

# **2009 LAND SUBDIVISION ORDINANCE**

**of the**

**CITY OF PETERSBURG,  
ILLINOIS**

**AS AMENDED BY ORDINANCES**

1

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# LAND SUBDIVISION ORDINANCE OF THE CITY OF PETERSBURG, ILLINOIS

*BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF PETERSBURG, MENARD COUNTY, ILLINOIS, AS FOLLOWS:*

## CHAPTER I: GENERAL PROVISIONS

### **SECTION 1: TITLE**

This Ordinance may be cited as "The 2009 Land Subdivision Ordinance of the City of Petersburg, Illinois."

### **SECTION 2: JURISDICTION**

The subdivision jurisdiction of the City of Petersburg shall include all land within the corporate limits of the City and all unincorporated land within one and one-half (1.5) miles of the corporate limits of the City.

### **SECTION 3: PURPOSE**

It is the purpose of this Ordinance to promote growth and development and to regulate and control the division of land within the subdivision approval jurisdiction of the City in order 1) to provide for the legal and orderly division of land by requiring proper description, documentation and recording of subdivided land and 2) to promote growth of the community which protects the public health and safety and provides essential public services to existing and future residents.

### **SECTION 4: SEVERABILITY**

If any section, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected by that decision.

### **SECTION 5: PLAT; WHEN REQUIRED**

(A) It shall be unlawful for a Subdivider of land within the subdivision jurisdiction of the City to do any of the following without submitting a plat for approval by the City of Petersburg in accordance with applicable laws of the State of Illinois and the provisions of this Ordinance:

- (1) Subdivide land into lots, blocks, streets, alleys, or public open space, to make improvements upon such subdivided land or transfer title to any such subdivided land;

(B) The provisions of this Ordinance shall not apply and no plat is required in any of the following instances (Plats Act, 765 ILCS 205/0.01 et seq.)

(1) The division or subdivision of land into parcels or tracts of 5 acres or more in size which does not involve any new streets or easements of access;

(2) The division of lots or blocks of less than 1 acre in any recorded subdivision which does not involve any new streets or easements of access;

(3) The sale or exchange of parcels of land between owners of adjoining and contiguous land except where the transfer results in the creation of an additional buildable lot;

(4) The conveyance of parcels of land or interests therein for the use as a right-of-way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;

(5) The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;

(6) The conveyance of land owned for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;

(7) Conveyances made to correct descriptions in prior conveyances;

(8) The sale or exchange of parcels or tracts of land following the division into no more than 2 parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access. If a division for which an exemption is claimed pursuant to this division (B)(8) results in one part being greater than five acres and the other part being less than five acres, then the subsequent division of the part greater than five acres shall qualify for the exemption set forth in division (B)(9) of this section.

(9) The sale of a single lot less than 5 acres from a tract of five acres or larger when a survey is made by an Illinois Registered Land Surveyor; provided, however, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973.

(C) A tract survey shall be required for a division or subdivision of land for which no plat is required under subsection (B) of this section. All tract surveys shall be subject to approval by the Zoning Administrator and recording in accordance with the applicable provisions of this Ordinance.

(D) Minor Subdivisions. Where a Subdivider proposes subdivision of a tract of land into no more than two (2) lots either or both of which is five acres or less, the City Council, upon recommendation by the Planning Commission, may vote by resolution to waive application of the provisions of this Ordinance to such subdivision or land if the following conditions are met:

(1) The City Council determines that the intent and purposes of this Ordinance will not be violated by waiver of such requirements; and

(2) (a) public water is available; (b) no street dedication or access easement is necessary; (c) the Subdivider presents to the City Council certification from the appropriate jurisdiction that an adequate entrance exists or that an entrance permit may be obtained; (d) the existing street access has curbs and sidewalks or there are no existing or planned curbs and sidewalks within 1200 feet of the land to be subdivided; and (e) public sanitary and storm sewers are available if within the City limits of the City of Petersburg; or

(3) The Subdivider proposes to subdivide or re-subdivide existing tracts into two (2) or more lots where each newly created lot has built thereon a separate building erected at least ten (10) years prior to the submittal of the proposal, provided that each newly created lot has access to a dedicated public street, and further that such a division does not create new non-conforming uses or structures.

Minor subdivisions shall be subject to the tract survey requirements established by this Ordinance.

#### **SECTION 6: RULES AND DEFINITIONS:**

(A) Unless otherwise expressly stated, the following words shall, for the purpose of this Ordinance, have the meaning herein indicated. Any pertinent word or term not a part of this listing but vital to the interpretation of this ordinance shall be construed to have its legal definition.

- (1) The present tense includes the future tense, and vice versa.
- (2) The masculine gender includes the feminine and neuter.
- (3) The singular includes the plural, and vice versa.
- (4) The use of the word day or days refers to calendar days.
- (5) The word shall is always mandatory; the word may is always discretionary.

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

**"Alley"**. A public way used primarily as a service access to the rear or side of a property which abuts on a street.

**"As Built Plans"**. Final plans and engineering specifications showing any changes from the construction plans for a particular improvement and indicating in detail how the project was

constructed. Such plans shall show all public facilities as built on the surface and underground, both on public property and on easements and shall also indicate all private utility locations that are known. Details shown include: sanitary and storm sewers, manholes, invert grades, bench marks, location of sanitary sewer laterals, street inlets, hydrants, general flow of surface water, and grades for drainage swales on the lot. The "as built plans" shall bear the seal of a registered professional engineer certifying that construction was completed in conformance with the plans and specifications.

**"Block"**. A tract of land bounded by streets, or by a combination of streets, parks, railroad rights-of-way, bodies of water, corporate city limits or lines of demarcation.

**"City Clerk"**. The City Clerk of the City of Petersburg, Illinois.

**"City Engineer"**. A licensed professional engineer or engineering firm appointed to that title by the Mayor or any licensed professional engineer or engineering firm retained by the City to consult on a particular development or project.

**"Collector Streets"**. Streets penetrating neighborhoods collecting traffic from local streets and channeling it into the arterial street system. A minor amount of through traffic may be expected, but collector streets primarily provide land access service and carry local traffic movements within residential neighborhoods and commercial and industrial areas.

**"Construction Plans"**. The drawings prepared in the manner and containing the data, documents and information required by "Construction Plans".

**"County"**. The County of Menard, Illinois.

**"County Clerk"**. The Clerk of Menard County, Illinois.

**"Covenants"**. Private obligations or restrictions applicable to lots within a subdivision or development and running with the land pursuant to a recorded instrument.

**"Cul-de-sac"**. A permanent street with a single access point that ends in a turnaround and cannot be further extended without taking property not dedicated as a street. A cul-de-sac begins at its point of intersection with a street with multiple access points.

**"Dedicate"**. To transfer ownership of land, either in fee simple or a partial interest to the public, for a public use. For a dedication to be completed it must be accepted by the relevant public body.

**"Drainage Course"**. A natural watercourse, swale, depression or ditch through which surface waters and storm waters drain.

**"Easement"** A right of use enjoyed by a private party or the public over the property of another. The legal title and all other rights associated with ownership are retained by the property's owner.

**"Existing Township Highway"**. Any public road in a township which is owned and maintained by the township.

**"Final Plat"**. The map of a subdivision prepared in the manner and containing the data, documents and information required by this Ordinance.

**"Fire Department"**. The City of Petersburg Fire Department and any Fire Protection District the territory of which encompasses land to be subdivided under the provisions of this Ordinance.

**"Flag Lot"**. A lot located behind another lot or parcel with access to a public street only by a narrow strip of land extending from the buildable area of the lot to the street.

**"Flood Plain"**. Special flood hazard area as determined by the Federal Emergency Management Agency based on 100 year flood.

**"Local Streets"**. Streets which primarily provide direct access to abutting land and access to Major or Minor Arterial Streets and Roadways or Collector Streets and which do not satisfy the definition of a Major or Minor Arterial Street or Roadway or Collector Streets. Local Streets offer the lowest level of mobility and are generally shorter and narrower than other types of streets. Service to through traffic is deliberately discouraged.

**"Location Map"**. A preliminary drawing or map of a proposed subdivision containing the data and information required by this Ordinance.

**"Lot"**. A tract within a subdivision marked by the Subdivider as a numbered tract to be offered as a unit of land for sale or transfer of ownership.

**"Major Arterial Streets and Roadways"**. High volume traffic corridors serving major activity centers and allowing for travel over a long distance on a single roadway. Service to abutting land is subordinate to the provision of travel service to major traffic movements. Major arterials are normally spaced on a one mile grid pattern and may include expressways.

**"Minor Arterial Streets and Highways"**. Streets and roadways which interconnect with and augment the major arterial street system and provide travel on a single roadway over a moderate distance at a somewhat lower level of travel mobility than major arterials. Minor arterials provide land access and distribute travel to geographic areas smaller than those identified with major arterials.

**"Minor Subdivision"**. Any subdivision of land into 2 or fewer lots (counting the original tract from which the lots are created) which front along a public road.

**"Official Plan"** or **"Petersburg Land Development Plan"**. Any current Comprehensive Plan developed and adopted by the City of Petersburg, Illinois.

**"Owner"**. The person(s), entit(ies), trust(s), or corporation(s) in which is vested legal title to a particular property. Where this Ordinance requires that the name of an owner be listed, and the property in question is owned by a trust or corporation, in addition to providing the name of the entity property owner, the names of all beneficiaries of a trust or the names of all directors and officers of a corporation must be disclosed.

**"Pavement Width"**. The distance from the edge of the pavement to the edge of the pavement but not including curb and gutter.

**"Person."** An individual, partnership, association, firm, trust, club, institution, company, corporation or other legal entity recognized under the laws of the State of Illinois.

**"Planning Commission"** or **"Commission"**. The Petersburg Planning Commission established by the City of Petersburg.

**"Plat"**. A map of a specific area showing the locations and boundaries of parcels of land subdivided into lots, including public improvements, prepared in accordance with the provisions of this Ordinance.

**"Preliminary Plan"**. A plan of a proposed subdivision or greater area prepared in the manner and containing the data, documents and information required by this Ordinance.

**"Private Street"**. A purported street, way or strip of land reserved for the use of a limited number of persons or purposes and which is not a publicly dedicated street.

**"Public Crosswalk"**. A ten (10) foot right-of-way through the interior of a block in which a sidewalk meeting the construction standards of this Ordinance is built.

**"Public Improvement"**. Any street, road, highway, sanitary sewer, storm sewer, drainage way, water main, sidewalk, parkway or other facility which the City or other governmental unit owns, maintains and operates or which is created by a Subdivider with the intent that it will be dedicated, accepted, owned and maintained by the City or other governmental unit.

**"Public Street"**. A street owned and maintained by a governmental body.

**"Record"**. To file a final plat or tract survey approved by the City with the Menard County Recorder of Deeds.

**"Right-of-Way"**. A strip of land which has been dedicated in fee simple to a public body for streets, alleys and other public improvements as determined by the public body.

**"Sanitary Sewer"**. A constructed conduit connected with a system for the treatment and disposal of sanitary waste that is designed to carry liquids and solids associated with domestic sewage other than storm water to the Petersburg Sanitary Sewer Treatment Plant.

**"Setback"**. The distance between any structure on a lot and a boundary line of the lot closest to that structure.

**"Sketch Plan"**. A general layout of a proposed subdivision prepared in the manner and containing the information required by this Ordinance.

**"Storm Sewer"**. A constructed conduit for carrying only storm water to a drainage course.

**"Storm Water"**. Water from roof downspouts, basement footing perimeter drains and yard drains as well as surface runoff.

**"Stub Street"**. An incomplete or dead end street located in a proposed subdivision that is to be developed in stages and the completion of which is demonstrated in the preliminary plan for the subdivision as a whole.

**"Subdivider"**. Any or all owners, agents or persons controlling land who commence or are required by this Ordinance or state law to commence proceedings under this Ordinance by submitting location and sketch maps to the Planning Commission Office or by making land improvements in the form of buildings, drives, and utilities, but not necessarily involving the actual division of land.

**"Subdivision" or "Subdivision of Land"**. The (1) division of land into 2 or more parts, any of which is less than 5 acres in size (see Sec. 5(B) for exemptions); (2) dedication of streets or easements of access.

**"Superintendent of Highways"**. Menard County Superintendent of Highways.

**"Surety"**. A bonding agency that is qualified to do business in the State of Illinois.

**"Through Lot"**. Any lot which is not a corner lot and which adjoins two streets that are parallel or within 45 degrees of being parallel to each other.

**"Township Highway Commissioner"**. The Township Highway Commissioner for the township in which the subdivision is located.

**"Tract Survey"**. A land survey, made by an Illinois Professional Land Surveyor, complying with the requirements of Section 1 of "An Act to revise the law in relation to plats." (765 ILCS 205/0.01) as now or hereafter amended, and Section 35 of the "Revenue Act of 1939" (35 ILCS 205/35) as now or hereafter amended. Tract surveys and plats shall be prepared consistent with the Menard County GIS coordinate system and final versions as recorded shall be submitted electronically in autocad format.

**"Traffic Control Device"**. Any sign, signal, marking or device placed on or adjacent to a street or highway by authority of the City of Petersburg, the State of Illinois Department of Transportation or the Menard County Superintendent of Highways.

**"Water Department"**. The Water Department of the City of Petersburg.

**"Zoning Administrator"**. The Zoning Administrator of the City of Petersburg.

## **SECTION 7. DUTIES OF ZONING ADMINISTRATOR**

The Zoning Administrator of the City of Petersburg shall be primarily responsible for administering this Ordinance. The Zoning Administrator shall (a) receive all plats and other documents for filing with the City; (b) require that the proper number of plats and other documents as required by this Ordinance are filed by the Subdivider; (c) when required, provide timely and proper notice to all interested parties; (d) collect all fees, bonds or other evidence of security required by this Ordinance; (e) pay all such fees over to the Treasurer of the City; (f) verify, prior to the approval and signing of any final plat, that all necessary fees, bonds and other evidence of security have been paid or provided by the Subdivider; and (g) perform additional duties as required by the Planning Commission or City Council. The Zoning Administrator shall further be required to designate a representative of the City to fulfill his duties in the event the Zoning Administrator will be unavailable to fulfill those duties and to provide notice of the name and contact information for such designee. In addition to these general duties, the Zoning Administrator shall have all other duties required by this or any other Ordinance.

## **CHAPTER 2: FILING PROCEDURE**

### **SECTION 8: APPLICABILITY**

When a Subdivider is required to submit a preliminary plan and/or a final plat of subdivision for review, such submission must comply with the requirements of Section 9.

### **SECTION 9: GENERAL SUBMISSION REQUIREMENTS**

(A) The Subdivider shall either (a) submit eleven (11) prints of required documents and any supporting data to the Zoning Administrator or (b) submit two (2) prints accompanied by an electronic version of required documents and any supporting data to the Zoning Administrator in an electronic format approved by the Zoning Administrator.

(B) All printed documents submitted to the Zoning Administrator must be printed on sheets up to 24 by 36 inches with matching lines if two or more sheets are necessary and shall have a scale no greater than one-hundred feet (100') to one inch (1"). All dimensions shall be to the nearest foot.

(C) If the Subdivider submits only paper prints of the required documents, The Zoning Administrator shall retain one (1) print on file, shall retain one (1) print to be made available for review by the public and interested parties, shall submit one (1) print to the City Engineer, City Council, Street Superintendent, Water-Sewer Superintendent and shall distribute the remaining five (5) prints to the members of the Planning Commission. If the Subdivider submits the required documents electronically, the Zoning Administrator shall retain one (1) print on file, shall retain one (1) print to be made available for review by the public and interested parties and shall submit electronic copies to the City Engineer and Planning Commission for review.

(D) The Subdivider shall be responsible for satisfying all requirements of the Plat Act and all other applicable state laws and shall be responsible for providing any notice or documents to other governmental entities as required by such laws.

### **SECTION 10: EXTENSIONS OF PERIODS FOR REVIEW**

Upon agreement of the Subdivider, any period of review by the City Council, Planning Commission or City Engineer established by this Ordinance may be extended.

## **CHAPTER 3: PRELIMINARY PLAN**

### **SECTION 11: PURPOSE.**

The preliminary plan is intended to provide a detailed layout of the proposed subdivision showing the location of public improvements, lots, drainage and open space areas.

### **SECTION 12: SUBMISSION REQUIREMENTS.**

(A) The preliminary plan shall be consistent with the current zoning district classification of the property.

(B) Information to be shown on the preliminary plan shall include:

(1) The title under which the proposed subdivision is to be recorded; the names and addresses of the engineer, registered land surveyor, Subdivider and owner of the tract with the name and address of the contact person to whom any notice is to be sent.

(2) North point, scale and date of preparation and any revisions.

(3) A notation stating "Preliminary Plan - Not to be recorded by Recorder of Deeds".

(4) Total acreage of the area to be subdivided.

(5) Location of all present property lines and section lines.

(6) The location of all streets, watercourses, and other existing features within the area to be subdivided and within 200 feet of the site.

(7) Location and dimensions of existing buildings and their proposed disposition.

(8) The existing utilities, drainage courses and culverts including the location and size of water mains, sanitary sewers and storm sewer outlets within the area to be subdivided and on the adjacent land.

(9) Contours referring to the NGVD 29 United States Geological Survey datum with intervals of two feet or less unless a greater interval is required because of terrain.

(10) The elevation of the 100 year floodplain if any portion of the land to be subdivided would be submerged by a 100 year flood. Adequate buildable area shall be provided above the elevation of the 100 year floodplain.

- (11) Current Lot numbers, locations and boundaries.
- (12) Proposed location of sewer mains (may be shown on a supplemental sheet) sanitary sewers and storm sewer outlets.
- (13) The proposed storm drainage system including preliminary drainage computations when detention or retention is likely to be needed (may be shown on a supplemental sheet). An assessment of long term erosion, sedimentation and runoff changes caused by the subdivision should be included.
- (14) Proposed location of water mains and fire hydrants.
- (15) Location, width (to the nearest foot) type of road surface and grade of all proposed streets, alleys and their associated rights-of-way.
- (16) Proposed lot numbers, locations and boundaries.
- (17) Location and width to the nearest foot of all utility easements. The Subdivider shall determine the correct location of all easements to be shown on the preliminary plan from the utility companies.
- (18) The location and boundaries of areas to be reserved for public use.
- (19) The minimum setback requirements for the appropriate zoning district.
- (20) Proposed staging of final plats if more than one final plat will be submitted. Such explanation of proposed staging shall include an explanation of traffic, utilities and other factors which would determine the sequence of development with the least impact on existing residents of the City.
- (21) Draft of subdivision covenants.
- (22) If the subdivision requires road access to a state, county, or township road, written approval for such access by the Illinois Department of Transportation, County Highway Department or Township Road Commissioner.
- (23) Proposed location of street lights and signs.
- (24) Proposed location of sidewalks.
- (25) Proposed location of curbs and gutters.

**SECTION 13: PRELIMINARY PLAN SUBMISSION; PUBLIC HEARING AND NOTICE.**

(A) The Subdivider shall submit the preliminary plan to the Zoning Administrator for review in accordance with the review process established by this ordinance and accompanied by a filing fee of \$250 plus \$10.00 per lot. All copies of the preliminary plan shall be signed by a professional engineer licensed in the State of Illinois and a registered land surveyor.

(B) Upon receipt of a preliminary plan, the Zoning Administrator shall (1) set a date for a public hearing on the preliminary plan to be held before the Planning Commission no less than thirty (30) days after the date of receipt of the preliminary plan and (2) within three (3) days of receipt of such preliminary plan, provide notice of such plan, the date of public hearing on the plan and the availability of the plan documents for review to the following entities:

- (i) The president of the relevant School Board
- (ii) The relevant Fire Department or Fire Protection District
- (iii) The City of Petersburg Chief of Police
- (iv) The City of Petersburg Street Superintendent
- (v) The City of Petersburg Water-Sewer Superintendent

Notice provided to the President of the School Board must be sent via certified mail, return receipt requested.

**SECTION 14: PLANNING COMMISSION REVIEW AND RECOMMENDATION.**

(A) The Planning Commission shall hold a public hearing upon the proposed preliminary plan. The Planning Commission shall consider and vote to make a recommendation of approval or disapproval to the City Council with respect to the preliminary plan at a public meeting held within ninety (90) days after the preliminary plan is filed with the Zoning Administrator. Failure of the Planning Commission to make a recommendation within ninety (90) days shall constitute a negative recommendation to the City Council.

(B) The Planning Commission shall recommend approval of the preliminary plan if the Planning Commission finds that the plan meets all the requirements of this Ordinance. The Planning Commission's recommendation of approval or disapproval shall be transmitted in writing to the Subdivider and to the City Council at or before the regularly scheduled City Council meeting next following the Planning Commission's decision.

(C) If the Planning Commission recommends approval of the preliminary plan, a certification of approval signed by the Chair of the Planning Commission shall be affixed to all prints and all prints of the preliminary plan or electronic versions of the plan held by the Planning Commission members shall be forwarded to the City Council for review. Such certification must state that approval of the preliminary plan does not constitute final plat approval and that the plan is not to be recorded.

(D) Recommendation of Disapproval and Submission of Amended Plan. If the Planning Commission votes to recommend disapproval of the preliminary plan, the Planning Commission shall state any non-compliance with this Ordinance and shall include an explanation of any noncompliance with this Ordinance in its written recommendation to the Subdivider and City Council. If the Planning Commission votes to recommend disapproval of a preliminary plan, the Subdivider may submit an amended plan for review by the Planning Commission before the Planning Commission's recommendation of disapproval is submitted to the City Council for review if the Subdivider indicates his or her intent to submit such amended plan at the meeting at which the Planning Commission votes to recommend disapproval. Any such indication by the Subdivider constitutes agreement of the Subdivider to extend the period of review of the preliminary plan by the Planning Commission and the City Council as provided herein. Such amended plan must be submitted to the Planning Commission within fourteen (14) days after the Planning Commission votes to recommend disapproval of the preliminary plan in accordance with the submission requirements provided in Section 9 and notice of the filing of the amended plan shall be provided as required by Section 13. No additional filing fee shall be required. The Planning Commission shall review and vote upon the amended plan at a public meeting held within thirty (30) days after receipt of such amended plan and shall provide notice of its recommendation in accordance with the requirements of this section.

#### **SECTION 15. CITY COUNCIL REVIEW.**

(A) The City Council shall, at a regularly scheduled meeting held within thirty (30) days after receipt of the Planning Commission's recommendation, vote upon a resolution to approve or disapprove the preliminary plan. Failure of the City Council to act upon the preliminary plan within thirty (30) days shall constitute disapproval. The Subdivider may appear and be heard at such meeting.

(B) If the City Council votes to approve the preliminary plan, a certification of approval signed by the Mayor and City Clerk shall be affixed to all prints of the preliminary plan. One such certified print shall be returned to the Subdivider and one such print shall remain on file with the Zoning Administrator.

#### **SECTION 16: VALIDITY OF PRELIMINARY PLAN**

(A) The preliminary plan shall be valid for a period of one (1) year after City Council approval, except as provided in subsection (B). If a final plat is not submitted within one (1) year after City Council approval of the preliminary plan, the preliminary plan shall be deemed invalid and resubmission of the preliminary plan for review in accordance with this Ordinance shall be required.

(B) If the subdivision is to be developed in stages, the preliminary plan shall remain valid until the final plat for the last stage of development is submitted *provided that* (1) the preliminary plan includes a description of the intended stages of development and (2) the final plat for the first stage is submitted within one (1) year of preliminary plan approval.

## **CHAPTER 4: CONSTRUCTION PLANS**

### **SECTION 17: PURPOSE**

Construction plans are intended to show the design of public improvements for the subdivision so that a determination can be made as to whether City standards for engineering, construction and installation of public improvements are met and whether the improvements are compatible with existing public improvements in and adjacent to the location of the proposed subdivision.

### **SECTION 18: SUBMISSION REQUIREMENTS.**

Construction plans shall be submitted on sheets not larger than 24 x 36 inches and to a scale of not more than one hundred feet (100') to one inch (1"). Construction plans shall include the following information:

(A) Cover sheet showing the location of the development; scales and symbols that are used in the plans ; index of sheets; summary of quantities; appropriate space for approval of the City Engineer; and the signature and seal of a professional engineer licensed in the State of Illinois.

(B) North arrow and bench marks with their elevations noted. Bench marks shall be referenced to mean sea level NAVDdatum as determined by the United States Geological Survey.

(C) Plan sheets showing the locations of all existing streets, right-of-way lines, sanitary sewers, storm sewers, sidewalks, street lights, electric, gas and other utility lines, drainage ditches, easements, rear lot drainage, direction of storm drainage flow, survey monuments, water mains and lines, fire hydrants, and any other appurtenance or structure that might influence design considerations.

(D) Profile sheets indicating the existing ground line and proposed grades and elevations for all proposed streets, storm sewers, sanitary sewers, drainage structures, drainage ditches, and rear lot drainage. Elevations shall be referenced to the United States Geological Survey datum.

(E) Typical sections of proposed streets showing the right-of-way lines, proposed pavement widths, pavement thickness, base thickness, sub-base thickness, subgrade, crown, curbs and gutters, sidewalks and design data.

(F) Diagrams showing the design details of manholes, inlets, catch basins, curbs and gutters, drainage structures and any other structure or appurtenance to be constructed, based upon and referencing the Standard Specifications for Road and Bridge Construction in Illinois or Highway Standards published by the Illinois Department of Transportation.

(G) Computations and design specifications demonstrating the function of storm sewers, special structures and pavement in relation to fire flow when required.

(H) Detailed description of erosion control measures to be taken during construction.

(I) Drainage and detention plans for each watershed that is affected by the construction of that final plat, including any watershed that is only partially affected by the proposed subdivision construction. When a Subdivider anticipates that the subdivision will be completed in stages involving multiple final plats, provisions shall be made in the construction plans if necessary for temporary detention works for each plat as each plat is built until all drainage works for the entire subdivision are completed.

(J) Shop drawings, mix designs and material submitted by the Subdivider's contractor(s).

(K) Proof of application for an access permit from the County Highway Department or Illinois Department of Transportation when access to a county or state highway is necessary.

(L) Proof of application for a permit required under Section 404 of the Clean Water Act if any dredging, rip rapping, fill work or similar activities will be conducted in or around streams and other bodies of water.

(M) Illinois Environmental Protection Agency permits for sanitary sewer and water main construction, if required.

(N) Proof of acquisition of a state or county access permit or Section 404 Clean Water Act permit, if applicable.

(O) Any other specific additional information as may be requested by the City Engineer.

**SECTION 19: CONSTRUCTION PLAN REVIEW PROCESS.**

(A) After receiving approval of the preliminary plan and no later than thirty (30) days prior to submission of the final plat for review, the Subdivider shall either submit (a) five (5) print sets of construction plans to the Zoning Administrator or (b) submit two (2) prints accompanied by electronic versions of all construction plan documents and any supporting data to the Zoning Administrator.

(B) If the Subdivider submits only paper prints of the required documents, The Zoning Administrator shall retain one (1) print on file, which print shall be made available for review by the public and interested parties, and shall submit one (1) print each to the City Engineer, City Council, the City Street Superintendent and the City Water-Sewer Superintendent. If the Subdivider submits the required documents electronically, the Zoning Administrator shall retain

one (1) print on file for review and shall submit electronic copies to the City Engineer, City Street Superintendent and City Water Superintendent.

(C) The City Engineer shall, within thirty (30) calendar days after all items of information required by Section 18 have been submitted, review the construction plans and notify the Subdivider in writing of the Engineer's approval of the plans or of any changes that must be made before approval will be granted..

(D) Where the City Engineer notifies the Subdivider that changes to construction plans will be required prior to approval, the Subdivider shall submit revised plans to the City Engineer within fourteen (14) days of receipt of such notice. The City Engineer shall inform the Subdivider of the number of sets of revised plans to be submitted. The City Engineer shall complete his review of any revised plans within fourteen (14) calendar days of receipt of such revised plans, unless the Subdivider agrees to an extension of the period of review.

(E) Approval of construction plans shall be granted only if the City Engineer determines that the construction plans comply with the requirements and standards imposed by this ordinance and all other applicable construction and design standards. The City Engineer shall certify his approval in writing to the Subdivider and the Zoning Administrator. Any changes to the approved construction plans are subject to review and approval by the City Engineer and must be certified in accordance with this Section prior to construction of such changes.

## **CHAPTER 5: FEES, CONSTRUCTION AND BONDING OF PUBLIC IMPROVEMENTS**

### **SECTION 20: COMMENCEMENT OF CONSTRUCTION**

No Subdivider shall begin construction of any public improvements until construction plans have been approved in accordance with Section 19. Construction must begin within one (1) year of approval of the construction plans. Failure to commence construction within one (1) year shall result in expiration of approval of the Construction Plans and the Subdivider shall be required to resubmit Construction Plans for review in accordance with the requirements of Sections 18 and 19.

### **SECTION 21: NOTIFICATION OF CONSTRUCTION.**

The City Engineer shall be notified at least ten (10) days before construction of public improvements begins. Construction shall begin only after approval of construction plans and payment of the review and inspection fee as set forth in Section 22 of this Ordinance. It shall be a violation of this Ordinance for any Subdivider to begin construction or development of any public improvements within a subdivision prior to approval of construction plans by the City Engineer. Whenever construction stops for seventy-two (72) hours or more, the Zoning Administrator shall be notified at least forty-four (48) hours prior to resuming construction.

### **SECTION 22: REVIEW AND INSPECTION FEES.**

Before starting construction of any public improvements, the Subdivider shall be assessed and shall deposit with the Zoning Administrator for the City of Petersburg an amount equal to six percent (6%) of the estimated construction cost as approved by the City Engineer for all public improvements to be constructed or installed in the subdivision (including but not limited to grading, drainage, roadway, sidewalk, sewer, waterline, lighting, curb and gutter, and other improvements which are to be dedicated to public use or which benefit the subdivision generally) as approved by the City Engineer. One-sixth of said assessment (an amount equal to one percent (1%) of the total construction cost) shall be retained by the City of Petersburg.

The remainder of the fee required by this section (an amount equal to five percent (5%) of the total construction cost) is intended to reimburse the City for charges incurred by the City for engineering costs connected to the review and inspection of the preliminary plan, construction plans, and final plat and the construction of the public improvements. In the event that the engineering expenses incurred by the City are in excess of the amount initially paid by the Subdivider, the City shall bill the Subdivider for the difference, and such amount shall be paid by the Subdivider prior to approval by the City of the final plat. If the cost of inspection services is less than the five (5%) percent cash deposit, the unused balance shall be refunded to the Subdivider by the City when all improvements have been accepted by the City and final billing rendered by the City Engineer.

The six percent (6%) fee requirement may be adjusted to a greater or lesser amount upon recommendation of the City Engineer and approval by the City Council. All filing fees previously paid to the City by the Subdivider in relation to a particular subdivision shall be credited toward the fee required by this Section for that subdivision.

**SECTION 23: INSPECTION OF CONSTRUCTION.**

A. Appointment of Foreman.

The Subdivider shall designate a foreman or superintendent to oversee all phases of construction and the name and phone number of such designated foreman or superintendent shall be provided to the Zoning Administrator prior to commencement of any construction. Such designated foreman or superintendent shall be present at the site of any construction at all times such construction is occurring. Any change in the designated foreman or superintendent or his contact information must be reported to the Zoning Administrator immediately. If the foreman or superintendent will not be available at the construction site for any period of time while construction is occurring, the Subdivider shall designate an alternative foreman or superintendent who shall be present during such construction and available for contact by the City. The Subdivider shall notify the Zoning Administrator of the name and contact information for any such alternative foreman or superintendent.

B. Inspection by City representative.

All construction of required public improvements shall be periodically inspected by the City Engineer, the City Street Superintendent, the City Water-Sewer Superintendent or another designated representative of the City. The Engineer's charges resulting from any re-inspection of any required improvement found to be faulty or not in accordance with the approved plans and specifications shall be paid by the Subdivider in addition to the inspection fee required by this Ordinance. All Public improvements must be approved by the City Engineer before they can be accepted by the City and the City Engineer or another representative of the City must provide written approval of each phase of construction before the next phase can begin. The testing of any concrete, asphalt, soil, other materials or workmanship shall be done at the direction of the City and at the expense of the Subdivider.

C. Review and approval of test results. The Subdivider shall submit to the City Engineer for approval, test results for sanitary sewer, water main, pavement, gutter, sidewalk and grading. No construction of public improvements may be accepted by the City until such test results are approved.

**SECTION 24: SECURITY FOR PUBLIC IMPROVEMENTS.**

(A) Prior to commencing construction of any public improvements, security in an amount equal to 125% of the estimated construction costs of such public improvements as determined by the City Engineer (including but not limited to grading, drainage, roadway, sidewalk, sewer, waterline and other improvements which are to be dedicated to public use or

which benefit the subdivision generally) shall be deposited with the Zoning Administrator. The form and sufficiency of security shall be subject to the approval of the City attorney and the City Engineer.

(B) Security may be in the form of a cash bond, a surety bond issued by a commercial surety licensed to do business in the State of Illinois, or an irrevocable letter of credit or letter of commitment issued by a bank, savings and loan association, surety or insurance company. Security shall not be in a form that expires prior to acceptance of the public improvements by the City.

(C) The bond or letter of credit shall by its terms secure payment of not only the cost of construction of the public improvements, but also of any additional review and inspection fees charged by the City Engineer and imposed by the City pursuant to Section 22 of this Ordinance. Notwithstanding that a Subdivider has satisfied the security requirements of this Section, the Subdivider shall nevertheless be liable for the actual completion of such improvements, whether or not the security amount is adequate to complete such improvements.

(D) The security shall remain in effect until it is released by the City Council upon receipt of written certification of the City Engineer as to the completion and approval of the public improvements. All public improvements shall be completed within two (2) years from the date of approval of such security. If public improvements have not been completed within said two (2) year period the Subdivider shall forfeit the security in the amount necessary for the City to complete the public improvements in accordance with the standards and requirements of this Ordinance, plus administrative costs.

#### **SECTION 25: APPROVAL OF CONSTRUCTION OF PUBLIC IMPROVEMENTS.**

(A) Dedication of public improvements shall not be accepted until the City Engineer approves the construction of such improvements in writing to the City Council and the Subdivider and certifies that the construction of all public improvements, including those not intended for dedication to the City, but generally benefitting the subdivision, complies with the approved construction plans and satisfies the standards and requirements of this Ordinance and all other applicable standards.

(B) Within thirty (30) days after completion of all public improvements and before the City Engineer may approve construction of public improvements, the Subdivider shall submit the following to the City Engineer:

(1) Two (2) copies of all "As Built" plans within thirty (30) days of completion of all public improvements, except where construction is completed by the City, in which case as built plans must be supplied to the City Engineer by all contractors hired to work on the project.

(2) A signed statement from a professional engineer licensed in the State of Illinois stating that the public improvements have been observed during construction and installed

to the specifications shown on the construction plans, unless construction is completed by the City, in which case such certification shall be supplied by the City Engineer.

(3) Security for all completed public improvements. Such security shall meet the requirements of Section 24, except that such security shall remain in effect for one year and shall be in the amount of 10% of the total construction cost as determined by the City Engineer of those public improvements.

(C) The City Engineer shall approve construction of all public improvements upon receipt of all required submissions from the Subdivider, inspection of the construction of such public improvements (including any repairs or corrections) and determination that such construction complies with the approved construction plans and all other applicable standards.

**SECTION 26: ACCEPTANCE OF PUBLIC IMPROVEMENTS.**

(A) Upon receipt of written notice of the City Engineer's approval, the Subdivider shall execute and deliver to the City a Dedication and Bill of Sale for said public improvements. Upon receipt of that document the City Council may by resolution accept the dedication and bill of sale and, upon such acceptance, shall record the dedication and resolution with the Recorder of Deeds of Menard County, Illinois.

(B) In areas within the City's jurisdiction, but outside the City's corporate limits, the developer is responsible to ensure that the standards and requirements of relevant other governmental entities are met and to obtain acceptance of the dedication of public improvements falling within the exclusive jurisdiction of such entities. The City's acceptance of public improvements falling within the City's exclusive jurisdiction does not constitute acceptance of any public improvements falling within the exclusive jurisdiction of any other governmental entity.

(C) Upon recordation of the Dedication and Bill of Sale and Resolution of Acceptance, the City shall release any security held by the City for completion of public improvements that has not been forfeited in accordance with the provisions of this Ordinance.

**SECTION 27: EFFECT OF FINAL ACCEPTANCE.**

The final acceptance by the City of public improvements and recordation thereof shall constitute acceptance by the City of title to and maintenance responsibilities for the public improvements, subject to the requirements imposed by this Ordinance. Any contractor's warranties in effect with respect to the public improvements shall be deemed assigned by the Subdivider to the City upon acceptance by the City. No acceptance by the City of public improvements shall be deemed to be acceptance by the City of maintenance responsibility with respect to drainage swales or common areas within the subdivision. The City's acceptance of public improvements falling within the City's exclusive jurisdiction does not constitute acceptance of any public improvements falling within the exclusive jurisdiction of any other governmental entity.

## CHAPTER 6: FINAL PLAT

### **SECTION 28: PURPOSE.**

The final plat is intended to provide the final and accurate location of lots, monuments, improvements and property dedicated to public use.

### **SECTION 29: SUBMISSION REQUIREMENTS.**

The final plat need not cover the entire preliminary plan area. It may cover only the portion which the Subdivider presently wishes to record and develop in accordance with the staging approved with the preliminary plan. The final plat submission shall include the following information on the plat and accompanying documents:

- (A) Final Plat.
  - (1) The name of the owner and Subdivider.
  - (2) North point, scale and date of preparation and latest revisions.
  - (3) Boundary lines for the subdivision with accurate distances and angles.
  - (4) General land legal description of the plat with total acreage.
  - (5) The locations, dimensions and boundaries of all lots designated by numbers and the locations dimensions and boundaries of other grounds designated by names and numbers.
  - (6) The location of all survey monuments and their descriptions.
  - (7) The location of all easements for public use, services or utilities. Easements shall include anchor space for pole lines.
  - (8) An accurate outline of any portions of the subdivision intended to be dedicated for public use.
  - (9) Outlines of all proposed streets including their widths and names.
  - (10) The line of departure of one street from another.
  - (11) The names and widths of any adjoining streets.
  - (12) All dimensions, linear and angular, necessary for locating the boundaries of the subdivision, lots, streets, easements, and other areas for public or

private use. Linear dimensions shall be given to the nearest 1/100 of a foot.

- (13) Radii, arcs, chords, points of tangency and central angles for all curvilinear streets and radii for rounded corners.
  - (14) If applicable, a note on the final plat stating: "Approval of this final plat by the City of Petersburg does not constitute a guarantee that well water is of adequate quantity or quality for residential needs or that a suitable sewage disposal system can be constructed on each lot." Any guarantees are the Subdivider's responsibility.
  - (15) A statement indicating whether or not any part of the plat is located in a special flood hazard area or the one hundred year flood plain as identified by the Federal Emergency Management Agency.
  - (16) A notation stating any setbacks required by covenants if the setbacks are different from those of the appropriate zoning district.
  - (17) A notation stating that "Approval of this plat of subdivision does not constitute acceptance of the public improvements established herein. See Chapter 5, Section 26 of the Petersburg Subdivision Ordinance for procedures addressing acceptance of public improvements."
- (B) Accompanying Documents. The following documents shall accompany the final plat:
- (1) Written approval of construction plans from the City Engineer.
  - (2) A copy of any required access permit from the State of Illinois or the County Highway Department, as applicable.
  - (3) The certificate of a registered Illinois land surveyor attesting to the accuracy of the survey and the location of all monuments shown. The certificate may be filed as a supplement to the final plat.
  - (4) Notarized acknowledgement of the plat by the owner or a duly authorized attorney, including identification of any required school district or other unit of local government required by law. This item may be a separate document or on the plat itself.
  - (5) Certification by Subdivider of perpetual maintenance of drainage areas and common areas.

- (6) Exhibit showing the location of wells and seepage field areas (must be large enough to accommodate two (2) seepage fields) on each lot.
- (7) Any covenants or restrictions applicable to the subdivision.
- (8) A signed statement of a professional engineer licensed in the State of Illinois and the owner of the land or his duly authorized attorney as required by Section 2 of the Plat Act.
- (9) Copy of a certificate from the Menard County Clerk indicating that no delinquent taxes against the subdivision property are outstanding.

### **SECTION 30: SUBMISSION AND NOTICE**

(A) The Subdivider shall submit an original print of the final plat, an electronic copy in CAD or other format acceptable to the Zoning Administrator, and prints of the final plat to the Zoning Administrator for review in accordance with the review process established by this Ordinance, accompanied by a filing fee of \$250 plus, if it has not already been paid, the review and inspection fee established pursuant to Section 22 of this Ordinance. A final plat shall be reviewed only after approval of the preliminary plan by the City Council and approval of the construction plans by the City Engineer.

(B) Upon receipt of a final plat, the Zoning Administrator shall (1) set a date for a public hearing on consideration of the final plat to be held before the Planning Commission no later than thirty (30) days after the date of receipt of the final plat and (2) provide notice of submission of the final plat and the Planning Commission hearing to those entities described in Section 13(B).

### **SECTION 31: PLANNING COMMISSION REVIEW AND RECOMMENDATION.**

(A) The Planning Commission shall consider and vote to make a recommendation of approval or disapproval to the City Council with respect to the final plat at a public meeting held within thirty (30) days after all of the required final plat documents have been filed with the Zoning Administrator. Failure of the Planning Commission to make a recommendation within thirty (30) days shall constitute a negative recommendation to the City Council.

(B) The Planning Commission shall recommend approval of the final plat if the Planning Commission finds that the plat meets all the requirements of this Ordinance. The Planning Commission's recommendation of approval or disapproval shall be transmitted in writing to the Subdivider and to the City Council at or before the regularly scheduled City Council meeting next following the Planning Commission's decision.

(C) If the Planning Commission recommends approval of the final plat, a certification of approval signed by the Chair of the Planning Commission shall be affixed to all prints and all

prints of the preliminary plan or electronic versions of the plat held by the Planning Commission members shall be forwarded to the City Council for review.

(D) If the Planning Commission finds that the final plat does not meet the requirements of this Ordinance, the Planning Commission shall specify its disapproval in writing to the Subdivider and the City Council and state the noncompliance found. The final plat and all related documents shall be forwarded to the City Council for review.

**SECTION 32: CITY COUNCIL REVIEW.**

(A) A written recommendation from the Planning Commission shall be required before the City Council may consider approval of a final plat. The City Council shall, at a regularly scheduled meeting held within sixty (60) days after receipt of the Planning Commission's recommendation, vote upon a resolution to approve or disapprove the final plat. Failure of the City Council to act upon the final plat within sixty (60) days shall constitute disapproval. The Subdivider may appear and be heard at such meeting.

(B) The final plat of subdivision may be approved by resolution of the City Council only after the following have occurred:

(1) All construction work is completed, or security is given for construction, of drainage and detention works for all watersheds affected by the final plat; and

(2) Either all construction of public improvements within the subdivision has been completed and written approval of such construction obtained from the City Engineer or adequate security for construction of all public improvements, consistent with the requirements of this Ordinance, has been obtained from the Subdivider.

(C) If the City Council votes to approve the final plat, a certification of approval signed by the Mayor and City Clerk shall be affixed to all the original final plat and all prints. The original final plat shall be returned to the Subdivider and one print shall remain on file with the Zoning Administrator.

**SECTION 33: RECORDING THE FINAL PLAT.**

When the final plat has been approved by the City Council and signed by the Mayor and the City Clerk, the original shall be recorded in the office of the Recorder of Deeds of Menard County, Illinois. Recording shall be made by, and at the sole expense, of the Subdivider. If the final plat is not recorded within twelve (12) months after approval by the City Council, the plat must be resubmitted to the Planning Commission to determine if any changes in the final plat are needed to meet the requirements of this Ordinance as now or hereafter amended. No title to any lots shall be conveyed nor shall any building permit be issued or any construction of any structure within the subdivision begin until the original final plat of subdivision approved by the City Council is recorded.

**CHAPTER 7:  
SITE SUITABILITY AND PUBLIC IMPROVEMENT DESIGN  
STANDARDS AND SPECIFICATIONS**

**SECTION 34: SUBDIVISION SITE SUITABILITY.**

(A) Essential Utilities and Public Services. Land proposed to be subdivided shall have essential utilities and public services available within a reasonable distance and time period. Land to which these essential utilities and services will not be so provided prior to occupancy shall be deemed unsuitable for subdividing. Essential utilities and services and criteria for determining if they can adequately be provided shall include the following:

(1) Sewage Disposal. Sanitary sewer service must be currently available at the proposed subdivision site or it must be shown that the City Council has determined that sanitary sewer service will be available to the site within one (1) year. If sanitary sewer service will not be available within one (1) year the proposed site shall be deemed unsuitable for subdividing unless it can be shown that adequate private sewage systems can be provided.

(2) Fire Protection. There must be a public road providing adequate access for emergency vehicles to the site. Further, there must be available a system of water mains or other source of water adequate for fire fighting purposes.

(3) Streets:

The suitability of existing streets for access to the proposed subdivision and/or for incorporation into the proposed subdivision's street system shall also be considered. A street may be considered suitable if:

- (a) The street is constructed of all weather material (e.g., concrete, asphalt, oil mat);
- (b) The paved area is at least 24 feet wide with a road bed 28 feet wide; and
- (c) The street has positive drainage.

If a proposed street or proposed use of an existing street fails to satisfy all of the criteria set forth in division (A) (3), the City Engineer, a representative of the Fire Department, and the Zoning Administrator shall make a recommendation as to whether the street is suitable for the proposed development and, if deemed unsuitable shall recommend improvements to be undertaken to make it suitable.

(4) Police Protection:

In determining the suitability of land for subdivision purposes, the distance that police would have to travel to respond to a call for service shall be considered.

(B) Other Requirements. Land proposed to be subdivided must meet the following requirements:

(1) Development shall not be located in a one hundred year floodplain or flood prone area.

(2) Development shall not be located in any environmentally sensitive area unless the Subdivider can show that environmental impacts can and will be mitigated prior to development.

(3) The site shall be of a shape, size and terrain so that usable lots and streets in conformance with this Ordinance can and will be created.

(4) Development shall not significantly conflict with existing use of adjacent property (waste water treatment plants, power plants, major industrial plants, landfills, certain agricultural uses, etc.) unless it is shown that factors which cause the conflict can and will be mitigated prior to development.

(5) Development shall not cause major off-site impacts and problems relating to, but not limited to, streets, drainage water system, and parks. If it is determined by the Planning Commission that major off-site impacts will result prior to development, the Subdivider shall mitigate the portion of the impact caused by the subdivision.

(6) When soils in the area to be developed have severe limitations for building site development or sanitary facilities as determined by the Natural Resources Conservation Service, the Subdivider shall submit information indicating how these limitations will be addressed.

(7) Installation of electric, gas, cable and other applicable utility lines and infrastructure to each building site within the subdivision must be available.

**SECTION 35: CONSTRUCTION STANDARDS.**

Unless stated otherwise in this ordinance, all construction of public improvements shall be performed in accordance with the latest revised edition of: (1) the State of Illinois Standard Specifications for Road and Bridge Construction adopted by the Illinois Department of Transportation, and (2) the Standards Specifications for Water and Sewer Main Construction in Illinois. If a Subdivider faces a construction issue for which standards are not provided by either of the above-referenced works, the Subdivider shall seek and abide by the determination of the City Engineer. Where installation of any utility infrastructure, including water and sewer lines, requires that lines be installed under roadways or other public improvements, such lines shall be installed prior to construction of such public improvements.

**SECTION 36: RIGHT-OF-WAY OF STREETS.**

(A) The minimum width of a street right-of-way (R-O-W) shall not be less than the following:

- |    |                        |                    |
|----|------------------------|--------------------|
| 1. | Major Arterial         | 110-210 feet R-O-W |
| 2. | Minor Arterial         | 80-100 feet R-O-W  |
| 3. | Collector Street       | 60 feet R-O-W      |
| 4. | Local Street           | 50 feet R-O-W      |
| 5. | Alley                  | 20 feet R-O-W      |
| 6. | Existing Road District | 80 feet R-O-W      |

(B) Additional rights-of-way may be required as determined by the City Engineer for drainage, slope, maintenance or other reasons not directly related to street classification.

(C) For subdivisions that adjoin existing streets, additional rights-of-way shall be dedicated, as needed based on the determination of the City Engineer, to meet the above requirements.

**SECTION 37: STREET DESIGN.**

The following requirements shall be incorporated into the design of all streets:

(A) Vertical Alignment

Grades. The maximum grade on a major or minor arterial shall be five (5) percent. The maximum grade on all other streets shall be eight (8) percent. The minimum grade on all streets shall be 0.40 percent. All street grades shall be subject to the approval of the City Engineer.

(B) Horizontal Alignment.

(1) Horizontal Curves. When a center line deflection angle is greater than one (1) degree, the following curves shall be required in the street: major and minor arterials and collector streets shall have a minimum center line radius of 300 feet and a minimum length of curve of 100 feet; arterials and collectors having a design speed and/or expected posted speed greater than thirty (30) miles per hour shall be consistent with the latest revision of the Horizontal Curvature requirements of AASHTO: A Policy on Geometric Design of Highways and Streets for the appropriate roadway classification; all other types of streets shall have a minimum center line

radius of 100 feet. The pavement in all cases shall be wide enough to allow the movement of a WB-50 Design vehicle, as described in the State of Illinois, Department of Transportation Design Manual.

(2) Intersections. Intersections of major and minor arterials and collectors with roadways of the same classes shall not be closer than one quarter (1/4) of a mile from any other such functionally classed roadways' intersections. These intersections shall be located at the quarter mile grid points.

(3) Street Offsets. Street centerline offsets shall not be less than 125 feet, unless otherwise warranted to the satisfaction of the City Engineer.

(4) Curb Corners. All curb corners shall have a minimum radius of twenty-five (25) feet.

(C) Pavement Standards.

(1) All local and collector streets shall be installed in accordance with the following pavement standards:

(a) Subgrade: 12" lime stabilized soil per latest IDOT Standard shall be employed within the street area.

(b) Asphalt: Pavement Alternatives:

Alternative A. If the subgrade is treated as in above, the pavement design will consist of 4" of bituminous concrete binder course, Class I (A Binder) and 2" of bituminous concrete surface course, Class I (Gradation of course aggregate to be CA 16)

Alternative B. If the subgrade is not lime treated, the pavement shall consist of 5" bituminous concrete binder course, Class I (A Binder) and 2" of bituminous concrete surface course Class I (Gradation of course aggregate to be CA 16)

Alternative C. Class A-3 if oil and chip is used, must be designed for a 20 year period pursuant to the specifications of the latest revised State of Illinois Department of Transportation Manual. See State of Illinois IDOT design manual for a 20 year period.

All subgrades shall be inspected by the City Engineer and if deemed necessary by the City Engineer, proof rolled prior to paving.

(2) If the street is a minor arterial, the above binder and surface shall be increased to 6" and 2" for the lime treated and 8" and 2" respectively for the non-lime treated subgrades.

Concrete: Pavement Alternative

Regardless if the subgrade is treated, a minimum of 6" unreinforced Portland Cement Concrete pavement according to Section 408 of IDOT specs shall be employed. All transverse contraction joints shall be 15 feet and sealed per ASTM D3405.

If the street is a minor arterial, the pavement shall be increased to 8". All transverse contraction joints shall be 20 feet and sealed per ASTM D3405.

Pavement Design.

1. All major arterial pavements shall be designed for a 20-year period in accordance with the requirements contained in the latest, revised edition of the State of Illinois DOT Design Manual. The minimum requirements listed in the tables of the Design Manual shall govern at all times.

2. An Illinois Bearing Ratio of 3.0 (IBR = 3.0) shall be used in pavement design unless the Subdivider's engineer submits soil tests justifying a different IBR.

3. Vehicular traffic volumes and vehicle classification percentages used in the design shall be approved by the City Engineer.

In all cases the minimum street will govern if the above major arterial design is less.

(D) Pavement Width.

All streets shall be improved with pavements to an overall width in accordance with the following general guidelines, which are subject in every case to the discretion of the City.

<u>Type of Street</u>	<u>Pavement Width</u> (edge to edge)
Major Arterial	40 feet minimum and as required by IDOT
Minor Arterial	32 feet minimum
Collector Street	30 feet minimum
Local Street	30 feet minimum

The minimum pavement width shall be thirty (30) feet from the edge of pavement to edge of pavement, not including the curb and gutter. Variations in pavement width may be granted by the Planning Commission based upon anticipated traffic volumes and parking demand. The appropriate pavement width shall be determined by the Planning Commission and the City

Engineer. If the Planning Commission authorizes a pavement width narrower than the above stated minimum, the Subdivider shall install No Parking signs at his expense.

(E) Curb and Gutter.

(1) The standard curb and gutter required adjacent to flexible pavement shall be a mountable type constructed of Portland cement concrete with the following dimensions: 24" wide, 8" thick on the front face (pavement side), 10" thick on the back face, 7" thick at center line (flow line), and a 10" radius in the flow line. The curb and gutter adjacent to concrete pavement, if poured monolithically, may be limited to the thickness of the pavement.

(2) In subdivisions proposed to have streets with an anticipated daily traffic volume of 2,500 or more, a barrier type curb and gutter similar to Type B6.18 as described in the State of Illinois Department of Transportation Highway Standards shall be used. A barrier type curb and gutter shall also be required in any location at which the City Engineer determines such curb and gutter are necessary.

(F) Pavement Crown.

The minimum crown used on all pavements shall be one quarter (1/4) inch per foot measured from the edge of the pavement to the centerline of the street.

(G) Cul-De-Sac Streets.

Local streets that are also cul-de-sac streets shall be no more than six hundred (600) feet long unless necessitated by topography in which case they shall be no longer than one thousand (1,000) feet unless provision is made for an interim turnaround with a radius sufficient to accommodate emergency vehicles and/or a median entrance. A turnaround shall be provided at the closed end having an outside roadway diameter of at least eighty-six (86) feet edge to edge of pavement and a street right-of-way diameter of one hundred ten (110) feet. No obstructions shall be permitted in the cul-de-sac turnaround. A cul-de-sac street over 1000 feet in length must be equipped with a special flushing hydrant.

(H) Stub Streets.

Access shall be provided to adjoining property not yet subdivided. Stub streets in the location of any proposed streets shall be extended by dedication to the boundary of such unsubdivided property. At the end of all temporary stub streets, a barricade meeting the provisions of the Illinois Manual on Uniform Traffic Control Devices shall be installed by the Subdivider. Stub streets in excess of 250 feet shall be provided with a temporary cul-de-sac with an outside roadway diameter of at least ninety (90) feet. The type of construction shall be determined by the City Engineer. The Subdivider shall dedicate a temporary easement to the appropriate street authority in the amount needed in excess of the normally required right-of-way for the temporary turnaround. When the street is extended, the extra turnaround pavement shall be removed and curb, gutters, and sidewalks shall be constructed in accordance with the

requirements of this ordinance by the Subdivider who constructed the temporary stub street or by the individual who subsequently extends the street.

(I) Multiple Access.

Any area of development containing 20 or more single family lots (or equivalent population) shall be served by two (2) functioning points of access. Where higher densities of development are proposed, a divided type entrance roadway may be constructed with a median of adequate width to ensure continued emergency access lanes on one side. Depending on location and height of nearby poles or trees, the required median width shall range between 12 and 30 feet. This type of roadway construction is intended to accommodate higher density developments and not to increase the overall length of a cul-de-sac.

(J) Restriction of Access.

When a subdivision or a portion of it adjoins a major or minor arterial, no lot shall have direct access to the arterial. Such adjoining lot shall have adequate depth for screen planting on the portion of the lot contiguous to the major or minor arterial.

(K) Street Names, Street Signs, and house or building numbers.

(1) All proposed subdivision street names must be approved by the Zoning Administrator and streets shall be named so as to be consistent with and not duplicative of the names of existing City streets.

(2) Street name signs shall be erected at all intersections within the City's jurisdiction at the expense of the Subdivider and shall comply with the specifications of the Illinois Manual on Uniform Traffic Control Devices.

(3) The Subdivider shall notify the local post office and the Menard County Emergency Telephone System Board (hereinafter referred to as "ETS Board") of the number and location of lots created by the subdivision. The Subdivider shall establish address numbers in accordance with the standards of the National Emergency Number Association. All address numbers must be approved by the Zoning Administrator.

(M) Alleys.

Alleys are not recommended in residential subdivisions unless deemed necessary by the Planning Commission.

(N) Ramps.

Where sidewalks cross a barrier type curb and gutter as described in division (E) of this section, ramps shall be constructed to accommodate the handicapped. These ramps shall be constructed to the lines and grades established by BDE Manual, ILMUTCD and BLR Manual,

Section 41-6, Illinois Department of Transportation. Inlets for storm drainage shall not be located so that a pedestrian way will be interrupted by the inlet grates. The City Engineer may also require a Subdivider to install such ramps in any other location he or she deems necessary.

(O) Typical Street Section

**(Appendix B)**

(P) Medians and Islands.

Where medians or islands are proposed they shall be constructed with barrier curbing. All medians and islands shall be the responsibility of the Subdivider and/or a subdivision association to maintain. Any signs placed in the median shall comply with the provisions of the City Zoning Ordinance regulating signs.

The Subdivider or subdivision association may landscape medians or islands. Ground cover may not exceed a maximum height of 12". Any additional living plant material must be maintained to allow visibility across, over or through medians and islands at a height of 3-10 feet above the adjacent roadway pavements.

(Q) Fire Protection. Roadways shall have an all weather driving surface (minimum oil and chip) with 20 feet of unobstructed width. Where a bridge is required to be used as a part of the most direct fire truck access route, it shall have a minimum vertical clearance of 13 feet, 6 inches and be constructed and maintained to carry the live loads imposed by fire trucks.

**SECTION 38: LOT AND BLOCK DESIGN.**

(A) Size of Lots.

Lots shall conform to the minimum size requirements of the applicable zoning jurisdiction in which the subdivision is located, except that when private sewage disposal systems are to be used anywhere within the subdivision, subdivision lots utilizing such systems shall be a minimum of 20,000 square feet.

(B) Lot Arrangement.

(1) Side lot lines shall be at right angles to straight street lines or substantially radial to curved street lines unless otherwise approved by the Planning Commission.

(2) Each lot shall front upon a public street and there shall be no private streets within a subdivision.

(3) Flag lots are prohibited unless the Planning Commission determines that such lots create no public health or safety problems or additional burden in providing municipal services.

(4) Through lots shall be permitted only when access is prohibited to one street as described in Sec. 37(J).

(5) All lots shall contain sufficient buildable area and comply with all applicable requirements of the City of Petersburg zoning ordinance.

(C) Sizes of Blocks.

Blocks shall not be less than four hundred (400) feet, nor more than twelve hundred (1,200) feet, in length measured along the greatest dimension of the enclosed block area. In blocks over eight hundred (800) feet in length, the Planning Commission may require one or more public crosswalks with a right-of-way of not less than ten (10) feet in width to extend entirely across the block at locations deemed necessary at intervals not closer than four hundred (400) feet.

(D) Survey Monuments.

All survey monuments shall be located and be made of the appropriate material as required by State law.

(E) Lot Grading.

(1) Trees that cannot be saved, stumps, boulders, and similar items shall be removed from all subdivision lots..

(2) All grading in the subdivision shall be related to the topography of the surrounding area.

(3) All building lots shall be graded or have natural slopes that will properly allow surface drainage to flow away from the principal structures to be located on the lot.

(4) Grading in the subdivision shall provide alternate drainage ways for the purpose of carrying water away from homes and preventing damage during periods of heavy rainfall.

**SECTION 39: EROSION AND SEDIMENT CONTROL.**

(A) During construction of public improvements, measures shall be taken to control erosion and sedimentation to insure that sediment will not be transported from the site by a storm event of two-year frequency or less. The erosion and sediment control plan shall include measures to stabilize and protect disturbed areas, keep runoff velocities low, retain sediment on

site and protect disturbed areas from runoff. The location, type and configuration of controls such as swales, berms, dams, sediment basins and release mechanisms shall be included with the construction plans.

(B) Temporary or permanent soil stabilization measures, whichever is applicable, shall be applied within 15 days after final grading to all areas where the soil has been disturbed or the vegetative cover removed. Seeding mixtures and rates, types of sod, method of seed bed preparation, expected seeding dates, type and rate of lime and fertilizer application and kind and quantity of mulch for temporary or permanent vegetative control measures shall be included with the construction plans.

**SECTION 40: UTILITY EASEMENTS; LOCATION OF UTILITIES.**

(A) Utility Easements.

(1) Utility easements shall be provided along front, rear or side lot lines for the purpose of erecting and maintaining one or more of the following facilities: water main, storm sewers, sanitary sewers, surface drainage, gas mains, underground electric lines, telephone lines, cable TV and other such utilities reasonably required for an urban structure.

(2) Easements shall be a minimum of ten (10) feet in width. A particular utility line may be located within the street right-of-way if an applicable utility provider so desires and appropriate permits have been obtained.

(3) Alternate locations for various utilities shall be decided upon by the appropriate utility companies, subject to the approval of the City Engineer. In no case shall streets, permanent buildings, or other man-made improvements that obstruct surface drainage be placed on rear or side lot easements.

(4) It is the responsibility of the Subdivider to notify all utility companies in writing when the land to be developed has been graded in accordance with the construction plans and is ready for installation of a given utility.

(B) Location of Utilities

(1) Utilities (sewers, electric lines, telephone lines, cable, fiber optic, water lines and gas lines), whenever possible, shall be located in the public right-of-way or front lot easement in the following manner: water and electric lines shall be located on the south and east sides of the adjacent street; sanitary sewer and gas lines shall be located on the north and west sides of the adjacent street.

(2) All underground utilities crossing a roadway will be installed and terminated at each lot prior to road construction and construction.

- (3) Storm sewers and electric lines shall not be placed in the rear of a lot except with the approval of and in the manner determined by the City Engineer.

**SECTION 41: SURFACE WATER DRAINAGE.**

(A) All subdivisions shall be developed with adequate surface drainage. Surface water drainage improvements shall consist of storm sewers and/or open channels, inlets, catch basins, and manholes designed and constructed to conform with standards established by the City Engineer and shall adequately drain the area being developed, including drainage from other areas which naturally drain into or through the areas being developed. Inlets and/or catch basins shall be spaced so that water will not flow overland more than 500 feet and shall be located so that in no case will water be required to flow across a street. Water shall not be retained outside the center ten (10) feet of any drainage utility easement. Inlets covered by a metal grate shall have a grate of a type that will not be hazardous to a bicyclist or a wheelchair.

(B) If, as the result of subdivision development, surface water is or will be deposited in existing roadside ditches in quantities exceeding their capacity prior to approval acceptance of the relevant roads, ditches and culverts, the Subdivider shall improve the ditches and replace culverts as needed to handle the flow.

(C) Unless an exception is recommended by the City Engineer based upon engineering evidence presented by the Subdivider, storm sewers which will drain twenty (20) acres or less for residential development shall be designed and constructed to adequately manage water flows as indicated below:

Major and minor arterials - 25 year storm frequency

All other areas - 10 year storm frequency

(D) It shall be the responsibility of the Subdivider to provide grade control for rear lot drainage to each lot owner. Swales are not public works and shall not be dedicated to and accepted by the City; nevertheless, no construction surety shall be fully released and the public improvements dedicated to the City shall not be accepted until the City Engineer has approved the swales in the subdivision. The City Engineer will not approve any swale until adequate turf and/or grass has been established at the elevations set forth in the construction plans. Upon approval by the City Engineer, it shall be the lot owner's responsibility to maintain the drainage course and to keep it free from features that restrict natural drainage. All swales less than 1% in grade shall have either of the following: (1) An 8" minimum underdrain pipe that allows water seepage as indicated on the drawing entitled "Detail of Yard Underdrain" attached hereto as Appendix A-5; or (2) a portland cement concrete swale, 5" thick, as indicated on the drawing entitled "Paved Ditch Detail" attached to this Ordinance as Appendix A-6.

End sections shall employ a grated cover, except no such cover shall be required on an underdrain pipe 36" or larger.

(E) The controlled release and storage of excess storm water runoff shall be required in combination for all of the areas indicated on the preliminary plan.

(1) The controlled release of storm water runoff shall not exceed the release or discharge rate which existed at the site prior to development. This rate shall be known as the pre-developed discharge rate. In the case of multiple discharge locations, no location shall discharge at a rate higher than the pre-developed discharge rate for that location under any set of conditions. The controlled release rate in any case shall not exceed the rated capacity of the existing natural downstream outlet channel or storm sewer system as determined by the City Engineer. The rate at which storm water runoff is transported into a designated storage area may be as determined by the design engineer and is unrestricted.

(2) A natural or surface channel system shall be designed with adequate capacity to convey the storm water runoff from all tributary upstream areas through the development. This by-pass channel shall be designed to carry the peak rate of runoff from a 50-year storm assuming all storm sewers are blocked and that the upstream areas are fully developed and have been saturated with antecedent rainfall. No habitable structures shall be constructed within this channel, however, streets and parking or playground areas and utility easements shall be considered compatible primary uses.

(3) Storm water runoff capacity of detention facilities and discharge rates from such facilities shall be calculated by analyzing volume and rate of runoff during pre- and post-development conditions for the 10-year and the 100-year recurrence intervals.

Storage capacity and discharge rates shall be based on the maximum calculated volume and peak flow of storm waters, respectively.

Storage facilities shall be designed using the National Resource Service (NRSC) method of calculating runoff discharge rate and total volume of storage. The rational method of calculating runoff may be used for subdivisions less than 20 acres.

The storage volume shall be provided for the fully developed watershed that is tributary to the area designated for detention purposes. The control structure for discharge shall maintain the release rate at or below the rate established in subsection (1) for all rainfall events of 100-year or less frequency.

(4) Detention reservoirs or bottom storm water storage areas shall be designed to serve a secondary purpose for recreation, open space or other types of uses that will not be adversely affected by occasional or intermittent flooding. A method of carrying the low flow through these areas shall be provided in addition to a system of drains, and both shall be provided with a positive gravity outlet to a natural channel or other storm sewer facility with adequate capacity. The combination of storage of the water from a 100-year storm and the design release rate shall not result in a storage duration in excess of seventy-two (72) hours. Maximum depths of planned storm water storage shall not exceed four feet (4') unless the City Engineer determines

that the existing natural ground contours and other conditions will allow greater storage depth, which shall be approved by the City Engineer. Minimum grades for turf areas shall be 0.6% and maximum slopes shall be ten percent (10%). Storage area side slopes shall be kept as close to the natural land contours as practical and a ten percent (10%) slope or less shall be used whenever possible. If slopes greater than ten percent (10%) are necessary to meet storage requirements or area restrictions, approval shall be obtained from the City Engineer, and suitable erosion control shall be provided in addition to any other protection required to insure public health and safety.

Outlet control structures shall be designed as simply as possible and shall require little or no maintenance and/or attention for proper operation. Each storm water storage area shall be provided with a method of emergency overflow in the event that a storm in excess of the 100-year return frequency storm occurs. The emergency overflow facility shall be designed to function without maintenance and/or attention and shall become part of the natural or surface channel system described in a preceding paragraph. Hydraulic calculations shall be submitted to substantiate all design features. Both outlet control structures and emergency overflow facilities shall be designed and constructed to fully protect the public health and safety. Storm water runoff velocities shall be kept to a minimum and turbulent conditions at an outfall control structure will not be permitted without complete protection for the public safety. The use of restrictive fences shall be kept to a minimum and shall be used only as a last resort when no other method is feasible.

(5) Retention reservoir or wet bottom storm water storage areas shall be designed with all of the items required for detention reservoir storage areas except that a low flow conduit and a system of drains with a positive gravity outlet shall not be required. However, the retention reservoir or storage area shall comply with the following additional conditions:

(a) Water surface area shall not exceed one-tenth (1/10) of the tributary drainage area;

(b) Shoreline protection shall be provided to prevent erosion from wave action;

(c) Minimum normal water depth shall be four feet (4'). If fish are to be used to keep the pond clean, a minimum of one-fourth (1/4) of the pond area shall be a minimum of ten feet (10') deep;

(d) Facilities shall be available, if possible, to allow the pond level to be lowered by gravity flow for cleaning purposes and shoreline maintenance;

(e) Control structures for storm water release shall be designed to operate at full capacity with only a minor increase in the water surface level. Hydraulic calculations shall be submitted to the City Engineer to substantiate all design features; and

(f) Aeration facilities to prevent pond stagnation shall be provided, if deemed necessary by the City Engineer. Design calculations to substantiate the effectiveness of

these aeration facilities shall be submitted with construction plans. Agreement for the perpetual operation and maintenance of aeration facilities shall be prepared to the satisfaction of the City Engineer and Planning Commission.

(6) Where developments form only a portion of the watershed or contain portions of several watersheds, the requirements for providing storage shall be based upon that proportion of the area being developed as compared to the total watershed tributary to the storage area. Compensating storage will be acceptable whenever it is justified and feasible. As a watershed is developed with a series of storm water storage facilities, due consideration will be given for calculations of the allowable release rate and capacity of the natural or surface channel system as described in Sec. 38(E)(2).

(7) Where development of a property presents the threat of flooding or damage by flash flood runoff to downstream residents, the facilities for storm water runoff control shall be constructed prior to any earthmoving or drainage construction on the project site.

(8) The construction of the storm water control systems shall be accomplished as part of the cost of land development. If the amount of storage capacity can be increased to provide certain benefits to the surrounding properties, negotiations for public participation in the cost of such development may be feasible.

(9) Retention and maximization of the ground water recharge capacity of the area being developed is encouraged. Design of the storm water runoff control system as provided in Sec. 38(E)(4) shall give due consideration to providing ground water recharge to compensate for the reduction in the percolation that occurs when the ground surface is paved and/or roofed over. The use of natural gravel deposits for the lower portions of storm runoff storage areas, the flattening of drainage slopes and the retention of existing topography are samples of possible recharge methods.

(10) During the construction phase of land development, facilities shall be provided by appropriate stock-pile design, to prevent the erosion and washing away of the earth. Silting of downstream areas shall be prevented through the strategic use of silting basins, sodding of runoff channels, and by limiting the period of time during which the earth is stripped of vegetation.

(11) Final engineering plans shall show complete details for all items covered in this Section. Engineering plans, specifications and all calculations for storm water runoff control and storm sewers shall be submitted for review and approval as part of the construction plan submittal or as part of the site plan submittal for large scale developments.

#### **SECTION 42: BACKFILL OVER UNDERGROUND UTILITIES**

(A) Where an underground utility is to be placed in an area which has a permanent type street or sidewalk surface, or upon which such a surface is to be constructed within a period of one (1) year, the backfill above the utility or in case of sewers, above the top of the granular

cradle, to the level of the bottom of the permanent type pavement shall be made. This material must be used in all areas where utility trenches cross the pavement sub grade except in areas which will be lime treated or areas where rock will be used to stabilize the sub grade. The backfill shall be IDOT CA-6 or CA-7 crushed stone. Boiler slag will not be permitted.

(B) As an alternate, the use of "flowable fill" will be permitted. This mix shall consist of a lean concrete mix with no less than 50 lbs of cement per cubic yard, 200 to 600 lbs. of fly ash, 2000 to 3000 lbs. of fine aggregate and 35 to 65 gallons of water. Minimum 28 day compressive strength shall not be less than 150 psi.

#### **SECTION 43: SIDEWALKS.**

Concrete sidewalks at least four (4) feet wide and four (4) inches thick shall be constructed on both sides of each street at least four and one-half (4.5) feet from and at least four (4) inches above the backs of the curbs. Sidewalks shall be located one (1) foot inside the street right-of-way. Sidewalks shall also be constructed along all streets bordering the subdivision. All sidewalks along arterials and minor arterials shall be five feet wide. All sidewalks at corner lots shall be extended out to the gutter(s) either by a common extension at the center or by continuing at right angles to the gutter.

#### **SECTION 44: SEWAGE DISPOSAL.**

(A) Sanitary Sewers. Sanitary sewer service shall be used within all subdivisions where such service is currently available. Where a subdivision is located within the service area of a public sanitary sewage system, sanitary sewers shall be constructed throughout the entire subdivision in such a manner as to serve adequately each building lot.

(B) Installation specifications.

(1) Public sanitary sewers shall be located in the north or west boulevard (between curb and sidewalk) within the street right-of-way or in a 15' easement behind the sidewalk within the building setback area. Parallel sewer lines along the street may be used. Sanitary sewers shall not be located in the rear yard.

(2) Under no circumstance shall the entrance of storm water or ground water to the sanitary sewers be permitted.

(3) All sanitary sewer collection and disposal systems shall comply with the ordinances of the City of Petersburg, the policies of the Petersburg Water-Sewer Department and the requirements of the Illinois Environmental Protection Agency.

(4) Sanitary sewers shall be 8 feet to 10 feet deep or construction of a pumping station will be required.

(C) Construction materials. Sanitary sewer pipes and materials used by the Subdivider must be deemed acceptable by the Petersburg Water - Sewer Department and shall consist of:

(1) Polyvinyl Chloride (PVC) composite sewer pipe conforming to ASTM D 2680 with solvent weld or gasketed joints; or

(2) PVC sewer pipe conforming to ASTM D 3034, type PSM for sizes 4" - 15" and ASTM F-679 for sizes 18" - 27". Minimum acceptable SDR shall be 35; or

(3) All field tiles encountered during construction shall be reconnected and/or rerouted.

(4) All sanitary sewers shall be inspected in a manner approved by the City Engineer and copies of all reports and/or images obtained through such inspection shall be provided to the City.

NOTE: All sanitary laterals will be marked by using a 2" X 4" (painted orange) board 4' above the ground to denote location of service lines.

(D) Private Sewage Disposal Systems. If sanitary sewer service is not currently available but the Petersburg City Council determines that sewer service will be available within a reasonable period, the land may be deemed suitable for subdividing if:

(1) The Subdivider shall install the lines and other infrastructure necessary to provide sanitary sewer service to each building site within the subdivision; and

(2) On-site sewage disposal facilities will be provided until such time as sewer service is made available by the City.

On site sanitary disposal systems shall be installed in accordance with the latest revised edition of the Illinois Private Sewage Disposal Licensing Act and private sewage disposal code promulgated by the Illinois Department of Public Health. Sufficient area shall be provided within each lot to accommodate two (2) seepage fields.

**SECTION 45: WATER SUPPLY.**

(A) Water Service Installation. The Subdivider shall install the lines and other infrastructure necessary to provide water service to each building site within the subdivision.

(B) Public Water Supply. Where available, all lots within a proposed subdivision shall be served by an Illinois Environmental Protection Agency approved public water supply. Private wells may be permitted for developments outside the City if the Subdivider can demonstrate that it is not feasible to extend water mains to the land proposed to be subdivided. As a minimum guideline, the extension of 120' +- of water main per lot of the preliminary plan shall be deemed feasible. This distance shall be measured between the nearest existing suitable public water main

and the proposed development. Mains within the development shall not count toward this extension footage. Private wells shall be constructed according to the Illinois Water Well Pump Installation Code.

(C) Water Supply Construction. Water mains not less than six inches (6") in diameter shall be constructed throughout the entire subdivision. Larger diameter pipes may be required by the City to provide for future transmission needs, in which case, the City shall pay any additional costs.

(D) Fire Protection. Every water supply system shall be designed in such a manner as to provide an area fire flow meeting the requirements established by the Fire Department and the Insurance Service Office "Guide for Determination of Required Fire Flow." A minimum of 1,000 gallons per minute with a residual pressure of twenty (20) pounds per square inch shall be required. Fire hydrants with shut-off valves at each hydrant shall be installed throughout the entire system at maximum intervals of six hundred (600) feet or less as required by the Fire Department. All fire hydrants shall be three (3) nozzle hydrants with threads as specified by the Fire Department and shall have flow characteristics similar to those of a five and a quarter (5 3/4") inch hydrant valve.

#### **SECTION 46: ELECTRICITY DISTRIBUTION.**

An underground electric distribution system shall be installed on utility easements along front lot lines. Transformers shall normally be placed on every other lot line on one side of the street with secondary conductors and distribution pedestals installed on the opposite side of the street. In some instances, transformers may be installed on both sides of the street. All primary and secondary cables shall comply with updated standards of the applicable service provider, subject to the approval of the City Engineer.

#### **SECTION 47: STREET LIGHTING.**

- (A) The Subdivider shall plan for and provide adequate lighting of public streets within the subdivision in accordance with the standards and requirements of the applicable electric utility subject to the approval of the City Engineer.
- (B) Street lights shall be provided with a maximum spacing of 300 feet and should be placed on poles made of concrete, steel, aluminum or other materials approved by the City Engineer, and connected by underground wiring.

#### **SECTION 48: PUBLIC AREAS AND OPEN SPACE.**

Due consideration shall be given to the allocation of areas suitably located and of adequate size for playgrounds and parks for local or neighborhood use as well as public service areas.

#### **SECTION 49: LANDSCAPE DEVELOPMENT.**

(A) All unpaved or otherwise unimproved areas within the public rights-of-way or public use areas, should be graded and seeded in an approved manner.

(B) Street trees should be provided by the Subdivider along all streets where trees do not exist. The trees should be of a species suitable for local soil and climate conditions, adapted to street use and at least 2 ½ inch caliper. At street corners, the trees should be located at a minimum of 25 feet from the intersection of the street right-of-way lines, otherwise they should be located so as not to interfere with utilities or sidewalks and placed 40 to 50 feet apart. The trees should be placed in the grass area between the curb and sidewalk, unless this space is less than six feet wide, in which case the trees should be planted on the lots.

(C) Informal planting of street trees in accordance with an approved landscape development plan may be permitted.

(D) All residential lots should have an appropriate cover of undisturbed existing vegetation, seeding, fresh cut sod, plugs or spot sod.

## **CHAPTER 8: TRACT SURVEY**

### **SECTION 50 PURPOSE.**

- (A) Tract survey approval shall be required as set forth in Sec. 5.
- (B) Tract survey approval is designed to insure that all divisions of land comply with the State Plat Act, this Ordinance and applicable zoning regulations.

### **SECTION 51 SUBMISSION AND REVIEW**

(A) When a tract survey is required by this Ordinance, the Subdivider shall submit to the Zoning Administrator a land survey of the tract involved accompanied by certification from a professional Illinois Land Surveyor, together with the surveyor's seal, attesting to the accuracy of the survey. The Subdivider shall submit two (2) copies of the required documents to the Zoning Administrator, accompanied by a fee of \$100.

(B) The Zoning Administrator shall review the survey to ensure that it conforms to the requirements of this Ordinance and applicable zoning regulations. The owner shall be notified of tract survey approval or disapproval within five (5) working days.

(1) Disapproval. If the Zoning Administrator finds that the tract survey does not meet the requirements of this code, the disapproval and noncompliance found shall be specified in writing. Disapproval by the Zoning Administrator may be appealed to the Planning Commission in writing within ten (10) days of receipt of such disapproval. The Planning Commission shall consider the Zoning Administrator's decision of disapproval at a public meeting held within thirty (30) days after receipt of the appeal. If the Planning Commission votes to uphold the the Zoning Administrator's disapproval, the Subdivider can further appeal the decision of the Planning Commission to the City Council under the same procedures as provided for appeal to the Planning Commission.

(2) Approval. If the Zoning Administrator finds that the tract survey does meet the requirements of this code, the signed certification of the Zoning Administrator's approval shall be affixed to the tract survey. The Zoning Administrator shall retain one copy of the approved tract survey on file.

### **SECTION 52 RECORDING THE TRACT SURVEY.**

After the tract survey has been approved, the original shall be recorded in the Office of the Recorder of Deeds of Menard County, Illinois. Recording shall be made by and at the expense of Subdivider. If the tract survey is not recorded within 180 days of Zoning Administrator's approval, the approval shall be null and void.

**CHAPTER 9:  
PROCEDURE AT PUBLIC HEARINGS; VARIATIONS;  
REVIEW OF ADVERSE DECISIONS; PENALTY;  
EFFECTIVE DATE; PUBLICATION**

**SECTION 53 PROCEDURE AT PUBLIC HEARINGS.**

The rules for conducting the public hearings provided for in this Ordinance shall be published by filing the same in the office of the City Clerk.

**SECTION 54 VARIANCE OF SUBDIVISION REQUIREMENTS.**

(A) A Subdivider may request a variance of the requirements of this Ordinance. Application for a variance shall be made in writing and submitted when the need for a variance becomes evident, but in no case later than the time the preliminary plan is reviewed by the Planning Commission. Variance applications shall clearly state the provisions to be varied and the reasons why the variance is needed.

(B) If, as a result of changes imposed by the Planning Commission at its preliminary plan review meeting, the Subdivider desires a variance, it may be requested orally at that meeting.

(C) The Planning Commission shall recommend approval or disapproval of the requested variance by the City Council. Along with its recommendation the Planning Commission shall transmit findings to the City Council as to whether the requested variance complies with the following requirements:

- (1) The intent of this ordinance is maintained;
- (2) Extraordinary circumstances of topography, title, adjacent development or other circumstances not provided for in the ordinance exist;
- (3) The extraordinary circumstances will result in a hardship, not merely an inconvenience;
- (4) The circumstances upon which the request for variance is based are not common to most other tracts of land;
- (5) The circumstances upon which the request for variance is based are not the result of the Subdivider's affirmative act or failure to act; and

- (6) The purpose of a variation is not based exclusively on the desire to eliminate development costs at the expense of the public improvement standards as outlined in this Ordinance.

(D) When the City Council considers the preliminary plan it shall consider the requested variance. The City Council may, if it finds that the requirements of subsection (C) are met, approve the plan with the requested variation; or it may require conditions to the variation if it believes the conditions are in the public interest; or it may in its discretion deny the variation and insist on the literal application of this Ordinance.

**SECTION 55 PENALTY.**

Any Subdivider who violates any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed \$750.00. Each day that a violation of this Ordinance continues shall constitute a separate and distinct offense and shall be punishable as such.

**SECTION 56 REPEALER; PUBLICATION; EFFECTIVE DATE.**

The 1981 Subdivision Ordinance of the City of Petersburg is hereby repealed. This Ordinance shall be effective upon its passage and publication as required by law. The Clerk shall forthwith publish this Ordinance.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

AYES:

NAYS:

PASSED:

APPROVED:

ABSENT:

**APPENDIX A: OUTLINE OF SUBDIVISION REVIEW PROCESS**

	# of Prints	Reviewed by	Fees	Deadline for filing
Preliminary Plan	11	Planning Commission City Council	\$250 Plus \$10.00 per Lot	None
Construction Plans	5	City Engineer	Inspection fee – 6% of estimate construction costs	30 days before submission of final plat
Final Plat	8	Planning Commission City Council	\$250	1 year after approval of preliminary plan
Tract Survey	2	Zoning Administrator	\$100	180 days