, the Subdivider is desirous of offering for dedication the said improvements and interests in land to the Village as more particularly described in Schedule \_\_\_\_\_ attached hereto; and

WHEREAS, the Subdivider has delivered deed of dedication to the Village to be held in trust by it for the said improvements and interests in land as described herein;

NOW, THEREFORE, in consideration of the Village's approval of said subdivision plat, it is mutually agreed as follows:

a. The Subdivider herewith delivers to the Village a deed of dedication in fee simple absolute unless otherwise called for on the plat for the premises and improvements described in Schedule \_\_\_\_\_ attached hereto, said delivery being a formal offer of dedication to the Village to be held by the Village in trust until the acceptance or rejection of such offer of dedication by the Village Board of Trustees.

b. The Subdivider agrees that said formal offer of dedication is irrevocable and can be accepted by the local government at any time.

c. The Subdivider agrees to complete the construction and maintenance of the land and improvements pursuant to the sub dividers Bond and the provisions of the Coal Valley Code of Ordinances and any conditions of approval of said subdivision and upon acceptance by the Village of the offer of dedication shall furnish, within thirty (30) days after written notice from the Village of said acceptance of the offer of dedication, to the Village a title insurance policy issued by a licensed title insurance company authorized to do business in the State of Illinois in the amount of ten thousand dollars (\$10,000.00), certifying that the premises are free and clear of all liens and encumbrances and

that fee simple title or other specific interest reposes in the Village and shall furnish to the Village a check for all necessary fees and taxes to record the deed(s) heretofore delivered.

d. That this irrevocable offer of dedication shall run with the land and shall be binding on all assigns, grantees, successors, or heirs of the Subdivider.

Village of Coal Valley, IL

(Seal)

\_\_\_\_\_  
President

\_\_\_\_\_  
Subdivider

Attest: \_\_\_\_\_  
Village Clerk

Attest: \_\_\_\_\_

**VILLAGE OF COAL VALLEY**  
**(309) 799-3604**

FOR OFFICE USE ONLY	Coal Valley Application No.: _____
Meets technical standards _____ Does not meet technical standards _____	
Date Application received: _____ Date all Information received: _____ Reviewed by: _____	
Fee Paid: _____ Check No.: _____	

	APPLICANT (Owner/Developer)	Erosion Control Consultant/Engineer
Name		
Address City/State/Zip		
Phone		
Relationship to project		

Job site contact person: \_\_\_\_\_

Contact person phone number: (\_\_\_\_) - \_\_\_\_\_ - \_\_\_\_\_ Fax number: (\_\_\_\_) - \_\_\_\_\_ - \_\_\_\_\_

Village/Municipal contact person: \_\_\_\_\_ Phone #(\_\_\_\_) - \_\_\_\_\_ - \_\_\_\_\_

Township, range, & section: \_\_\_\_\_

Proposed land use: \_\_\_\_\_ Acreage of land disturbance: \_\_\_\_\_

Pre-construction meeting date (if known): \_\_\_\_\_ Construction start date: \_\_\_\_\_

Total number of phases \_\_\_\_\_ Phase number \_\_\_\_\_

The applicant agrees to the following conditions:

1. Submit all required information listed on the following page for each phase of development, regarding the soil erosion and sediment control (SE/SC) plan.
2. Upon submittal of this application, pay the applicable fee, based on the attached fee schedule, in accordance with total acres of disturbance to the original topography and/or vegetation.
3. Notify representatives from the Village of Coal Valley, Rock Island County Soil and Water Conservation District (SWCD) and the Natural Resources Conservation Service, (NRCS) of the pre-construction meeting to review implementation of the SE/SC plan.
4. Allow a Village of Coal Valley, Rock Island County SWCD, or NRCS representative the right to conduct on-site investigations throughout all active construction phases to determine whether all necessary SE/SC practices have been installed and are functioning properly.
5. Upon commencement of earthwork or construction, document SE/SC site inspections with all information being accurate and complete.
6. Comply with the Village of Coal Valley and Rock Island County SWCD's written and verbal recommendations regarding::
  - A. The SE/SC plan and corrections or changes made thereto.
  - B. Installation and maintenance requirements of the SE/SC practices on-site.
7. If any changes occur to the plans, schedules, etc., the applicant shall be responsible for notifying the Village of Coal Valley and the Rock Island County Soil and Water Conservation District.

Upon receipt of all required information, the SE/SC plan will be reviewed within 15 working days and all involved parties will be notified whether or not the plan meets technical standards.

**Applicant's**  
**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_