CHAPTER 31: SUBDIVISIONS

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Cross-reference:
As to plan commission generally, see §§ 2-119 to 2-126

Statutory reference:
For state law as to planning, zoning, etc., generally, see Ill. Rev. Stat. 1963, ch. 24, §§ 11-11-1 et seq.

ARTICLE I-A. GENERAL PROVISIONS
(Ord. No. 2005-08-3128)
§ 31-1.1 JURISDICTION.
The Glencoe subdivision code shall apply to every subdivision either within the corporate limits of the village or in unincorporated Cook County and within one and one-half miles of the village's corporate limits. Valid, binding boundary line agreements between the village and other municipalities may take precedence in establishing the village's jurisdiction in unincorporated areas within such one and one-half mile area.
(Ord. No. 2005-08-3128)
§ 31-1.2 DEFINITIONS.
When used in this chapter, the following terms shall have the definitions herein ascribed to them.

ABUT. To touch, to lie immediately next to, to share a common wall or lot line or to be separated by only a street, alley or drainage course.

APPLICANT. Any person undertaking the "subdivision" of land, as those terms are defined in this chapter, including, without limitation, all record owners and beneficial owners of the property that is the subject of the subdivision.

BLOCK. A tract of land bounded by streets or by a combination of streets, public lands, railroad rights-of-way, bulkhead lines or shorelines, waterways or boundary lines of the village.

BOARD OF TRUSTEES. The president and board of trustees of the Village of Glencoe.

EASEMENT. Authorization by a property owner for the use by another, for a specified purpose, of any designated area of his or her property. The term EASEMENT also refers to such a designated area.

ENGINEERING PLANS. Complete plans, specifications and analyses governing the design and construction of all required public improvements, including, without limitation, streets, sewer systems, water distribution and supply systems, lighting systems and landscaping.

(Ord. No. 06-09-3151)
FLAG LOT. An irregularly shaped zoning lot consisting of two parts:

(1) The primary mass of the lot (the "flag" portion) that is set back from the street access and is located behind one or more zoning lots; and

(2) A narrow access corridor (the "pole" portion) that extends for a distance of at least 65 feet from the street line toward the flag portion of the lot and at a width of less than 50 feet for the entire distance of the pole portion.

(Ord. No. 2006-11-3153)

IMPROVEMENT, PUBLIC. Any street, alley, public way, way for public service facilities, storm and flood water run-off system, storm sewer, channel, basin, sanitary sewer, septic system, water main, public grounds, planting strip, landscaping, off-street parking area or any other facility necessary in the determination of the village to provide a parcel with access to a public right-of-way or with utility service of any kind or with water, sanitary sewage treatment or disposal, storm water control or drainage or other necessary public service.

PERSON. Any individual, firm, corporation, partnership, joint venture, trust, trustee, estate, association or other similar legal entity, and any agent thereof.

PLAN COMMISSION. The Glencoe plan commission.

PLAT. The schematic representation of land divided or to be divided or consolidated or of rights-of-way to be established or vacated, prepared by a registered surveyor or engineer, that delineates property lines and shows monuments and other landmarks for the purpose of identifying property and rights-of-way.

PLAT OFFICER. The village manager or his or her duly authorized delegate or delegates.

PUBLIC IMPROVEMENT. See IMPROVEMENT, PUBLIC.

RECOMBINATION. The assemblage of real property comprising one or more existing zoning lots (as defined in the zoning code) or parts thereof and the subsequent subdivision of such assemblage of real property to yield more zoning lots than had existed prior to such assemblage; provided, however, that all of the real property so assembled was not in common ownership as of May 18, 2006.

(Ord. No. 06-20-3162)

REQUIREMENTS OF LAW. All applicable federal, State of Illinois and village laws, statutes, codes, ordinances, resolutions, rules and regulations and written administrative policies of the village.

RESIDENCE DISTRICTS. Those districts contained in the Glencoe zoning code, in force on the date of this ordinance, and all subsequent amendments.

RIGHT-OF-WAY. A strip of land occupied or intended to be occupied by a street or related facilities, public path or trail, railroad, electric line, oil or gas pipeline, water main, sanitary or storm sewer, or communications line or for other special uses.

STREET. The portion of a public or private right-of-way having a weight-bearing surface that affords a primary means of vehicular access to abutting properties, whether designated as a street, avenue, highway, road, boulevard, lane or throughway or however otherwise designated.

STREET, PRIVATE. A vehicular way situated within an outlot or private easement, not dedicated to or maintained by the village or any other government agency.

STREET, PUBLIC. A vehicular way located within a public right-of-way dedicated to or maintained by the village or any other governmental agency.

STREET WIDTH. The shortest distance between the faces of parallel curbs or outer parallel limits of the paved portion of a street.

SUBDIVISION. Any division, rearrangement, consolidation, change or resubdivision in the boundary or divisional lines of any parcel or parcels of real estate, or the creation of separate legally defined parts of a parcel, or the creation of, or change to, or rearrangement of the boundaries of, any public street; provided, however, that the requirements of this chapter applicable to subdivisions shall not apply to the sale or exchange of land between owners of abutting parcels that do not result in a change in the number of zoning lots nor cause either parcel

http://www.amlegal.com/nxt/gateway.dll/Illinois/glencoe_il/codeofordinances/chapter31su... 2/18/2014
to become non-conforming under village ordinances, provided further that such sale or exchange is recorded with the Cook County Recorder of Deeds and a copy of the recorded document is promptly delivered to the plat officer.

**SUBJECT PROPERTY.** The property that is proposed to be subdivided or consolidated under this chapter of the village code.

**VACATION.** The termination of, or termination of interest in, an easement, right-of-way or public dedication of land.

**VILLAGE.** The Village of Glencoe, Illinois.

**VILLAGE ENGINEER.** The village engineer of the Village of Glencoe or his or her duly authorized delegate or delegates.

**VILLAGE MANAGER.** The village manager of the Village of Glencoe.

(Ord. No. 2005-08-3128)

§ 31-1.3 WORD USAGE.

(a) **Tense.** Words used in the present tense shall include the future, and words used in the singular number shall include the plural number, and the plural the singular.

(b) **Shall.** The word **SHALL** is mandatory and not discretionary.

(c) **May.** The word **MAY** is permissive.

(d) **Gender.** The masculine gender includes the feminine gender and neuter.

(e) **Meanings.** Any term not defined in this chapter shall have the meaning given first in the Glencoe zoning code; then, if none, in any other applicable village code or ordinance; and then, if none, in *Webster's International Dictionary of the English Language*.

(f) **Text controlling.** In case of any difference in meaning or implication between the text of this chapter and any caption, illustration or table, the text shall control.

(g) **Computation of time.** The time within which any act required by this chapter is to be performed shall be computed by excluding the first day and including the last day, unless the last day is a Saturday or Sunday or a holiday declared by the United States Congress or the Illinois General Assembly, in which event it shall also be excluded.

(Ord. No. 2005-08-3128)

§ 31-1.4 CHAPTER DEEMED MINIMUM REQUIREMENTS.

In interpreting and applying the provisions of this chapter, such provisions shall in every instance be held to be the minimum reasonable requirements adopted for the promotion of public health, safety, comfort, morals and welfare of the people of the village.

(Ord. No. 2005-08-3128)

ARTICLE I-B. ADMINISTRATION

(Ord. No. 2005-08-3128)

§ 31-1.5 APPLICATION AND COMPLIANCE REQUIRED.

(a) **Subdivision.** No subdivision shall be undertaken within the jurisdiction defined in § 31-1.1 of this chapter except after approval of a completed application pursuant to this chapter and then only in compliance with the provisions of this chapter. The village will withhold all permits and authorizations as well as public improvements and services of whatsoever nature, including, but not limited to, the maintenance of streets and the finishing of sewerage facilities and water service, from all areas and parcels which have not been lawfully subdivided and have not met the requirements set forth in this chapter.

(b) **Recording; improvements.** No subdivision shall be filed for record, nor any public improvement made related thereto, until after approval thereof pursuant to this chapter.

(c) **Conveyances.** No lot, tract or parcel of land within any proposed subdivision shall be conveyed until such subdivision has been approved and recorded pursuant to this chapter.

(Ord. No. 2005-08-3128)

§ 31-1.6 REVIEW OF SUBDIVISIONS.

(a) No subdivision or plat of vacation shall be applied for except after a pre-application review by the plat officer in accordance with the standards and procedures set forth in § 31-1.20
of this chapter.

(b) All applications for approvals of plats of subdivision or plats of vacation shall be reviewed by the plan commission and the board of trustees in accordance with the standards and procedures set forth in §§ 31-1.21, 1.22 and 1.23 of this chapter, and the following additional general standards.

(Ord. No. 06-09-3151).

(1) The subdivision is consistent with the zoning code.

(2) The subdivision will not create a nonconforming building, nonconforming use or nonconforming lot, nor will the subdivision create, increase or extend any existing nonconformity.

(3) The subdivision will accommodate development on a lot that will comply with required setbacks and will not result in the substantial loss of existing trees or the significant alteration of the existing topography on the lot.

(4) The subdivision will not substantially modify or threaten the integrity of natural resources, including without limitation existing steep slopes, floodplains, wetlands, mature trees or the use of public open spaces.

(5) The proposed development of the subdivision will not result in an increase in the storm water release rate from the subdivision.

(6) The subdivision will be served by adequate sewer or water service, electric service, natural gas and other public or private utilities available within the village.

(7) The subdivision will dedicate easements or rights-of-way necessary to provide for current and future extension of public utilities and services.

(8) The existing public street system, and any proposed extension of that system, is sufficient to meet the projected traffic demand that will be created by the subdivision.

(9) The design of the proposed street improvements meets minimum village standards and does not exceed village standards in a manner that threatens the health, safety or welfare, such as by inducing excessive speed of travel or modifying traffic patterns in a manner inconsistent with street design capabilities or by unnecessarily displacing pervious open spaces.

(10) The subdivision will extend, or does not inhibit the extension of, the existing village street system and recognizes the interconnection of adjacent neighborhoods.

(11) The subdivision will provide appropriate access and turning movements for vehicles, and the proposed access is not so large so as to be inconsistent with the character of the neighborhood surrounding the subdivision.

(12) The development of the subdivision can be accomplished in a manner that does not unduly disrupt or damage public services or facilities.

(Ord. No. 2005-08-3128)

§ 31-1.7 MODIFICATIONS OF CERTAIN APPLICATION REQUIREMENTS BY PLAT OFFICER; ADDITIONAL AUTHORITY.

(a) The plat officer may modify or waive any requirement established in article I-C of this chapter applicable to an application for a preliminary or final plat of subdivision if the plat officer, in the exercise of his or her reasonable discretion, determines that such waiver is appropriate in light of all of the circumstances affecting the application, that compliance with the requirement being waived is inappropriate, unnecessary or unduly burdensome, and that such waiver will not have a detrimental impact on neighboring properties and on the plan commission's ability to adequately review the application for the subdivision nor will it be contrary to this chapter.

(b) The plat officer shall have administrative responsibility for implementing the provisions of this chapter. To this end, the plat officer may develop forms, practices and procedures consistent with the terms set forth in this chapter.

(Ord. No. 2005-08-3128)

§ 31-1.8 VARIATIONS.
Upon application to the plat officer, variations from the provisions of this chapter may be authorized by the board of trustees in accordance with the provisions of this section.

(a) **Statement of justification.** In applying for a variation from the provisions of this chapter, the applicant shall demonstrate in writing that each of the following criteria is satisfied:

1. The requested variation is in keeping with the overall purpose and intent of this chapter;
2. The grant of the requested variation will not impair the public health, safety or general welfare and will not contravene the goals of the comprehensive plan nor the intent of this chapter;

(Ord. No. 2006-11-3153)

3. The grant of the variation will not adversely impact adjacent properties; and
4. The situation of the applicant is not of a general or recurring nature for similarly situated properties within the village or within its jurisdiction.

(b) **Limitations on variations.** No variation granted pursuant to this section shall relieve an applicant from complying with every other requirement of law. Nothing provided in this section shall be construed or applied as authority of the board of trustees to vary any requirement of law other than the provisions of this chapter.

(c) **Conditions may be imposed.** In authorizing a variation, the board of trustees may impose such conditions regarding the location, character and other features of the proposed subdivision or development as it may, in its sole and absolute discretion, deem necessary in the public interest, and may require the posting of a performance guarantee to insure compliance with the conditions imposed.

(d) **Procedure for review of variation requests.** Applications for variations of the provisions of this chapter shall be reviewed concurrently with the related subdivision application, except as otherwise provided by the board of trustees on a case-by-case basis. Every such application for variation, however, shall be heard at a public meeting of the plan commission, which shall formulate a recommendation regarding such application for variation as part of its recommendation on the subdivision itself. Thereafter, the board of trustees shall consider the variation at a public meeting, but only after notice thereof given to the applicant in writing not less than five days nor more than 30 days before such public meeting. An application for a variation shall be deemed to be a waiver by the applicant of any prescribed time limitations on the plan commission or board of trustees in their respective reviews of the subdivision application affected by the variation request.

(Ord. No. 2005-08-3128)

§ 31-1.9 BUILDING PERMITS AND WORK AUTHORIZATIONS.

Except as specifically provided otherwise in writing by the board of trustees in an approved development agreement, annexation agreement or other agreement:

(a) **General prohibition.** No permit, authorization or approval shall be issued for any work within any subdivision until after final engineering plans for all required public improvements have been approved by the village as provided in this chapter, appropriate security has been posted as provided in § 31-1.17(e) of this chapter, and a plat of the subdivision as recorded in the office of the Cook County Recorder of Deeds has been filed with the plat officer; and

(b) **Minimum required public improvements.** No building permit for any habitable structure on any lot or site within a subdivision shall be issued until all required public improvements have been completed pursuant to the final engineering plans. To the extent this requirement is modified by an agreement duly approved by the board of trustees, and notwithstanding anything contrary in such agreement if approved after the effective date of this provision, no building permit for any habitable structure on any lot or site within a subdivision shall be issued until after such site or lot is served by public water and sewer and a street improved at least through binder course.

(Ord. No. 2005-08-3128)

§ 31-1.10 INTERPRETATIONS.
On application in writing on a form provided by the village, the plat officer shall render formal written interpretations of the provisions of this chapter. Applications for interpretations may be filed by any person having an interest in the circumstances giving rise to the need for an interpretation; provided, however, that interpretations shall not be given based solely on hypothetical facts or when the interpretation would have no effect other than as an advisory opinion. The plat officer shall render the requested interpretation within 45 days after the receipt of a properly completed application therefor. The failure of the plat officer to act within the time period specified in this section, or such further time to which the applicant may agree, shall be deemed to be a decision of the plat officer denying the application. Appeals from interpretations rendered by the plat officer may be taken as provided in § 31-1.11 of this chapter. Interpretations made by the plat officer are intended to foster the consistent and effective implementation of this chapter and not to delegate legislative authority to the plat officer.

(Ord. No. 2005-08-3128)

§ 31-1.11 APPEALS.

Any person aggrieved by a decision or interpretation of the plat officer pursuant to this chapter may appeal such decision or interpretation by filing with the village clerk a notice of appeal within 30 days after such decision or interpretation is made. The board of trustees shall cause notice to be given to the person making the appeal (and, if different, to the applicant of the subject property under such appeal) of a public meeting before the board of trustees to review such appeal. Such public meeting shall be held not fewer than five days nor more than 45 days after the appeal has been filed and notice in accordance with the preceding sentence has been given. In making its decision, the board of trustees shall give proper deference to the reasonable decisions and interpretations of those charged with the administration of this chapter. The board of trustees shall make a decision on the appeal within 60 days after the public meeting. The board of trustees may affirm, modify or reverse, in whole or in part, the decision or interpretation appealed from and may include such order or determination in its decision as the board of trustees determines, in the exercise of its discretion, is appropriate and proper under the circumstances. The decision of the board of trustees shall be final. The failure of the board of trustees to act within the time periods specified in this section, or within such further time or times to which the applicant may agree, shall be deemed to be a decision of the board of trustees denying the appeal in its entirety.

(Ord. No. 2005-08-3128)

§ 31-1.12 RECORDING OF APPROVED PLATS.

After approval of a plat of consolidation, a final plat of subdivision or resubdivision, or a plat of vacation by the plat officer or board of trustees, the applicant shall file with the plat officer two original reproducible versions of the approved plat bearing all appropriate signatures and in proper form for recording by the plat officer with the Cook County Recorder of Deeds. The applicant shall pay, at the time of filing of the reproducible version of the plat, all costs and fees associated with the recording of the plat. After receipt of such payment, the plat officer shall cause such plat to be recorded. The recorded plat shall remain permanently on file with the village.

(Ord. No. 2005-08-3128)

§ 31-1.13 PENALTIES.

If a applicant violates any provision of this chapter, then the village shall have, in addition to the remedies and penalties provided by any other provisions in the Glencoe village code, the right, after five days' written notice to the applicant stating the violation, to:

(a) Stop all work, or any portion of any work, being conducted on any property subject to the requirements of this chapter;

(b) To revoke any permit or authorization issued by the village for development on any such property;

(c) To discontinue processing and consideration of any pending application for any such
permit or authorization; and
(d) To refuse to accept for processing or consideration any future application for any such
permit or authorization.
(Ord. No. 2005-08-3128)
ARTICLE I-C. APPLICATION REQUIREMENTS
(Ord. No. 2005-08-3128)
§ 31-1.14 PRE-APPLICATION REVIEW SUBMITTALS.
Prior to the processing of a preliminary plat of subdivision or a plat of vacation, the applicant
shall, in advance of a pre-application review, file with the plat officer a letter requesting a pre-
application review of a proposed subdivision or plat of vacation, which letter shall be
accompanied by the following materials:
(a) A written description of the existing conditions and a description of the plan for intended
development of the requested subdivision, to be provided to the plan commission and board of
trustees as an aid in understanding the applicant's intent to subdivide;
(b) A site plan for the subdivision or vacation plat of the subject property, which plan shall be
drawn to scale, and shall identify existing property boundaries and existing features and uses on
the subject property and any abutting properties or properties within 500 feet in any direction of
the subject property;
(c) A narrative description of the proposed subdivision, including the current zoning of the
subject property and an explanation of any forms of relief that might be required in furtherance
of the proposed subdivision or vacation plat;
(d) A description and location of the utility services available to serve the proposed
subdivision or vacation plat on the subject property, including a summary of anticipated
improvements that will be necessary in connection with such proposed subdivision or vacation
plat;
(e) A preliminary review of the grading, drainage, storm water management and tree
preservation issues arising from the proposed subdivision or vacation plat of the subject
property;
(f) Proof of the applicant's controlling interest in the subject property; and
(g) Such other information relating to the proposed subdivision that the plat officer may
reasonably require to evaluate compliance of the proposed subdivision or vacation plat with
applicable standards, codes and regulations.
(Ord. No. 2005-08-3128)
§ 31-1.15 PRELIMINARY PLAT APPLICATIONS.
An application for approval of a preliminary plat for any subdivision shall be filed with the plat
officer on a form provided by the village, and shall include, without limitation, the following:
(a) Payment of escrow deposits required from time to time in any fee ordinance of the village
and the following fees:
(1) Any plat filed pursuant to this chapter shall be accompanied by an initial application fee
in an amount established by the village manager pursuant to the provisions of subsection 31-1.15
(a)(2) of this section;
(2) A. The village manager is authorized to establish an initial application fee in an amount
reasonably calculated to reflect:
   1. Any costs to the village of reviewing for approval or disapproval and processing a
      preliminary or final subdivision plat or plat of vacation pursuant to this chapter; and
   2. Any cost to the village associated with the processing and recording by the village
      clerk of any plat pursuant to this chapter.
   B. The costs to the village described in subsection 31-1.15(a)(2) may include, but are not
      limited to, any cost to publish or mail legal notices or to employ the services of planners,
      engineers, attorneys or other persons not regularly on the village payroll for the purposes of
      reviewing the plat in question, and may also include, but are not limited to, the following items
of direct and indirect expense: legal publication; recording secretarial services; court reporter; document preparation and review; professional and technical consultant service; legal review, consultation and advice; copy reproduction; document recordation; staff review; and inspection fees.

(3) In addition to the initial application fee established pursuant to subsection 31-1.15(a)(1) of this section, the village manager may impose a supplemental application fee with respect to any plat filed pursuant to this chapter. The supplemental application fee shall be imposed to reimburse the village fully for its actual costs incurred in reviewing or processing any plat in addition to the amount of the initial application fee. As a condition of imposing a supplemental application fee, the village shall maintain an accurate record of the actual costs (as described in subsection 31-1.15(a)(2) hereof) of processing and reviewing such application pursuant to the provisions of this chapter 31;

(4) The owner of the property which is the subject of any plat and, if different, the developer, shall be jointly and severally liable for the payment of all fees required to be paid pursuant to this section. By filing a plat pursuant to the provisions of this chapter 31, the owner shall be deemed to have agreed to pay such fees and to consent to the filing and foreclosure of a lien on the subject property to insure collection of any such fees, plus the costs of collection, which have not been paid within 30 days following the mailing of a written demand for such payment to the owner or developer at the address shown on the application. Any lien filed pursuant to this section may be foreclosed in the manner provided by statute for mortgages or mechanics’ liens;

(5) No plat shall be considered complete unless and until all fees pursuant to this section have been paid. Every approval granted and every permit issued pursuant to any provision of this chapter 31 or any other provision of the Glencoe village code with respect to the property which is the subject of the plat, whether or not expressly so conditioned, shall be deemed to be conditioned upon payment of fees as required by this section; and

(6) The failure to fully pay any fee pursuant to this section when due shall be grounds for refusing to review or process a plat and for disapproving any such plat or denying or revoking any permit or approval sought or issued with respect to the property which is the subject of the plat.

(b) Names and addresses of all owners of record of the property, of all beneficial owners of any land trust or other real parties in interest, of all consultants who will be involved in the subdivision review process, and of the applicant;

(c) Notices in the form approved by the plat officer as part of the pre-application to all persons who were identified as part of the pre-application review;

(d) The permanent real estate index numbers of the property to be subdivided;

(e) Copies of all applications to other agencies having jurisdiction over the subdivision; and

(f) Preliminary engineering plans for all required public improvements in accordance with this chapter.

(Ord. No. 2005-08-3128)

§ 31-1.16 FORM AND CONTENTS OF PRELIMINARY PLAT.

Every preliminary plat of subdivision shall include or be accompanied by the following information:

(a) One copy of the plat on Mylar and 26 paper prints, not exceeding 24 inches by 36 inches in size;

(b) A stated and graphically depicted scale of not less than one inch equals 100 feet nor more than one inch equals 20 feet;

(c) Preliminary engineering plans;

(d) The location of existing streets, alleys and other public ways, sewers, water mains, culverts, gas, electric, telephone facilities, and all other existing human-made improvements within the tract indicating dimensions, pipe sizes, grades, manholes and exact location;
(c) The location of existing wells, septic fields and similar facilities;
(f) The layout of proposed streets, street widths (in feet), street names, crosswalks and
c easements;
(g) The location of all proposed utilities necessary to serve the proposed subdivision and the
layout of all easements to serve the utilities. Utility easements shall be not less than 15 feet
centered on side lot lines and 20 feet centered on rear lot lines, and shall be dedicated across lots
where required. Such easements shall be platted to achieve continuity within the subdivision and,
where possible, with easements on property abutting the subdivision. All wires, cables, pipes,
conduit and similar improvements shall be shown as installed underground. All service
equipment and improvements shall be shown as installed along rear lot lines to the fullest extent
practicable;
(h) All information required by the village's storm water and grading ordinances;
(i) A tree survey indicating the location, species and condition of all trees with a caliper of six
inches or larger when measured 54 inches above the ground. The preliminary plat shall comply
with the provisions of article III of chapter 34 of this code, the village's tree preservation
regulations;
(j) A proposed name of the subdivision;
(k) The location of the subject property by township, section, town and range, or by other
legal description;
(l) The description and location of all existing survey monuments erected in the subdivision;
(m) The boundary line of the proposed subdivision indicated by solid heavy line, and the total
approximate acreage encompassed thereby;
(n) Signature blocks for approval signatures in a form approved by the plat officer;
(o) The existing zoning of the proposed subdivision and of abutting tracts, in zoned areas;
(p) The identity of parcels of land intended to be dedicated or temporarily reserved for public
use or set aside for use of property owners in the subdivision, including, but not limited to,
school sites and parks, recreational areas and public building sites;
(q) The layout, numbers, area (in square feet) and dimensions (in feet) of lots;
(r) Minimum building setback lines, showing dimensions;
(s) The north point;
(t) The identification of all proposed uses of the property to be subdivided;
(u) Indication of proposed phases or sections within the subdivision and the order of site
development;
(v) Existing topography on the property and within 50 feet of the proposed subdivision, with
minimum one-foot contour intervals;
(w) Minimum lot areas, widths and depths proposed for all lots and the minimum standards
required by the Glencoe zoning code or other applicable zoning regulations;
(x) Such other information relating to the proposed subdivision as the plat officer, the plan
commission or the board of trustees may reasonably require at any time as a result of special,
unusual, unanticipated or extraordinary conditions or circumstances relating to such subdivision
in order to promote the effective analysis or review of the proposed subdivision;
(y) The boundary lines of any village, township, park district, school district, sanitary district
and forest preserve district located within the subdivision or outside of, but within 500 feet of,
the boundaries thereof, and shall list all municipal corporations having jurisdiction over the
subdivision; and
(z) For the subject property and properties within 500 feet in every direction from the subject
property, the following information: boundary lines; existing streets or roads and the names
thereof; widths of road pavements and other dedications; existing easements and the nature
thereof; section and half-section lines; existing sewer and water facilities; existing permanent
buildings; and existing drainage structures and courses.
(Ord. No. 2005-08-3128)
§ 31-1.17 FINAL PLAT APPLICATIONS.

An application for approval of a final plat of subdivision shall be filed with the plat officer on a form provided by the village, shall have the form and content provided in § 31-1.18 of this chapter, and shall include, without limitation, the following:

(a) A copy of the approved preliminary plat;
(b) Payment of the fees and escrow deposits required from time to time in any fee ordinance of the village;
(c) Copies of all applications to other agencies having jurisdiction over the subdivision;
(d) Final engineering plans for all required public improvements, in accordance with this chapter; and
(e) Submission of performance security to secure the satisfactory completion of all public improvements in strict accordance with the description, plans and specifications submitted by the developer and approved by the village, which performance security shall be in an amount approved by the village manager and in a form approved by the village attorney.

(Ord. No. 2005-08-3128)

§ 31-1.18 FORM AND CONTENTS OF FINAL PLAT.

Every final plat of subdivision shall include or be accompanied by the following information:

(a) One copy of the plat on Mylar and 26 paper prints, not exceeding 24 inches by 36 inches in size;
(b) A stated and graphically depicted scale of not less than one inch equals 100 feet nor more than one inch equals 20 feet;
(c) The name of subdivision and the date of preparation of the final plat;
(d) The location of the subject property by township, section, town and range or by other legal description;
(e) The north point;
(f) The boundary of plat, based on an accurate traverse, with angular and lineal dimensions;
(g) The exact locations, widths and names of all streets within and adjacent to the subject property, and the exact location and widths of all crosswalks. Street names shall have prior approval of the fire marshal and the postmaster;
(h) True angles and distances to the nearest established street lines or official monuments (not fewer than three), all of which shall be accurately located and described in the plat;
(i) Municipal, township, county or section lines accurately tied to the lines of the subdivision by distances and angles;
(j) Radii, internal angles, points and curvature, tangent bearings and lengths of all arcs;
(k) All easements for rights-of-way provided for public services or utilities showing the written review of such company regarding the terms of each such easement, and delineation of every overland drainage/paths with appropriate reservation of areas to contain the same. All easements granted for private use shall designate the beneficiaries of such use and the nature thereof;
(I) Statements granting necessary easements to the village and to appropriate utility companies for rights-of-way and for public service or utilities, in forms specified by the village;
(m) All lot numbers and lines, with accurate dimensions in feet and hundredths;
(n) Accurate outlines and legal descriptions of all areas to be dedicated or reserved for public use, with the purpose indicated thereon, and of every area to be reserved by deed covenant for common uses of all property owners. When the tract or tracts dedicated or reserved for public use are not within the corporate limits of the Village of Glencoe, the certificate of dedication shall provide that the future official act of annexation of such tract or tracts to the village shall constitute a transfer of title to the village for such public use;
(o) Minimum building setback lines accurately shown with dimensions;
(p) Protective covenants, in a form acceptable to the plat officer, if necessary;
(q) Certification by a registered surveyor to the effect that the plat represents a survey made
by him or her and that the monuments and markers shown thereon exist as located and that all
dimensional and geodetic details are correct, in a form provided by the village;
   (r) Notarized certification, by all property owners, and by any mortgage holder on record, of
the adoption of the plat and the dedication of streets and other public areas, in a form provided
by the village;
   (s) Signature blocks and certifications, in forms provided by the village, for the following
persons:
   1. Village president;
   2. Village treasurer;
   3. Village engineer;
   4. Plan commission chairperson;
   5. County clerk;
   6. County Highway Department, if necessary;
   7. Illinois Department of Transportation, if necessary; and
   8. Drainage design engineer, if necessary.
   (t) Authorization from the surveyor who prepared the plat to have the plat officer or the plat
officer’s designee record the plat; and
   (u) Such other information relating to the proposed subdivision as the plat officer, the plan
commission or the board of trustees may reasonably require at any time as a result of special,
unusual, unanticipated or extraordinary conditions or circumstances relating to such subdivision
in order to promote the effective analysis or review of the proposed subdivision.
(Ord. No. 2005-08-3128)
§ 31-1.19 PLATS OF VACATION APPLICATIONS; FORM AND CONTENTS.
An application for approval of a plat of vacation shall be filed with the plat officer on a form
provided by the village. The plat of vacation shall be prepared in accordance with the
requirements of § 6 of the Illinois Plat Act, 765 ILCS 205/6, and shall have the form and content
provided in § 31-1.18 of this chapter for final plats of subdivision.
(Ord. No. 2005-08-3128)
ARTICLE I-D. SUBDIVISION REVIEW PROCESS
(Ord. No. 2005-08-3128)
§ 31-1.20 PRE-APPLICATION REVIEW.
   (a) As a prerequisite to any preliminary plat application or application for approval of a plat
of vacation, and following receipt of the pre-application review submittals in accordance with §
31-1.14, the plat officer and such other persons that the plat officer may designate shall meet
with the applicant to review the proposed plat, the procedures for reviewing such plat and any
issues that may relate to such plat, including its conformity with the requirements of law. In
addition, the plat officer shall define with particularity for the applicant the form, scope and
content of the mailed and posted notices to be undertaken in connection with the preliminary,
final or vacation plat review for the subject property, as well as the certifications relating to such
notices.
   (b) A applicant may propose during the pre-application review that the proposed subdivision
be considered for preliminary and final plat approval concurrently. To the extent that the plat
officer determines that the proposed subdivision can be effectively and fully considered through
a concurrent review, a applicant may proceed in preparing application materials that satisfy both
the requirements for preliminary and final plat approval; provided, however, that the plan
commission will, in its sole discretion, have the ultimate authority to determine whether such
preliminary and final plats shall be reviewed separately or concurrently, taking into account the
public’s ability to participate effectively in the plat review process. In the event that the plan
commission accepts the concurrent presentation of preliminary and final plats, the plan
commission may recommend both the preliminary and final plat, the preliminary plat only, or
neither plat for approval to the board of trustees. In addition, any required notices shall expressly
state that both the preliminary and final plats will be considered at the scheduled public meeting.
(Ord. No. 2005-08-3128)
§ 31-1.21 PRELIMINARY PLAT REVIEW.
(a) Filing; deadline; plat officer general review.
   (1) An application for approval of a preliminary plat of subdivision shall be filed with the
       plat officer, in full compliance with § 31-1.15 and in proper form, at least 30 days before the
       meeting of the plan commission at which it is to be considered.
   (2) The plat officer shall review the application for approval of a preliminary plat for
       general completeness; for compliance with requirements of law, including, without limitation,
       the application requirements established in article I-C of this chapter; and for technical accuracy.
       Within 15 days after the date of filing of the application, the plat officer shall notify the applicant
       either that the application has been accepted for processing, or that the application may not be
       processed because of deficiencies or inaccuracies in it. Every deficient or inaccurate application
       shall be returned to the applicant. If the plat officer determines that the application for approval
       of preliminary plat should be accepted for processing, then the plat officer shall refer the
       application to all appropriate staff members and committees for review.
   (b) Notice of public meeting
       (1) After receipt of all required information, payment of all required fees, and satisfactory
           general review pursuant to subsection 31-1.21(a) of this section, the plat officer shall notify
           the applicant of the date that the application will be conditionally scheduled for review at a public
           meeting of the plan commission. Such date shall be determined in light of the plan commission's
           pending docket and the notification deadlines as set forth in this subsection 31-1.21(b).
       (2) Upon the conditional scheduling of a public meeting to review an application for
           preliminary plat approval, the applicant shall deliver to the plat officer for mailing notices to the
           occupants of all properties within 300 feet of the subject property, as determined during the pre-
           application review; the plat officer shall review such notices for completeness and accuracy and,
           if complete and accurate, promptly cause such notices to be mailed; provided that such mailings
           are mailed not more than 30 nor less than 15 days before the scheduled public meeting date.
       (3) In addition, upon the conditional scheduling of a public meeting to review an application
           for preliminary plat approval, the applicant shall present to the plat officer the proposed signage,
           as determined during the pre-application review, for posting on the subject property. The plat
           officer shall review such signage for compliance and, if determined to be in compliance, the plat
           officer shall direct the applicant where to post such signage on the subject property; provided
           that such posting shall commence not more than 45 nor less than 30 days before the scheduled
           public meeting date. The village shall also post, within the village hall, a notice of the
           availability to review proposed application documents not less than 30 days before the scheduled
           meeting date.
       (4) If the notices required pursuant to this subsection cannot be mailed and posted within
           the required time periods, then the public meeting shall be re-scheduled to ensure that such
           notice periods can be satisfied.
   (c) Determination of completeness of application. Provided that the plat officer makes a
       general determination of completeness pursuant to subsection 31-1.21(a)(2) of this chapter, and
       provided the notices are timely given in accordance with subsection 31-1.21(b) of this chapter,
       then the applicant shall deliver to the plat officer a completed certificate of notice in the form
       determined during the pre-application review on the date of the scheduled public meeting (and, if
       delivered sooner, shall be deemed delivered on the date of the scheduled public meeting). The
       delivery of such completed certificate of notice on the date of the scheduled public meeting shall
       be the final element of the application for preliminary plat approval and shall represent the
       completion of the applicant's application for purposes of any statutory periods for undertaking
       and completing the village's review of an application for preliminary plat approval; provided,
       however, that any material change to such application after the commencement of the public
hearing shall be deemed the filing of a new item in support of the application and shall restart any such statutory review period.

(d) **Action by the plan commission.** The plan commission shall conduct a public meeting to review the preliminary plat in accordance with the notices mailed and posted published pursuant to subsection 31-1.21(b) of this section. Within 90 days after the completion of the applicant's application for preliminary plat approval, the plan commission shall recommend whether the preliminary plat should be approved, approved with modifications or conditions or disapproved; and shall transmit such recommendation to the board of trustees. The plan commission may recommend approval of a plat subject to certain conditions or modifications as are deemed necessary in the interests and needs of the community. The failure of the plan commission to act within the time period specified in this subsection, or such further time to which the applicant may agree, shall be deemed to be a recommendation of the plan commission to disapprove the preliminary plat.

(e) **Action by board of trustees.** The board of trustees, within 30 days after its next regularly scheduled meeting following the transmission of a recommendation by the plan commission on an application for preliminary plat approval, shall disapprove the preliminary plat or shall approve it by ordinance or resolution duly adopted. Any approval of a preliminary plat may be subject to certain conditions or modifications as are deemed necessary in the interests and needs of the community. If the board of trustees disapproves the preliminary plat, then the plat officer shall notify the applicant in writing of the reasons stated for such disapproval. The failure of the board of trustees to act within the time period specified in this subsection, or such further time to which the applicant may agree, shall be deemed to be a decision of the board of trustees disapproving the preliminary plat.

(f) **Effect of approval.** The approval of a preliminary plat by the board of trustees is strictly tentative in nature, involving merely the general acceptability of the layout as submitted. Approval of the preliminary plat shall be deemed solely as permission for the applicant to prepare a final plat of subdivision, including detailed plans and specifications for the subdivision and public improvements in accordance with the preliminary plat and within the requirements of this chapter. Approval of a preliminary plat shall not entitle the applicant to any other approval or issuance of any permit until after all of the standards and procedures for such other approval or issuance of a permit have been satisfied.

(g) **Limitation on preliminary plat approval.** Every approval by the board of trustees of a preliminary plat of subdivision shall be effective for a maximum period of 12 months after the date of approval unless, pursuant to a written application therefor filed by the applicant before the expiration of the preliminary plat approval, the board of trustees grants an extension of that 12-month period. If, within the 12-month period, no extension of time has been granted by the board of trustees and no application for approval of a final plat of subdivision has been filed with the plat officer, then the applicant must resubmit an application for approval of a preliminary plat for full review of the plan commission and board of trustees.

(h) **Statement of disapproval.** If the plan commission or board of trustees shall disapprove a preliminary plat pursuant to this section, then the plan commission or board of trustees (as the case may be) shall deliver to the applicant a statement of such disapproval. Such statement shall set forth with particularity the grounds for disapproving the application for preliminary plat. Such statement shall be furnished to the applicant within the time period for plan commission or board of trustees action as set forth in subsections 31-1.21(d) and 31-1.21(e) of this section.

(Ord. No. 2005-08-3128)

§ 31-1.22 FINAL PLAT REVIEW.

(a) **Filing; deadline; plat officer general review.**

(1) An application for approval of a final plat of subdivision shall be filed with the plat officer, in full compliance with § 31-1.17, at least 30 days before the meeting of the plan commission at which it is to be considered.
(2) The plat officer shall review the final plat for general completeness, for compliance with requirements of law, including, without limitation, the application requirements established in article III of this chapter, for compliance with the approved preliminary plat and any modifications and conditions imposed on the preliminary plat, and for technical accuracy. Within 15 days after the date of filing of the application, the plat officer shall notify the applicant either that the application has been accepted for processing or that the application may not be processed because of deficiencies or inaccuracies in it. Every deficient or inaccurate application shall be returned to the applicant. If the plat officer determines that the application should be accepted for processing, then the plat officer shall refer the application to all appropriate staff members and committees for review.

(b) Notice of public meeting.

(1) After receipt of all required information, payment of all required fees, and satisfactory general review pursuant to subsection 31-1.22(a) of this section, the plat officer shall notify the applicant of the date that the application will be conditionally scheduled for review at a public meeting of the plan commission. Such date shall be determined in light of the plan commission’s pending docket and the notification deadlines as set forth in this subsection 31-1.22(b).

(2) Upon the conditional scheduling of a public meeting to review an application for final plat approval, the applicant shall deliver to the plat officer for mailing notices to the occupants of all properties within 500 feet of the subject property, as determined during the pre-application review; the plat officer shall review such notices for completeness and accuracy and, if complete and accurate, promptly cause such notices to be mailed; provided that such mailings are mailed not more than 45 nor less than 30 days before the scheduled public meeting date.

(3) In addition, upon the conditional scheduling of a public meeting to review an application for final plat approval, the applicant shall present to the plat officer the proposed signage, as determined during the pre-application review, for posting on the subject property. The plat officer shall review such signage for compliance and, if determined to be in compliance, the plat officer shall direct the applicant where to post such signage on the subject property; provided that such posting shall commence not more than 30 nor less than 15 days before the scheduled public meeting date.

(4) If the notices required pursuant to this subsection cannot be mailed and posted within the required time periods, then the public meeting shall be re-scheduled to ensure that such notice periods can be satisfied.

(c) Determination of completeness of application. Provided that the plat officer makes a general determination of completeness pursuant to subsection 31-1.22(a)(2) of this chapter, and provided the notices are timely given in accordance with subsection 31-1.22(b) of this chapter, then the applicant shall deliver a completed certificate of notice in the form determined during the pre-application review to the plat officer on the date of the scheduled public meeting (and, if delivered sooner, shall be deemed delivered on the date of the scheduled public meeting). The delivery of such completed certificate of notice on the date of the scheduled public meeting shall be the final element of the application for final plat approval and shall represent the completion of the applicant’s application for purposes of any statutory periods for undertaking and completing the village’s review of an application for final plat approval; provided, however, that any material change to such application after the commencement of the public hearing shall be deemed the filing of a new item in support of the application and shall restart any such statutory review period.

(d) Action by the plan commission. The plan commission shall conduct a public meeting to review the final plat in accordance with the notice published pursuant to subsection 31-1.22(b) of this section. Within 15 days after the commencement of the public meeting (or such longer period to which the applicant may agree), the plan commission shall recommend whether the final plat should be approved, approved with modifications or conditions, or disapproved; and shall transmit such recommendation to the board of trustees. The plan commission may
recommend approval of a final plat subject to certain conditions or modifications as are deemed necessary in the interests and needs of the community. The failure of the plan commission to act within the time period specified in this subsection, or such further time to which the applicant may agree, shall be deemed to be a recommendation of the plan commission to disapprove the final plat.

(e) **Action by board of trustees.** The board of trustees, within 45 days after receipt of the report of the plan commission, shall disapprove the final plat or shall approve it by ordinance or resolution duly adopted. Any approval of a final plat may be subject to certain conditions or modifications as are deemed necessary in the interests and needs of the community. If the board of trustees disapproves the final plat, then the plat officer shall notify the applicant in writing of the reasons stated for such disapproval. The failure of the board of trustees to act within the time period specified in this subsection, or such further time to which the applicant may agree, shall be deemed to be a decision of the board of trustees disapproving the final plat. Approval of a final plat shall not entitle the applicant to any other approval or issuance of any permit until after all of the standards and procedures for such other approval or issuance of a permit have been satisfied, and such approval shall be subject in any event to the requirements of subsection 31-1.22(f) of this section.

(f) **Final engineering plans and development agreement required.**

(1) Except as specifically provided otherwise by the board of trustees, no final plat of subdivision shall be approved by the board of trustees until after the final engineering plans for the subdivision have been approved in accordance with the provisions of this chapter.

(2) Except as specifically provided otherwise by the board of trustees, no final plat of subdivision for which public improvements are required shall be deemed approved by the board of trustees for purposes of recording until after the applicant has entered into a development agreement with the village in form and substance acceptable to the village manager and village attorney and otherwise in accordance with the provisions of this chapter.

(Ord. No. 2005-08-3128)

§ 31-1.23  PLAT OF VACATION REVIEW.

(a) **Filing; deadline; plat officer general review.**

(1) An application for approval of a plat of vacation shall be filed with the plat officer, in full compliance with § 31-1.19, at least 30 days before the meeting of the plan commission at which it is to be considered.

(2) The plat officer shall review the application for approval of a plat of vacation for general completeness; for compliance with requirements of law, including, without limitation, the application requirements established in article I-C of this chapter; and for technical accuracy. Within 15 days after the date of filing of the application, the plat officer shall notify the applicant either that the application has been accepted for processing, or that the application may not be processed because of deficiencies or inaccuracies in it. Every deficient or inaccurate application shall be returned to the applicant. If the plat officer determines that the application for approval of a plat of vacation should be accepted for processing, then the plat officer shall refer the application to all appropriate staff members and committees for review.

(b) **Notice of public meeting.**

(1) After receipt of all required information, payment of all required fees, and satisfactory general review pursuant to subsection 31-1.23(a) of this section, the plat officer shall notify the applicant of the date that the application will be conditionally scheduled for review at a public meeting of the plan commission. Such date shall be determined in light of the plan commission's pending docket and the notification deadlines as set forth in this subsection 31-1.23(b).

(2) Upon the conditional scheduling of a public meeting to review an application for approval of a plat of vacation, the applicant shall deliver to the plat officer for mailing notices to the occupants of all properties within 300 feet of the subject property, as determined during the pre-application review; the plat officer shall review such notices for completeness and accuracy.
and, if complete and accurate, promptly cause such notices to be mailed; provided that such mailings are mailed not more than 30 nor less than 15 days before the scheduled public meeting date.

(3) In addition, upon the conditional scheduling of a public meeting to review an application for approval of a plat of vacation, the applicant shall present to the plat officer the proposed signage, as determined during the pre-application review, for posting on the subject property. The plat officer shall review such signage for compliance and, if determined to be in compliance, the plat officer shall direct the applicant where to post such signage on the subject property; provided that such posting shall commence not more than 45 nor less than 30 days before the scheduled public meeting date.

(4) If the notices required pursuant to this subsection cannot be mailed and posted within the required time periods, then the public meeting shall be re-scheduled to ensure that such notice periods can be satisfied.

(c) Determination of completeness of application. Provided that the plat officer makes a general determination of completeness pursuant to subsection 31-1.23(a)(2) of this chapter, and provided the notices are timely given in accordance with subsection 31-1.23(b) of this chapter, then the applicant shall deliver a completed certificate of notice in the form determined during the pre-application review to the plat officer on the date of the scheduled public meeting (and, if delivered sooner, shall be deemed delivered on the date of the scheduled public meeting). The delivery of such completed certificate of notice on the date of the scheduled public meeting shall be the final element of the application for approval of a plat of vacation and shall represent the completion of the applicant's application for purposes of any statutory periods for undertaking and completing the village's review of a application for vacation plat review; provided, however, that any material change to such application after the commencement of the public hearing shall be deemed the filing of a new item in support of the application and shall restart any such statutory review period.

(d) Action by the plan commission. The plan commission shall conduct a public meeting to review the vacation plat in accordance with the notice published pursuant to subsection 31-1.23(b) of this section. Within 15 days after the conclusion of the public meeting, the plan commission shall recommend whether the plat of vacation should be approved, approved with modifications or conditions, or disapproved; and shall transmit such recommendation to the board of trustees. The plan commission may recommend approval of a plat of vacation subject to certain conditions or modifications as are deemed necessary in the interests and needs of the community. The failure of the plan commission to act within the time period specified in this subsection, or such further time to which the applicant may agree, shall be deemed to be a recommendation of the plan commission to disapprove the plat of vacation.

(e) Action by board of trustees. The board of trustees, within 45 days after receipt of the report of the plan commission, shall disapprove the plat of vacation or shall approve it by ordinance or resolution duly adopted. Any approval of a vacation plat may be subject to certain conditions or modifications as are deemed necessary in the interests and needs of the community. If the board of trustees disapproves the plat of vacation, then the plat officer shall notify the applicant in writing of the reasons stated for such disapproval. The failure of the board of trustees to act within the time period specified in this subsection, or such further time to which the applicant may agree, shall be deemed to be a decision of the board of trustees disapproving the vacation plat. Approval of a plat of vacation shall not entitle the applicant to any other approval or issuance of any permit until after all of the standards and procedures for such other approval or issuance of a permit have been satisfied.

(Ord. No. 2005-08-3128)

ARTICLE II. VILLAGE PLAN

§ 31-2.1 ADOPTED, MADE OFFICIAL.

The comprehensive plan of public improvements looking to the present and future
development of the village, which plan has been prepared and recommended to the president and
board of trustees by the plan commission is hereby adopted and made the official plan of the
village.
(Ord. No. 1292, art. 1, § 1)

Editor's note:
The maps, charts, exhibits, etc., referred to in this section will be found on file in the office of
the director of public works.

§ 31-2.2 OFFICIAL MAP ADOPTED.
An official map is hereby incorporated by reference and adopted as a part of this chapter and
shall be known as the official map.
(Ord. No. 74-8-1516, § 1; Ord. No. 78-6-1562)

§ 31-2.3 COPIES OF OFFICIAL MAP AND PLAN.
The village clerk shall keep in his or her office for inspection by interested persons at least
three copies of the ordinance adopting an official comprehensive plan, including such maps and
other printed material which such ordinance adopts by reference and any amendments thereof
and of the official map. The clerk shall make available copies of the ordinance adopting an
official comprehensive plan at a price of $5 each and shall make available copies of the official
map at cost upon order as required. The foregoing copies of such ordinance and of the official
map shall be in addition to the original copies thereof which the statutes require the clerk to keep
as part of the official record of enacted ordinances.
(Ord. No. 74-8-1516, § 1)

§ 31-2.4 INCORPORATED BY REFERENCE; SPECIFIC INCLUSIONS.
(a) The village plan adopted by this article, including the written recommendations in
reference to streets, public grounds and improvements of the plan commission and each and
every map, chart, drawing and exhibit which is included in the recommendations of the plan
commission, together with all notations, references and other matters shown thereon shall be as
much a part of this article as if the same were fully described herein.

(b) Such inclusion shall extend to:

(1) Map No. 1, Title, Official Plan, Village of Glencoe, Cook County, Illinois, showing a
comprehensive plan for street improvements and development which the village intends to put
into execution as and when these improvements and developments become advisable and
feasible; and

(2) Subdivision regulations set forth in this chapter to regulate and control the future
physical development of the village.
(Ord. No. 1292, art. 1, § 1)

§ 31-2.5 CHANGES IN PLAN.
The plan commission may from time to time prepare and recommend to the president and
board of trustees of the village such changes in the official plan as may be deemed necessary by
the president and board of trustees or by the plan commission. Such changes shall become part of
the official plan after their approval by the plan commission and their adoption by the president
and board of trustees as amendments to this article.
(Ord. No. 1292, art. 1, § 3)

§ 31-2.6 ENFORCEMENT.
It shall be the duty of the director of public works of the village to enforce the requirements of
the village plan.
(Ord. No. 1292, art. 1, § 5)

§ 31-2.7 INVALIDITY OF NONCONFORMING MAPS, ETC.
After the enactment of this chapter, no map or plat of any subdivision presented for record,
affecting land within the corporate limits of the village or in contiguous territory within one and
one-half miles from such limits and not included in any city, village or incorporated town, shall
be entitled to record or shall be valid unless the subdivision shown thereon shall provide for streets, public grounds and improvements in conformity with the requirements applicable thereto in the village plan.
(Ord. No. 1292, art. 1, § 4)
ARTICLE III. PLATS
(Deleted by Ord. No. 06-09-3151)
ARTICLE III. SUBDIVISION DESIGN STANDARDS
(Ord. No. 06-09-3151)
§ 31-3.1 CONSISTENCY WITH ZONING CODE AND COMPREHENSIVE PLAN; TECHNICAL STANDARDS.
(a) The proposed subdivision shall conform to all applicable requirements of the Glencoe zoning code and shall be consistent with the Village of Glencoe comprehensive plan ordinance. The comprehensive plan ordinance goals include maintaining the existing environmental assets of the village, preserving and protecting mature trees and existing landscaping, and guiding, controlling and encouraging development that is consistent with the village's character.
(b) For purposes of implementing this chapter 31 and other provisions of the village code, the director of public works is hereby authorized and directed to prepare, maintain and update the Engineering Standards and Specifications Manual.
(Ord. No. 06-09-3151)
§ 31-3.2 LOTS.
(a) General. All lots shall be designed and subdivided in conformance with the zoning code, including without limitation compliance with the lot area requirements of the zoning code. Outside the corporate limits, the minimum area of each proposed lot shall be not less than the minimum lot area required by the zoning regulations of the county for the district in which the proposed lot is located. Lots shall be generally geometrically shaped and not irregular or of a shape that substantially deviates from the consistent pattern established on the block on which the lot is located. No subdivision shall create a through lot or a flag lot. The minimum depth of any proposed lot shall be 125 feet.
(b) Consolidations.
(Ord. No. 06-11-3153)
(1) Two lots. For the consolidation of two lots into one lot, the total side yard setbacks for the new lot shall comply with the setbacks required by the zoning code for the district in which the lot is located, and the individual side yard setbacks shall be subject to the review and approval of the plan commission.
(2) More than two lots. No consolidation of more than two lots shall be permitted unless a variation is granted pursuant to § 31-1.8 of this code. In granting any such variation, the board of trustees may impose certain conditions, including without limitation any one or more of the following conditions, which are in addition to those authorized by § 31-1.8(c) of this code: the installation of additional landscaping on the lot; an increase in the width of any required yard or yards on such lot beyond what is required by the zoning code; a restriction on the gross floor area for the lot that is less than what is permitted by the zoning code; and a restriction on the maximum impervious surface on the lot.
(c) Recombinations. No recombination shall be permitted, unless authorized by variation. In considering a request for variation to allow a recombination, the plan commission and village board shall consider, in addition to the standards set forth in § 31-1.8, whether the lot area and dimensions of the proposed zoning lots resulting from such recombination are consistent with other zoning lots located adjacent to or in the same block (or such portion thereof as affected by the recombination) as the proposed zoning lots.
(Ord. No. 06-09-3151; Ord. No. 06-11-3153; Ord. No. 06-20-3162)
§ 31-3.3 TREE PRESERVATION AND PROTECTION.
(a) The comprehensive plan ordinance recognizes that trees and mature landscaping, as well
as the ecology of the community, are important characteristics of the village and should be preserved and protected. In furtherance thereof, the village enacted tree preservation regulations in article III of chapter 34 of the Glencoe village code. All subdivisions shall comply with the village’s tree preservation regulations in article III of chapter 34.

(b) In addition to complying with article III of chapter 34 of the Glencoe village code, an applicant shall preserve and protect trees and other vegetation during construction activity on the subject property, in accordance with an approved tree preservation plan and the following standards:

(1) Applicant shall provide protective fencing around trees in order to shield the root systems from vehicle compaction, excavation and stockpiling of construction materials;

(2) Applicant shall auger or route sewer, water, electric, gas and other utilities so as to maintain a minimum distance of 15 feet from the trunk of mature trees and five feet from the trunk of small trees;

(3) Applicant shall regularly water and fertilize trees during construction;

(4) Applicant shall limit paving activities, including sidewalks and driveways, to no closer than 15 feet from the trunk of mature trees and five feet from the trunk of small trees; and

(5) Applicant shall monitor the site to ensure that trees are protected throughout the construction process.

(Ord. No. 06-09-3151)

§ 31-3.4 LANDSCAPING.

Street trees shall be installed along all parkways in the subdivision, in accordance with § 31-4.1. In addition, when the village determines that additional landscaping is desirable or necessary to mitigate the impact of any new buildings or structures on any lot to be created within a subdivision, the subdivision approval may be conditioned upon the installation of additional landscaping on such lot to screen any new buildings or structures on that lot from an adjacent lot or from the street, or both, in accordance with the landscaping guidelines set forth in the Engineering Standards and Specifications Manual. If such additional landscaping is required, the applicant shall submit, for the review and approval of the village, a detailed landscaping plan depicting the additional landscaping. In addition, the village may require the applicant to provide performance security and guaranty security for the landscaping, which security shall be submitted in accordance with the provisions of article IV of this chapter.

(Ord. No. 06-09-3151)

§ 31-3.5 NATURAL RESOURCES AND ENVIRONMENT.

The topography of the proposed subdivision shall be preserved wherever possible in its natural state by minimizing grade changes on the property. No grade change shall be permitted that would require the installation of a retaining wall or other engineered device within any required yard to protect or support the subject property or any adjacent lot. Areas on a lot designated for development shall be designed so as to preserve the natural features of the lot, avoid disturbance of areas of environmental sensitivity, including wetlands, floodplains, slopes in excess of 15%, ravines and habitat of endangered wildlife, and minimize negative impacts to or alteration of natural features. The existing landscape shall be preserved in its natural state by minimizing the removal or destruction of existing trees and other natural features on the property, so that the resulting development shall be in keeping with the general appearance of the surrounding area and will not adversely affect the ecology of the area.

(Ord. No. 06-09-3151)

§ 31-3.6 GRADING AND STORM WATER DRAINAGE.

(a) The subdivision shall be developed in strict accordance with all applicable laws, statutes, ordinances, codes and regulations related to grading and storm water retention, detention and drainage, including without limitation §§ 9-82 and 9-83 of the village code, as well as in strict accordance with the grading plans and profiles approved as part of the approved engineering plans.
(b) No grade change shall be permitted that would:
   (1) Modify storm water drainage on the subject property or an adjacent lot;
   (2) Adversely impact the capacity or operation of the village's storm water system; or
   (3) Affect the structural stability of an adjacent lot, unless the village engineer, in his or her sole determination, approves in writing an alternative means that will adequately provide for the collection and diversion of storm water.

(c) No grading plan shall be approved that, in the village engineer's determination, poses potential adverse impacts to the environment including, without limitation, significant change to the rate of storm water run-off, rate or volume of sedimentation, or location of discharge. In addition, no grading plan shall be approved that, in the village engineer's determination, fails to provide adequate setback from any ravine or bluff.

(Ord. No. 06-09-3151)

§ 31-3.7 UTILITIES.

All utilities necessary for the subdivision shall be constructed in accordance with article IV of this chapter 31, and shall be installed underground, unless expressly approved by the village engineer upon payment of a fee to the village in an amount equal to the costs of burying the utilities underground, as determined by the village engineer. When the village engineer determines that a storm sewer, sanitary sewer or water supply system should be designed and constructed larger than is immediately required to serve the subdivision, the applicant may be reimbursed for the additional costs of such over-sizing, as determined by the village engineer, pursuant to a recapture agreement in accordance with state statute.

(Ord. No. 06-09-3151)

§ 31-3.8 EASEMENTS.

Easements shall be provided where necessary for the provision of sanitary sewer, water, storm drainage, gas lines, electric lines, telephone, cable television, streets, pathways, sidewalks and other necessary public or private purposes in order to adequately serve the proposed subdivision. The easements shall be depicted on the preliminary and final plats of subdivision in accordance with §§ 31-1.16 and 31-1.18. The size and location of all such easements shall be subject to the approval of the village engineer, and the terms of all such easements shall be subject to the approval of the village engineer and village attorney.

(Ord. No. 06-09-3151)

§ 31-3.9 LOT ACCESS AND CIRCULATION.

All subdivisions shall be designed to provide appropriate public street access to all lots in the subdivision, which access shall be designated on the preliminary and final plats of subdivision.

(Ord. No. 06-09-3151)

§ 31-3.10 SURVEY MONUMENTS.

Permanent survey monuments constructed of iron pipe not less than one inch in diameter and 30 inches long, or as otherwise approved by the village engineer, shall be installed at all street corners, at all points where street lines intersect the exterior boundaries of the proposed subdivision, and at angle points and points of curve in each street.

(Ord. No. 06-09-3151)

§ 31-3.11 PUBLIC LAND DEDICATION OR FEES IN-LIEU.

(a) Findings and purpose.

(1) It is declared to be the policy of the village that the provision of various public facilities required to serve new residential development is subject to the control of the village in accordance with the comprehensive plan of the village for the orderly, planned, efficient and economical development of the village.

(2) New residential developments cause and impose increased and excessive demands upon public facilities and services that are specifically and uniquely attributable to those new residential developments. Affected facilities and services include public schools and parks.
(3) Planning projections indicate that new residential development shall continue and shall place ever-increasing demands on the school districts, park district, the village and other governmental bodies to provide necessary public facilities.

(4) Development potential and property values are influenced and affected by village policy as expressed in the comprehensive plan and as implemented by the village zoning code and other village regulations.

(5) To the extent that new residential developments place demands upon public facilities that are specifically and uniquely attributable to such developments, those demands should be satisfied by requiring that the new residential developments creating the demands pay the cost of meeting the demands.

(6) The amount of the development impact fees to be required of new residential developments shall reflect the proportionate share of the cost of the additional public facilities needed to support such residential developments and shall be calculated to ensure that new residential developments pay only that portion of the costs of acquiring needed lands and, to the extent permitted by law, the needed facilities specifically and uniquely attributable to the new residential developments.

(7) The village board, after careful consideration, hereby finds and declares that imposition of development impact fees upon new residential developments to finance the acquisition of certain land and, to the extent permitted by law, other specified public facilities, the demand for which is created by such residential developments within the village, is in the best interests of the general welfare of the village and its residents, is equitable, and does not impose an unfair burden on such developments. Therefore, the village board deems it necessary and desirable to adopt this section as herein set forth.

(b) Applicability. This section requires payment of development impact fees, payable no later than the time of issuance of a building permit, in an amount equal to the proportionate share of the cost of the various public facilities required to serve residential developments. The fees for school and park site developments shall be uniformly applicable to all "residential development," as defined herein.

(c) Definitions.

(1) The language in the text of this section shall be interpreted in accordance with the following rules of construction:
   A. The singular number includes the plural number, and the plural the singular;
   B. The word SHALL is mandatory; the word MAY is permissive; and
   C. The masculine gender includes the feminine and neuter.

(2) The following words and phrases shall, for the purposes of this section, have the meanings respectively ascribed to them in this subsection, except when the context otherwise indicates.

BEDROOM. Any room in a dwelling unit that is designed and intended for sleeping purposes. In the absence of other means of determining the status of a room in a dwelling unit, a BEDROOM is a room that:
   1. Is suitable for sleeping purposes;
   2. Is greater than 100 square feet in floor area; and
   3. Is not a living room, dining room, kitchen or bathroom.

BUILDING PERMIT. The permit issued by the village for the construction of a new dwelling unit within the corporate limits of the village, or such similar permit issued by the county for a development in an unincorporated area.

BUILDING SITE. An area of land designed, intended or used as a location for a structure.

CODE. The Glencoe village code.

COMPREHENSIVE PLAN. The official plan for the development of the village adopted by the village board.

DEVELOPER. The person undertaking a residential development, which may, for
purposes of this section, include, without limitation, the owner as well as the subdivider of the land on which the development is to take place.

**DEVELOPMENT IMPACT FEE.** A special and additional fee imposed pursuant to the provisions of this section.

**DWELLING UNIT.** Shall have the meaning ascribed to it in the zoning code.

**GROSS ACREAGE.** The entire area of a parcel of real property or a building site expressed in acres or portions thereof.

**INTERGOVERNMENTAL AGREEMENT.** An agreement to be entered into between the village and each public body, individually, that affirms each public body's acknowledgment that this section shall control the collection and distribution of development impact fees, or land in lieu of development impact fees relating to residential developments, and that creates the responsibility for each public body to fully indemnify the village in connection with its administration of this section.

**LOT.** Shall have the meaning ascribed to it in the zoning code.

**MAI.** The professional designation **MEMBER, APPRAISAL INSTITUTE** as conferred by the American Institute of Real Estate Appraisers.

**PARK DISTRICT.** The Glencoe park district.

**PARK SITE.** Land used for active and passive recreation, including, without limitation: parks; playgrounds; recreation centers, systems and facilities; pleasure driveways; scenic ways; pathways; conservancy areas; open space or land; and natural areas.

**PERSON.** Any individual, firm, partnership, association, corporation, organization or business or charitable trust.

**PROPORTIONATE SHARE.** The cost of a public facility specifically and uniquely attributable to a residential development, after consideration of the generation of additional demand from the residential development, and any appropriate credits for contribution of money, dedication of land or taxes dedicated for such residential developments.

**PUBLIC BODY.** Collectively, the school districts and park districts having territory that is coextensive, in whole or in part, with the village.

**PUBLIC FACILITY.** School sites and park sites, and any other use permitted by law, that may be financed in whole or in part by the requirement of, or funds generated from, a development impact fee.

**RESIDENTIAL DEVELOPMENT.** Any subdivision for which application is made and final approval is received on or after May 18, 2006, and that is:

1. Used, or is designed or intended to be used, entirely or in part, for residential purposes other than for a multiple-family dwelling that either:
   a. Is "affordable housing," as defined in the Glencoe affordable housing plan and the Illinois Affordable Housing and Appeals Act, and subject to a recorded restrictive covenant approved by and acceptable to the village board; or
   b. Is "housing for senior citizens and handicapped persons," as defined in the Glencoe zoning code, and subject to a recorded restrictive covenant approved by and acceptable to the village board.

2. Contemplates, or results in, a net increase in the number of lots or dwelling units over that which previously existed on the property on which the residential development is, or is to be, located.

**SCHOOL DISTRICT.** Glencoe school district 35.

**SCHOOL SITE.** Land used for school purposes.

**SERVICE AREA.** Any classification, whether geographic, functional, or otherwise, described in a public body's needs assessment that is used to quantify and identify public facilities required by such public body to meet an existing or projected service standard.

**SERVICE STANDARD.** The existing level of service delivery associated with a public facility for which a development impact fee shall be required.
SITES. Lands that are:
1. Leased or owned, or to be leased or owned, by a public body; and
2. Used, to be used, or capable of being used for any purposes of the public body.

SUBDIVISION. Shall have the meaning ascribed to it in the subdivision regulations.

SUBDIVISION AGREEMENT. An agreement, entered into between a developer and the village, approving and governing the subdivision of land pursuant to these subdivision regulations.

SUBDIVISION REGULATIONS. Chapter 31 of this code, regulating the processes and design standards applicable to the division of land within the village, as the same has been, and may from time to time hereafter be, amended.

TABLE OF ESTIMATED ULTIMATE POPULATION PER DWELLING UNIT. The table included as Appendix A, subsection 31-3.11(u).

ZONING CODE. The Glenco zoning code, regulating the use of land within the village, as the same has been, and may from time to time hereafter be, amended.

(d) General procedures for development impact fees.

(1) Calculation of development impact fees. The village manager shall calculate development impact fees due from any particular residential development pursuant to and in accordance with this section, and the village manager shall present such calculations in writing to the developer and to each public body eligible to receive development impact fees due from any particular residential development. Development impact fees due from any particular residential development shall be collected no later than before the issuance of any building permit for any particular residential development. A developer may challenge the calculation or imposition of development impact fees by filing a written objection with the village clerk within ten days after receipt of the calculation from the village manager. Such objection shall set forth with particularity the basis for challenging the calculation and shall be accompanied by any evidence supporting such objection. In addition, if requested by the village manager, the developer shall obtain or provide such other information as may be reasonably requested for purposes of evaluating the developer’s objection. The final determination of calculation or applicability of development impact fees shall be made by the village board, in its sole discretion, based upon such information submitted by the developer and from other sources available to the village board or that may be submitted to the village board by a public body.

(2) Collection of development impact fees.

A. Public bodies with intergovernmental agreements. Any development impact fees due to a public body pursuant to an intergovernmental agreement and the provisions of this article shall be collected by such public body, and the developer shall be required to deliver to the village clerk a receipt from each affected public body evidencing delivery of such development impact fees. Unless expressly provided otherwise in a development agreement approved by the village, the developer shall not be entitled to any further permits, approvals or authorizations relating to the residential development until the developer delivers such receipt of payments to the village.

B. Public bodies without intergovernmental agreements. Any development impact fees relating to public facilities for public bodies that have not entered into intergovernmental agreements with the village pursuant to this section shall be paid to the village and collected by the village manager, who shall hold such development impact fees in trust for the affected public body or bodies. Unless expressly provided otherwise in a development agreement approved by the village, the developer shall not be entitled to any further permits, approvals or authorizations relating to the residential development until the developer delivers such payments to the village.

(3) Transfer of funds to accounts.

A. Upon receipt of development impact fees, the village manager shall forward such fees to the director of finance. In addition:

1. The director of finance shall establish an account in a bank authorized to receive
deposits of village funds;
2. The development impact fees deposited in the account shall be used solely for the purposes of and in accordance with this section; and
3. The director of finance shall maintain and keep adequate financial records for the account, which shall show the source and disbursement of all revenues, and which shall account for all money received. Such records shall account for money received as being funds allocable to the particular public body to which the funds are allocable under this section.

B. Whenever the village manager receives development impact fees in trust pursuant to subsection 31.3.11(d)(2)B., the director of finance shall separately account for such fees held in trust.

(4) Disbursement of funds.
A. In order to ensure that each distribution of development impact fees from the account shall be used solely and exclusively for the provision of projects consistent with the applicable needs assessment on file with the village, prior to the village board authorizing disbursement of any such funds in accord with this section, the village clerk shall be in receipt of each of the following:

1. A fully executed intergovernmental agreement between the village and the public body receiving such funds governing certain aspects of the implementation of this section by the village and the public body; and
2. A fully executed subdivision agreement. The amount of development impact fees due for the pro rata share of the costs of public facilities servicing the residential development shall be incorporated into the subdivision agreement.

B. No final plat of subdivision shall be approved and recorded for any residential development until the village clerk has received the fully executed subdivision agreement required pursuant to subsection 31.3.11(d)(4)A.2. No impact fees shall be disbursed until the village clerk has received the fully executed intergovernmental agreement required pursuant to subsection 31.3.11(d)(4)A.1. of this section.

(e) Use of development impact fees. Development impact fees paid pursuant to this section shall be restricted to use solely and exclusively for paying the cost of public facilities, whether payment is made directly therefor, or as a pledge against bonds, revenue certificates or other obligations of indebtedness.

(f) Effect of development impact fees on zoning and subdivision regulations. This section shall not affect, in any manner, the permissible use of property, density of development, design and improvement standards and requirements; or any other aspect of the development of land or provision of public improvements subject to the zoning and subdivision regulations or other applicable regulations of the village, which shall be operative and remain in full force and effect without limitation with respect to all such development.

(g) Development impact fees as additional and supplemental requirement. Development impact fees are additional and supplemental to, and not in substitution of, any other requirements imposed by the village on the development or subdivision of land or the issuance of building permits. In no event shall a property owner be obligated to pay for public facilities in an amount in excess of the amount calculated pursuant to this section; but a property owner may be required to pay, pursuant to village ordinances, regulations or policies, for other public facilities in addition to the development impact fees for public facilities as specified herein.

(h) Land in lieu of development impact fees.
(1) Prior to any preliminary plat approval (or such later time as the village board may, in its discretion, allow), a public body may make a request in writing to the village board to allow for a donation of land in lieu of development impact fees related to any development. Such a request shall specifically itemize the public body's reasons for requesting land in lieu of development impact fees.

(2) Upon receipt of a request from a public body for land in lieu of development impact fees.
fees, the village board shall consider and perform an analysis of such request, and make a
determination thereon by resolution duly adopted. The resolution shall be based upon a review of
the needs assessment on file with the village clerk for the public body making the request, as
well as the following factors:

A. Other developments occurring in the prior year within the surrounding area of the
residential development;
B. Public facilities actually constructed and servicing the surrounding area of the
residential development;
C. Changing public facility needs and capacity at existing public facilities servicing the
surrounding area of the residential development; and
D. Such other factors as the village board may deem to be relevant.

(3) Requests of land in lieu of development impact fees shall be made specifically for public
facilities or expansion of public facilities on adjacent parcels.

(i) Preparation of needs assessments.
(1) Each public body shall periodically prepare a study to assess the need for additional
public facilities.
(2) The study may consist of a detailed examination or analysis of existing public facilities,
service standards and/or research regarding sites.
(3) Such study should also reflect:
A. Development occurring in the prior years;
B. Public facilities actually constructed;
C. Changing public facility needs;
D. Inflation;
E. Revised cost estimates for public facilities;
F. Changes in the availability of other funding sources applicable to public facility
projects; and
G. Such other factors as may be relevant.
(4) Each public body shall maintain on file with the village clerk its most recent needs
assessment study.
(5) In addition, the village may request, as a condition of calculating or disbursing any
development impact fees from any particular residential development, that the public body
certify that the needs assessment study on file with the village clerk reasonably reflects such
public body's need for public facilities.
(6) Two or more public bodies may join together in the preparation of a needs assessment
provided the assessment ultimately contains the information required under this section for each
service area served by each such public body.

(j) Use and content of needs assessment.
(1) A needs assessment shall contain the following information for each service area
described in the assessment:
A. An inventory of existing lands and buildings utilized by the public body to provide
services within the service area;
B. An identification of the area of each building within a service area and, in the case of
schools, the number of students then enrolled in each school building;
C. A projection of the character of residential development that is expected to occur
during the succeeding ten-year period that will be affecting any service area;
D. An identification of the amount of lands that will be necessary for each service area in
order to accommodate the demands of the projected residential development; and
E. A general description of the total building area and, in the case of schools, temporary
classrooms, if any, that will be necessary for each service area in order to provide capacity for
the projected residential development.
(2) Public bodies that complete needs assessments for the acquisition of lands shall
periodically update those needs assessments and shall amend their adopted lands acquisition plan based on those updated needs assessments.

(k) **Source information for population estimate variable in impact fee formulas.**

(1) Calculation of required development impact fees or land dedication, as set forth in this section, shall be made in accordance with the population density projections contained in the table of estimated ultimate population per dwelling unit, as defined in this section.

(2) In the event a developer files a written objection, within ten days after receiving notice of the development impact fee calculation pursuant to subsection 31-3.11(d)(1), to the use of the table of estimated ultimate population per dwelling unit, the developer shall obtain and submit, at his or her own cost, a demographic study showing the estimated population to be generated from the residential development; and in that event, final determination of the density formula to be used in such calculations shall be made by the village board, in its sole discretion, based upon such demographic information submitted by the developer and from other sources available to the village board or that may be submitted to the village board by a public body.

(l) **Determination of land value and distribution of development impact fees.**

(1) **Determination of land value.** The development impact fees for public facilities shall be based on the fair market value of an acre of land for such facilities. For purposes of this section, the FAIR MARKET VALUE of an acre of land in and surrounding the village shall be no less than $1,000,000 which amount may be adjusted from time to time by ordinance or resolution of the village board. Such land value shall be used in making any calculations required in this section unless the developer files a written objection within ten days after receiving notice of the development impact fee calculation pursuant to subsection 31-3.11(d)(1). In the event of any such objection, the developer, at his or her own cost, shall obtain and submit an independent appraisal from an MAI designated appraiser indicating the fair market value of such improved land in the area of the proposed development. Final determination of the fair market value per acre of such land shall be made by the village board in its sole discretion based on such information submitted by the developer and from other sources which may be submitted to the village board by the public bodies or others.

(2) **Distribution of development impact fees.** The development impact fee for public facilities shall be collected in accordance with subsection 31-3.11(d)(2) and shall be used solely for public facilities of the public bodies for which such development impact fees are designated. Provided the village clerk has in his or her possession the respective agreements and indemnities of the public bodies as required by this section, any development impact fees so collected and held by the village shall be forwarded from time to time to the respective public body to be used in the funding of building sites and public facilities and for other purposes as permitted by law in accordance with the applicable intergovernmental agreement.

(m) **Criteria for determining school site development impact fee.** The following criteria shall govern the calculation of the school site development impact fee.

(1) **Service area requirement and population ratio.** The school development impact fee shall be calculated based on the amount of land that would be required for a school site in light of the ultimate number of students to be generated by the residential development.

A. The school site development impact fee requirement shall be determined by obtaining the product of the following:

1. Estimated number of students to be generated by the residential development within each school classification, as derived from the most current version of the table of estimated ultimate population per dwelling unit; over

2. The maximum recommended number of students to be served in each such school classification as established in this section; times

3. The recommended number of acres for a school site of each school classification as established in this section.

B. The product thereof shall be the acres of land deemed needed to have sufficient school
site land to serve the estimated increased number of students in each such school classification. The school site development impact fee shall be the cash amount, rounded upward to the nearest $5 increment, equal to the product of the number of acres required for school sites times 82.90% of the fair market value of land per acre established in this section.

(2) School classification and size of school site. School classifications and the size of school building sites within the village shall be determined in accordance with the following criteria:

<table>
<thead>
<tr>
<th>School Classification by Grade</th>
<th>Capacity</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary or grade K-5</td>
<td>600</td>
<td>11</td>
</tr>
<tr>
<td>Junior high or grades 6-8</td>
<td>900</td>
<td>29</td>
</tr>
</tbody>
</table>

(3) School site development impact fee.

<table>
<thead>
<tr>
<th></th>
<th>4 BR SF Detached</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary</td>
<td>.530 x 11 = .0097</td>
</tr>
<tr>
<td></td>
<td>600</td>
</tr>
<tr>
<td>Junior high</td>
<td>.298 x 29 = .0096</td>
</tr>
<tr>
<td></td>
<td>900</td>
</tr>
<tr>
<td>Elementary/jr high fee (combined)</td>
<td>(.0193 x $1,000,000) x 82.90% = $16,000</td>
</tr>
</tbody>
</table>

The elementary/junior high school development impact fee shall be $16,000 per dwelling unit.

(4) Location. Where land in lieu of development impact fees is requested, or required pursuant to subsection 31-3.1(h), the comprehensive plan and the standards adopted by the affected school district shall be used as guidelines in locating sites.

(n) Criteria for determining park site development impact fee. The following criteria shall govern the calculation of the park development impact fee.

(1) Service area requirement and population ratio.

A. The park development impact fee shall be calculated based on the amount of land that would be required for park purposes in light of the ultimate number of individuals to be generated by the residential development.

B. The public facilities that would be required for park purposes shall be directly related to the ultimate population to be generated by the residential development.

C. The park development impact fee requirement shall be determined by obtaining the product of the following:

1. Estimated population to be served by the park system, as derived from the table of estimated ultimate population per dwelling unit; over
2. One thousand; times
3. The sum of the recommended number of acres of park site for each park classification as established in this section.

D. The product thereof shall be the acres of land deemed needed to have sufficient park site land to serve the estimated increased population.

E. The park development impact fee shall be the cash amount, rounded upward to the
nearest $5 increment, equal to the product of the number of acres required for park site times 20.25% of the fair market value of land per acre established in this section.

(2) Park site classification and acreage per population. Park site classifications and the minimum acres of park site per 1,000 population shall be determined in accordance with the following criteria:

<table>
<thead>
<tr>
<th>Type of Park</th>
<th>Size Range in Acres</th>
<th>Minimum Acres per 1,000 Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mini park</td>
<td>1 - 3</td>
<td>0.5</td>
</tr>
<tr>
<td>Neighborhood park</td>
<td>3 - 20</td>
<td>2.0</td>
</tr>
<tr>
<td>Community park</td>
<td>50 - 100</td>
<td>8.0</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>10.5</td>
</tr>
</tbody>
</table>

(3) Park site development impact fee.

<table>
<thead>
<tr>
<th></th>
<th>4 BR SF Detached</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3.764 x 10.5 = .0395</td>
</tr>
<tr>
<td></td>
<td>1,000</td>
</tr>
<tr>
<td>Park site development impact fee</td>
<td>(0.0395 x $1,000,000) x 20.25% = $8,000</td>
</tr>
</tbody>
</table>
| For purposes of this subsection, the park site development impact fee shall be $8,000 per dwelling unit.

(4) Location. Where land in lieu of development impact fees is requested, or required pursuant to subsection 31-3.11(h), the comprehensive plan shall be used as a guideline in locating sites. Factors affecting the location of required park site dedication shall include, but not be limited to:

A. Accessibility to population served;
B. Existence of mature vegetation;
C. Proximity to permanent and seasonal waterways;
D. Existence of or proximity to unique topographical features; and
E. The value of the site as an extension of existing elements of the park system.

(o) Size and type of development.

(1) General rule. For purposes of implementing subsections 31-3.11(m) and (n) of this section, each dwelling unit within a residential development shall be deemed a "4 BR SF detached" for purposes of applying the table of estimated ultimate population per dwelling unit.

(2) Procedures for modifying general rule to a particular development.

A. In the event that a developer objects to the classification of certain dwelling units as being "4 BR SF detached," the developer may file a formal objection with the village clerk.

B. Such objection shall be filed by the earliest of either:
   1. The time of filing a building permit application for an individual dwelling unit for which a development impact fee had not previously been paid;
   2. Within 30 days after a new residential development receives final zoning and subdivision approval, where and as applicable, but prior to the presentation of any final plat or
development agreement for execution by the village or any of its officials; or

3. Within ten days after receiving notice of the development impact fee calculation pursuant to subsection 31-3.11(d)(1).

   C. In the event of an objection, the developer shall deliver to the village clerk:

      1. Such information and data as the developer believes will support its objection, as well as:

      2. Such information as the village manager may request relating to either the particular dwelling unit for which a building permit is sought or to all dwelling units to be constructed within a new residential development.

   D. Final determination of the classification of any dwelling unit shall be made by the village board based on the information provided by the developer, other relevant and available information and the terms of this section.

   (3) Corrective adjustment of development impact fee. In the event that the village board has modified the general rule in subsection 31-3.11(o)(1) at the request of a developer pursuant to subsection 31-3.11(o)(2) for a particular dwelling unit or units, and a subsequent building permit application is presented for any such dwelling unit that would have required a larger development impact fee but for the adjustment approved pursuant to the developer's request under this subsection, no building permit shall be issued for such dwelling unit unless the developer of that dwelling unit pays a corrective development impact fee. The corrective development impact fee shall be equal to 115% of the applicable development impact fee for such dwelling unit as calculated at the time of the building permit application less the development impact fee initially paid in connection with such dwelling unit.

   (p) Credit for net reduction of any or all lots, dwelling units or bedrooms.

      (1) Where a new residential development involves a net reduction in the number of any or all of the lots, dwelling units or bedrooms on the property on which the development is, or is to be, located, and development impact fees had previously been paid in connection with an earlier development of such property, the developer may request a credit for a net reduction, calculated on a "per unit of public body" basis. Such request shall be filed within 30 days after a new residential development receives final zoning and subdivision approval, where and as applicable, but prior to the presentation of any final plat or development agreement for execution by the village or any of its officials. The credit due the developer shall be the proportion of such net reduction to the number of lots, dwelling units or bedrooms for which development impact fees were previously paid in connection with the development of the property, but in no event shall such credit reduce the amount of development impact fees due in connection with the new residential development less than zero, nor shall any credit against the development impact fee due to one public body be used to offset development impact fees due other public bodies calculated by reason of the new residential development.

      (2) In the event a developer is entitled to a credit for the net reduction of the number of any or all of the lots, dwelling units or bedrooms on the property on which the development is, or is to be, located, and more than one lot is created from the property on which such unit or units were located, the credit shall be equally divided among all such newly created lots. The amount of such credit due per lot shall be determined prior to recording a new plat of subdivision, and the amount of the credit for each such lot shall be set forth in the subdivision agreement, or applicable agreement, prior to recordation.

      (q) Reservation of additional land. Pursuant to this chapter 31, the village has made provision for school sites, park sites and public land. In addition, the village has in its comprehensive plan designated land that may be appropriate for development as school sites, park sites or public land. As a result of such provisions and designations:

         (1) Where land is requested in lieu of a development impact fee or in lieu of more than 50% of a development impact fee; and

         (2) The comprehensive plan, or the standards of the village, or the needs assessment of a
public body call for a larger park site or school site in a particular residential development than the
developer is required to dedicate, then any land within the development so designated in the
village’s comprehensive plan will be reserved in accordance with § 11-12-8 of the Illinois
Municipal Code, 65 ILCS 5/11-12-8 for subsequent purchase by the village or other public body
designated by the village. Such reservation will terminate within one year from the date of
approval of the final plat unless a negotiated purchase is made or eminent domain proceedings
are commenced within such one-year period, or an agreement between the developer and the
village is recorded outlining specific conditions for the conveyance of such property.
(Ord. No. 08-17-3228)
(r) **Combining with adjoining development.** Where land is requested in lieu of a development
impact fee and the residential development is less than 40 acres, where practical, a park site or
school site should be combined with dedications from adjoining residential developments in
order to produce a usable park site or school site without undue hardship on a particular
developer.
(s) **General site standards.** The slope, topography and geology of any dedicated site as well
as its surroundings must be suitable for its intended purpose. Wetlands, storm water detention
areas and retention areas shall not be accepted for village ownership and maintenance, nor shall
such lands be credited against development impact fees if accepted by a park district for
ownership and maintenance. A park site shall be not less than one acre in area. Wetlands,
detention areas, retention areas and areas of steep slope shall not be accepted as school sites.
(t) **School site standards.**
(1) A school site shall be dedicated in a condition ready for full infrastructure improvements
as required by this code, including, but not limited to, electrical service, water service, sanitary
sewer, storm sewer and street improvements.
(2) Depending upon projected timing for the construction of school facilities, a cash
contribution may be required in lieu of the sidewalk and street tree improvements.
(3) The cash contribution shall be equal to the cost of such improvements consistent with
approved engineering plans and estimates of cost.
(u) **Appendix A: Table of Estimated Ultimate Population per Dwelling Unit.**

| Appendix A: Table of Estimated Ultimate School Population per Dwelling Unit |
|---------------------------------|------|-------|---------|--------|--------|------|
| Type of Unit                  | Preschool 0-4 Years | Elementary Grades K-5 5-10 Years | Junior High Grades 6-8 11-13 Years | Total Grades K-8 5-13 Years | High School Grades 9-12 14-17 Years | Adults 18 up |
| Single-family detached       |                  |                                 |                                  |                         |                                   |          |
| 2 bedroom                     | 0.133            | 0.136                           | 0.048                           | 0.184                   | 0.020                             | 1.700     |
| 3 bedroom                     | 0.292            | 0.369                           | 0.173                           | 0.542                   | 0.184                             | 1.881     |
| 4 bedroom                     | 0.418            | 0.530                           | 0.298                           | 0.828                   | 0.360                             | 2.158     |
| 5 bedroom                     | 0.283            | 0.345                           | 0.248                           | 0.593                   | 0.300                             | 2.594     |
| Single-family attached        |                  |                                 |                                  |                         |                                   |          |
| 1 bedroom                     | 0.000            | 0.000                           | 0.000                           | 0.000                   | 0.000                             | 1.193     |
| 2 bedroom                     | 0.064            | 0.088                           | 0.048                           | 0.136                   | 0.038                             | 1.752     |
| 3 bedroom                     | 0.212            | 0.234                           | 0.058                           | 0.292                   | 0.059                             | 1.829     |
| 4 bedroom or more             | 0.323            | 0.322                           | 0.154                           | 0.476                   | 0.173                             | 2.173     |
Multiple-family dwelling and community residence

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<th>0.000</th>
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<td>0.001</td>
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<td>0.128</td>
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<td>0.123</td>
<td>0.357</td>
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<tr>
<td>or more</td>
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</table>

(Ord. No. 06-24-3166; Ord. No. 08-17-3228)

ARTICLE IV. PUBLIC IMPROVEMENTS
(Ord. No. 06-09-3151)

§ 31-4.1 GENERAL REQUIREMENTS.

The applicant shall provide, at his or her sole expense, the public improvements described in this section.

(a) Streets and rights-of-way.

(1) General. All streets shall be designed and installed in accordance with the requirements of the Engineering Standards and Specifications Manual and shall be designed to allow the safe passage of moving traffic. A subdivision shall be designed so as to accommodate the extension of existing and planned streets in the village and shall recognize the connectivity of any neighborhood surrounding the proposed subdivision.

(2) Rights-of-way widths.

A. Regional and community arterial streets, as defined in the Engineering Standards and Specifications Manual, and any street designated by the state as a state highway, shall be not less than 80 feet in width.

B. Collector and local streets, as defined in the Engineering Standards and Specifications Manual, shall be not less than 66 feet in width.

C. Cul-de-sac streets, as defined in the Engineering Standards and Specifications Manual and having a length greater than 300 feet, shall be not less than 50 feet in width. Cul-de-sac streets having a length less than 300 feet shall be not less than 40 feet in width.

D. Alleys shall be not less than 20 feet in width.

(3) Cul-de-sac streets. All cul-de-sacs shall terminate in a circular right-of-way with a minimum pavement diameter of 70 feet.

(4) Curbs and gutters. All streets shall be designed and constructed with a curb and gutter system in accordance with the Engineering Standards and Specifications Manual.

(5) Intersection design and improvement. Intersections shall be designed and constructed in accordance with the requirements of the Engineering Standards and Specifications Manual.

(6) Street name signs. Street name signs approved by the village manager shall be installed at all street intersections.

(7) Street lights. Street lights shall be installed in accordance with the Engineering Standards and Specifications Manual.

(8) Traffic study. The village may require the submission of a traffic study by a qualified traffic engineer addressing the design and installation of adequate and safe capacity and adequate traffic control devices on the streets adjacent to and within the proposed subdivision.

(b) Sidewalks. Sidewalks shall be designed and constructed in accordance with the requirements of the Engineering Standards and Specifications Manual. Sidewalks shall be provided on both sides of all streets throughout a subdivision; provided, however, that an exception may be permitted, in the village's sole discretion, to allow the installation of a sidewalk on only one side of a cul-de-sac street.

(c) Water systems. The water system of the village shall be extended to serve all lots within a...
subdivision in accordance with the *Engineering Standards and Specifications Manual*, as well as
to accommodate extension to or connection with current or future water facilities on adjoining
properties.

(d) *Fire hydrants.* Fire hydrants shall be installed throughout the entire subdivision at a
distance not more than 400 feet from one another, in accordance with the *Engineering Standards
and Specifications Manual*.

(e) *Sanitary sewer systems.* Sanitary sewer systems shall be installed to serve all lots within a
subdivision in accordance with the *Engineering Standards and Specifications Manual*.

(f) *Storm water systems.* Storm water systems, including, without limitation, storm sewers
and storm water detention facilities, shall be installed to serve all lots within a subdivision in
accordance with the *Engineering Standards and Specifications Manual*.

(g) *Parkway trees.* Street trees shall be planted throughout the subdivision. The location,
space and species of such trees shall be as set forth in the *Engineering Standards and
Specifications Manual*.

(Ord. No. 06-09-3151)

§ 31-4.2 PERFORMANCE SECURITY FOR PUBLIC IMPROVEMENTS.

(a) *General requirement.* The applicant shall submit to the village security for the public and
other improvements required for the new subdivision in accordance with the requirements of this
section.

(b) *Amount of performance security.*

1. Prior to the issuance of any building permit or commencement of any construction on
the subject property, the applicant shall deliver to the village performance security, in a form
approved by the village attorney and issued by a financial institution acceptable to the village
manager, in the amount of 110% of:

A. The village engineer's estimate of the costs for constructing and installing all of the
public and other required improvements; or

B. The actual cost as shown by all contracts for construction and installation of all of the
public and other required improvements, whichever is greater.

2. The performance security shall be for the purpose of insuring the construction of all of
the public and other required improvements in accordance with the final engineering plans and
all applicable requirements of law.

(c) *Terms of performance security.* The performance security shall remain in effect at all
times until all of the public and other required improvements have been approved by the village
engineer and the public improvements have been accepted by the village pursuant to § 31-4.4. If
the public and other required improvements have not been completed and accepted or approved
by the village 30 days prior to the date on which the security by its terms is to expire, then the
applicant shall deliver on or before such date replacement security which by its terms shall
extend through the date the public and other required improvements are accepted or approved by
the village. If the applicant fails to so deliver such security, then the village shall have the right at
such time, without prior notice to applicant, to draw down the full amount of the existing
security.

(d) *Draw on performance security.* If the applicant fails or refuses to complete the
construction of any of the public or other required improvements covered by the performance
security, or fails to correct any defect or deficiency in such improvements upon request by the
village, or in any other manner fails or refuses to meet fully the obligations under the
performance security, or the applicable development agreement, then the village may, in its sole
and absolute discretion, draw on or retain all or any part of the performance security.

(e) *Partial reduction of performance security.*

1. The applicant may make a written request to the village engineer to partially reduce the
amount of the approved performance security. The village engineer shall be authorized, in his or
her sole discretion, to approve a partial reduction in the amount of the performance security,
provided that the public and other required improvements for which the reduction is sought have been completed, inspected and approved by the village engineer.

(2) In no event shall the amount of the performance security be reduced to a level that:

A. Would not allow the village to complete the installation of the public and other improvements required for the subdivision, in the sole and absolute opinion of the village engineer and village manager; or

B. Is less than the guaranty security required by § 31-4.5.

(f) Release of performance security. Following the village engineer's certification that all public and other required improvements included in the security have been completed to the satisfaction of the village engineer, and the village's acceptance of all public improvements in accordance with all requirements of § 31-4.4, including without limitation the delivery of satisfactory guaranty security or all public improvements, the village manager shall release the security.

(Ord. No. 06-09-3151)

§ 31-4.3 INSPECTION OF WORK.

The public and other required improvements shall not be deemed completed until the village engineer, or the village’s appointed inspector, has inspected the public and other required improvements, determined that the approved engineering plans have been satisfactorily implemented, and has issued a written declaration of completion to the applicant. Upon written request from the applicant, and promptly thereafter, at a time mutually agreeable to applicant and the village engineer or its appointed inspector, the village engineer or its appointed inspector shall inspect the public and other required improvements and report its findings as to acceptability and completeness to applicant. The village engineer shall prepare a punch list of items, if any, to be performed or corrected and shall fix a time within which applicant shall perform or correct the items listed thereon. Following applicant's performance or correction of the items, the village engineer or its appointed inspector shall make another review of the public and other required improvements, and either issue a written declaration declaring the public and other required improvements to be complete or present another punch list to the applicant.

(Ord. No. 06-09-3151)

§ 31-4.4 DEDICATION AND ACCEPTANCE OF THE IMPROVEMENTS.

(a) The acceptance of the public improvements shall be made only by the adoption of a resolution by the board of trustees of the village after there has been filed with the village manager a certification by the village engineer stating that:

(1) The public and other required improvements have been completed and the public improvements are in all respects in satisfactory condition for acceptance;

(2) Two sets of "as-built" plans of the public improvements constructed have been received;

(3) Satisfactory guaranty security for the public improvements has been delivered to the village in accordance with § 31-4.5 of this agreement; and

(4) All surveying monuments have been placed in accordance with § 31-3.10, and after the applicant has paid to the village all monies due and owing by the applicant to the village.

(b) Further, the village shall have no obligation to accept the public improvements if the applicant has failed in any respect to comply strictly with this chapter 31.

(c) Prior to acceptance of the public improvements, the applicant shall, at applicant's own cost and expense, remove, discharge or otherwise dispose of any and all liens and other encumbrances on the public improvements.

(d) The applicant shall convey and transfer title to the public improvements by bill of sale to the village.

(e) The applicant shall deliver such documents to the village, together with any other documents deemed necessary by the village or the village attorney, including, without limitation, non-exclusive easements on, over and across the subject property to enable the village to access the public improvements.
(f) All such documents shall be acceptable to the village attorney in form and substance.
(Ord. No. 06-09-3151)

§ 31-4.5 GUARANTY SECURITY.
The applicant shall provide to the village guaranty security, in an amount equal to 10% of the actual cost of construction of all the public improvements, the form and substance of which shall be acceptable to the village attorney. The guarantee security shall insure the village against any defects in the work performed and materials used in the construction of the public improvements for two years after the village's acceptance of the public improvements. Such security, as approved by the village attorney, shall be delivered to the village prior to acceptance of the public improvements.
(Ord. No. 06-09-3151)

§ 31-4.6 DEVELOPMENT AGREEMENT.
The development agreement required by subsection 31-1.22(f)(2) of this code shall, without limitation, include or reference the following minimum information:
(a) Proposed schedule for installation of required public improvements and referencing the final plat of subdivision, final engineering plans;
(b) Description and estimated cost of the public improvements, in a form and amount approved by the village engineer;
(c) Type and summary of the terms of the performance security for the construction of the public improvements;
(d) Reserved;
(Ord. No. 06-09-3151)
(e) A summary of the covenants, restrictions and easements necessary for the subdivision, if required;
(f) Agreement to pay for the public improvements and any other applicable costs, payments, permit fees, inspection fees or other fees attributable to the subdivision;
(g) Special provisions acknowledging, accepting and ensuring compliance with any conditions of approval of the subdivision; and
(h) All other provisions deemed necessary by the village manager in order to fulfill the purpose and intent of this code.
(Ord. No. 06-09-3151)

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