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ARTICLE 1 LAND SUBDIVISION

Section 1-1 EFFECT ON ARTICLE

Upon the effective date of this Code, no land within the subdivision jurisdiction of the Village, (including area within 1.5 miles of the corporate limits of the Village of Caseyville) except land specifically exempted from the Illinois Plats Act as now or hereafter amended (765 ILCS 205), shall be subdivided or developed except in compliance with the regulations of this Article. No lot in any subdivision shall be conveyed until, in accordance with Division II Article 2:

- (a) the final plat of said subdivision has been approved by the Board of Trustees and recorded in the office of the St. Clair County Recorder of Deeds; and
- (b) the portion of said subdivision in which the lot is located has been improved in accordance with the requirements of this Article, or until a performance bond or other security has been posted to assure the completion of such improvements.

Section 1-2 SUITABILITY FOR SUBDIVISION GENERALLY

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

Section 1-3 LOT REQUIREMENTS

All lots in any subdivision shall conform to the minimum area and dimensions requirements of the zoning district; not more than ten percent (10%) of these minimum requirements may be satisfied by land that is under water. (See: Division II Section 3-3.) Corner and through lots shall be large enough to permit compliance with the front setback requirements of the district on every side that has street frontage. (See: Division II Section 3-8.) All lot remnants shall be added to adjacent lots to avoid the creation of unbuildable parcels. All lots shall contain adequate space for required off-street parking and loading. (See: Division II Article 7.)

1-3.1 ACCESS AND RELATIONSHIP TO STREET:

Land shall be subdivided in such a way that each lot abuts a street meeting the requirements of Division VII Section 1-5. All side lot lines shall be at right angles to straight street right-of-way lines or radial to curved street right-of-way lines except where a deviation from this rule will provide a better street and lot design.

Section 1-4 REFERENCE MONUMENTS

Stone or reinforced concrete reference monuments, set in the ground in such a manner that they will not be moved by frost, shall be placed in the field in accordance with the Plats Act, as now or hereafter amended (765 ILCS 205).

1-4.1 LOT MARKERS:

All lot corners shall be marked by one-half (0.5) inch iron pins not less than twenty-four (24) inches long. These pins shall be driven into the ground deep enough that they do not protrude above the ground surface more than one and one-half (1.5) inches.

Section 1-5 STREET DESIGN STANDARDS

All streets shall be properly integrated with the existing and proposed street system indicated in the Village's Comprehensive Plan, and shall meet the specifications set forth in tabular form below.

TABLE OF STREET DESIGN SPECIFICATIONS

<u>Type of Street</u>	<u>Permitted On-Street Parking</u>	<u>Required Right-of-Way</u>	<u>Required Width of Pavement (Back of Curb to Back of Curb)</u>	<u>Maximum/Minimum Grades</u>
Local (including marginal access)	One Side Only	50 ft.	30 ft.	Maximum: 12% Minimum: 0.3%
Collector	Both Sides	60 ft.	36 ft.	Maximum: 8% Minimum: 0.3%
Arterial	None	80 ft.	50 ft.	Maximum: 8% Minimum: 0.3%

1-5.1 TOPOGRAPHICAL CONSIDERATIONS:

Grades of streets shall conform as closely as possible to the natural topography, but shall not exceed the maximum grade nor be less than the minimum grade indicated in the Table of Street Design Specifications. All streets shall be arranged so that as many as possible of the building sites are at or above street grade.

1-5.2 THROUGH TRAFFIC DISCOURAGED:

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

1-5.3 LIMITED ACCESS TO ARTERIALS:

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

one of the following means:

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

1-5.4 DEAD-END STREETS:

- (a) Temporary Stub Streets: Streets shall be so arranged to provide for the continuation of principal streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire and police protection, and efficient provision of utilities, and where such continuation comports with the Village's Comprehensive Plan. If the adjacent property is undeveloped and the street must dead-end temporarily, the right-of-way shall be extended to the property line, and no strip that would prevent connections with future streets shall be reserved. A temporary turn-about shall be provided at the terminus of any temporary dead-end street.
- (b) Permanent Dead-End Streets: For greater convenience to traffic and more effective police and fire protection, permanent dead-end streets shall be limited to five hundred (500) feet. The terminus of a permanent dead-end street shall not be closer than fifty (50) feet to the boundary of an adjacent tract. A cul-de-sac turn-around, having a minimum right-of-way radius of fifty (50) feet and a minimum pavement radius of forty (40) feet, shall be provided at the end of every permanent dead-end street.

1-5.5 ALLEYS:

Alleys shall be prohibited in single-family residence districts. Alleys may be required in multiple-family districts and in commercial/industrial districts unless other adequate provisions for service access are made. When required or provided, alleys shall be at least twenty (20) feet wide, and shall be paved in accordance with Division VII Section 11-6. Alleys shall not intersect with one another nor change sharply in alignment; provided that the Planning Commission may recommend that this restriction be waived in highly unusual instances. Adequate vehicular turn-around space shall be provided at the terminus of any dead-end alley.

1-5.6 INTERSECTIONS:

- (a) Only Two Streets: Not more than two (2) streets shall intersect at any one point.
- (b) Right Angles: Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) streets at an angle of less than seventy-five degrees (75°) shall not be acceptable. An oblique street shall be curved approaching an intersection and shall be approximately at right angles with said intersection for at least

one hundred (100) feet therefrom.

- (c) Proper Alignment: Proposed new intersection along one side of an existing street shall, wherever practicable, coincide with any existing intersections on the opposite side of such street. Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall not be permitted, except where the intersected street has divided lanes without median breaks at either intersection. Intersections involving collector or arterial streets shall be at least eight hundred (800) feet apart.
- (d) Curb Radii: To permit safe vehicular movement at corners, the minimum curb radius at the intersection of two streets shall be twenty (20) feet, and the minimum radius at the back of the curb shall be thirty-two (32) feet.
- (e) Flat Grade: Intersections shall be designed with a flat grade wherever practical. In hilly terrain, an area having not greater than a two percent (2%) slope for a distance of sixty (60) feet from the nearest right-of-way line of the intersecting street shall be provided at the approach to an intersection.
- (f) Maximum Cross-Slope: The cross-slope on all streets, including intersections, shall not exceed three percent (3%).
- (g) Adequate Sight-Lines: Where any street intersection will involve earth banks or existing vegetation in the triangular the developer shall cut such ground and/or vegetation (including trees) in connection with the grading of the public right-of-way to the extent necessary to provide an adequate sight distance. (See: Division II Subsection 3-11(b) and as detailed in Appendix A.)

1-5.7 REVERSE CURVES:

A tangent at least one hundred (100) feet long shall be introduced between reverse curves on local collector and collector streets, except where the street has lanes divided by a median.

1-5.8 IMPROVEMENTS TO EXISTING STREETS:

Whenever any subdivision borders a street that is narrower than the standards indicated in the Table of Street Design Specifications the subdivider shall dedicate sufficient right-of-way to permit compliance with those standards, and the developer shall improve said street to the standards imposed in Division VI Section 1-6. Land reserved for street improvements shall not be counted to satisfy the district lot area and setback requirements.

1-5.9 WHEN EXCESS RIGHT-OF-WAY REQUIRED:

Right-of-way width in excess of the standards set forth in the Table of Street Design Specifications (Division VI Section 1-5) shall be required where:

- (a) due to topography, additional width is necessary to provide adequate earth slopes; or
- (b) due to the location of railroad tracks, additional width is needed to construct overpasses, underpasses, and approaches thereto.

Section 1-6 STREET IMPROVEMENTS STANDARDS

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

1-6.1 CURB AND GUTTER:

All streets shall be bounded by integral concrete curb and gutter; as detailed in Appendix A provided that this requirement may be waived in the case of marginal access streets with adequate shoulders.

1.6.2 PAVEMENT:

All streets and alleys shall be paved as indicated below; provided that equivalents to the following standards may be approved by the Village Engineer depending on engineering and traffic volume considerations. The subgrade for all pavements shall consist of 10" minimum of lime modified subgrade, which shall extend a minimum of 1 foot beyond the back of the curb, constructed in accordance with the applicable provisions of the Standard Specifications for Road and Bridge Construction adopted by the State of Illinois.

(a) Alleys, marginal access, local:

1. six (6) inches of Portland Cement concrete; or
2. Two (2) inches of Class "I" Type "B" mix or eight (8) inches of compacted stone.

(b) Collectors (residential and non-residential):

1. six (6) inches of non-reinforced Portland Cement concrete; or
2. six (6) inches of BAM overlaid with two (2) inches of Class "I" Type "C" mix.

(c) Arterials:

1. eight (8) inches of reinforced Portland Cement concrete; or
2. asphaltic concrete construction meeting Illinois Department of Transportation specifications.

Section 1-7 BLOCKS

- (a) Block Width: Blocks shall be sufficiently wide to accommodate two (2) tiers of lots having the minimum depth required by the zoning district regulations; provided, that this requirement may be waived in blocks adjacent to local collector or collector streets, railroads, or watercourses.
- (b) Block Length: No block shall be longer than one thousand four hundred (1,400) feet nor shorter than five hundred (500) feet. Wherever practicable, blocks along collector streets shall be not less than one thousand (1,000) feet in length.

- (c) Crosswalks: Crosswalks, not less than ten (10) feet wide, may be required through the center of blocks more than one thousand (1,000) feet long where necessary to provide circulation or access to schools, playgrounds, shopping centers, transportation, or other community facilities.

Section 1-8 SIDEWALKS

Sidewalks shall be required:

- (a) on at least one side of the street, when residential density is between two (2) and four (4) dwelling units per net acre;
- (b) on both sides of the street, when residential density is four (4) or more dwelling units per net acre; and
- (c) along collector streets, near schools, and in shopping areas and similar public places.

These requirements shall not be waived unless the Planning Commission advises the Board of Trustees that, in the area in question, sidewalks are not needed to ensure public safety, and/or that topographical conditions make the installation of sidewalks impractical.

1-8.1 SIDEWALK CONSTRUCTION STANDARDS:

- (a) Relationship to Curb: The street-side edge of every sidewalk shall either abut the curb or be located at least six (6) feet from the curb to allow sufficient space for tree planting. If the sidewalk abuts the curb, tree wells shall be provided.
- (b) Width: Residential sidewalks shall be at least four (4) feet wide. Non-residential sidewalks shall be at least six (6) feet wide.
- (c) Thickness of Concrete: All sidewalks shall be constructed of concrete at least four (4) inches thick, except that across driveways the thickness shall be increased to six (6) inches and/or number six (#6) reinforcing mesh shall be used.
- (d) Grade: No sidewalk shall be constructed at a grade steeper than ten percent (10%).

Section 1-9 STREET NAME SIGNS

Street name signs; of the size, height, and type approved by the Village Engineer, shall be placed by the developer at all intersections within or abutting any subdivision. Street names shall be sufficiently different in sound and in spelling from other street names in the Village so as not to cause confusion. A street planned as a continuation of an existing street shall bear the same name.

Section 1-10 UTILITIES

All utility facilities, including gas, electric power, telephone, and CATV cables, shall be located

underground throughout the subdivision. Existing utility facilities located aboveground, except those located in public right-of-way, shall be removed and placed underground. Underground service connections to the property line of each platted lot shall be installed at the developer's expense, provided that, at the discretion of the Planning Commission, the requirements for service connections to each lot may be waived in the case of adjoining lots to be retained in single ownership.

1-10.1 UTILITY EASEMENTS:

Easements, at least seven and one-half (7.5) feet wide, shall be provided for public and private utilities. Said easements shall be centered on rear lot lines except where they must be located along side lot lines due to topographical or other conditions.

Section 1-11 WATER FACILITIES

An adequate supply of potable water shall be provided to every platted lot in accordance with Illinois Department of Public Health regulations. If the public water system is accessible, each lot shall be properly connected thereto at the property line. If the public water system is not available, individual wells may be used or a private central water system may be developed, provided the Village Engineer approves such facilities. All water distribution lines shall be at least six (6) inches in diameter. (See: Division II Section 3-13.). Water main shall be AWWA C-900 PVC or Ductile Iron pipe, unless otherwise approved by the Village Water Superintendent.

1-11.1 FIRE HYDRANTS:

Fire hydrants of the type approved by the Caseyville Fire Chief shall be installed in every subdivision as part of the water distribution system. The distance from any lot to a hydrant, measured along the centerline of the public right-of-way, shall not be greater than five hundred (500) feet. Fire Hydrants shall have 5-1/4" main valve opening three way (two hose nozzles and one pumper nozzle) and be in conformance with AWWA C502. All fire hydrants shall be painted yellow.

Section 1-12 SANITARY SEWERS

All proposed sanitary sewer facilities shall comply with the regulations of the Illinois Department of Public Health and the Illinois Environmental Protection Agency, and must be approved by the Village Engineer. (See: Division II Section 3-12.)

1-12.1 WHEN PUBLIC SYSTEM AVAILABLE:

Whenever the public sanitary sewerage system is accessible, the developer shall extend said system throughout the subdivision, and shall provide each lot with a connection thereto.

1-12.2 INDIVIDUAL DISPOSAL SYSTEMS:

Individual sewage disposal facilities, such as septic tanks, shall not be installed in any subdivision containing more than ten (10) lots as shown on the final plat or as subsequently developed. Where individual disposal facilities are permitted, the Administrator may require that minimum lot size be increased as necessary above usual zoning district requirements.

1-12.3 SANITARY SEWER EASEMENTS:

Sanitary sewer easements shall be provided along the rear lot lines of every platted lot. The precise location and minimum widths of said easements shall be determined by the Village Engineer.

1-12.4 SANITARY SEWER MATERIALS:

Sanitary sewer main shall be SDR-35 PVC (ASTM D-3034) minimum. Where sewers are 12-foot deep or more, SDR-26 PVC or ductile iron pipe shall be required as directed by the Village Engineer.

Section 1-13 DRAINAGE AND STORM SEWERS

No plat shall be approved until the Planning Commission, after consultation with the Village Engineer, has determined that the proposed provisions for stormwater drainage are adequate. Drainage improvements in the subdivision shall be coordinated with existing and planned drainage improvements elsewhere so as to form an integrated Village-wide system. The stormwater drainage system shall be separate and independent of the sanitary sewer system.

1-13.1 CATCH BASINS:

Catch basins, shall be provided so that surface water is not carried across or around any intersection, nor for a distance of more than six hundred (600) feet in the gutter.

1-13.2 ACCOMMODATION OF UPSTREAM DRAINAGE AREAS:

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

1-13.3 EFFECT ON DOWNSTREAM AREAS:

The Village Engineer shall also consider the effect of any proposed subdivision on downstream areas. Where it is anticipated that the additional runoff incident to development of the subdivision will overload an existing downstream drainage facility, the Planning Commission shall require the developer to install additional drainage improvements to alleviate the overload problem.

1-13.4 AREAS SUBJECT TO FLOODING:

Whenever a plat is submitted for an area that is subject to flooding, the Planning Commission following consultation with the Village Engineer and other technically-qualified persons, may require extraordinary protective measures, including the filling of the flood prone area to a level above the regulatory flood elevation.

1-13.5 DRAINAGE EASEMENTS:

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

1-13.6 STORMWATER DRAINAGE:

In addition to complying with the provisions of Division VI Section 1-13, the provision of Division VII must also be complied with when subdividing land within the jurisdiction of the Village of Caseyville.

1-13.7 STORM SEWER MATERIALS:

All storm sewers crossing beneath Village streets shall be reinforced concrete culvert pipe (RCCP). At other locations, corrugated metal pipe (CMP) or HDPE storm sewer pipe may be used if approved by the Village Engineer.

Section 1-14 EROSION AND SEDIMENTATION CONTROL

In the Development of any subdivision, erosion and sedimentation control regulations delineated in Division VII of this Code shall be complied with.

Section 1-15 RESERVATIONS FOR PUBLIC USE

In accordance with 65 ILCS 5/11-12-8, and after consultation with appropriate public officials or bodies, the Planning Commission may require the subdivider to reserve land for parks, playgrounds, schools, or other public purposes in locations designated in the Comprehensive Plan. The area to be reserved shall be of suitable size, dimensions, topography, and general character, and shall have adequate access, for the particular purposes envisioned by the Planning Commission. Such reserved areas shall be indicated on the plat.

1-15.1 MONEY IN LIEU OF LAND:

In lieu of land reservation, the Planning Commission may require the developer to deposit a cash payment with the Village prior to approval of the final plat. The Village shall use such deposit to acquire or improve recreational or educational facilities that are/will be located in the vicinity of said subdivision and available and beneficial to the residents thereof. The amount of the cash deposit shall be equal to the cost of such acquisition or improvements.

1-15.2 DURATION OF RESERVATION:

Action to acquire the land reserved for public purposes on the final plat must commence within twelve (12) months from the date said final plat is approved. Failure to initiate such action within the prescribed time shall result in removal of the reservation and the consequent freeing of the property for other permitted development.

ARTICLE 2 SUBDIVISION PROCEDURES

Section 2-1 PRELIMINARY PLATS

The subdivider of every subdivision located within the subdivision jurisdiction of the Village--except a "minor subdivision" as defined at Section 2-2 and land exempted from the Illinois Plats Act (765 ILCS 205)--shall file with the Zoning Administrator:

- (a) four (4) copies at a minimum of ~~in~~ 24 inch by 36 inch format of the preliminary plat of said subdivision; and
- (b) twenty (20) copies in 11 inch by 17 inch format of the preliminary plat of said subdivision; and
- (c) twenty (20) copies of all data necessary to show compliance with the provisions of this Code.

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

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

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

2-1.1 INFORMATION REQUIRED:

Every preliminary plat shall be prepared by a land surveyor registered in Illinois at any scale necessary for clarity, provided the resultant drawing does not exceed thirty-six (36) inches square. Said preliminary plat, together with the supporting data, shall provide all of the following information:

- (a) names and addresses of the owner, subdivider (if not the owner), and registered land surveyor;
- (b) proposed name of the subdivision;
- (c) zoning district classifications of the tract to be subdivided;
- (d) north arrow, graphic scale, and date of map;
- (e) dimensions of the tract, and its gross and net area;

- (f) topography of the tract to be subdivided as indicated by two- (2) foot contour data for land having slopes of zero-four percent (0-4%), five- (5) foot contour data for land having slopes of four-twelve percent (4-12%), and ten- (10) foot contour data for land having slopes of twelve percent (12%) or more;
- (g) locations of such features as bodies of water, ponding areas, natural drainageways, railroads, cemeteries, bridges, parks, schools, etc.;
- (h) locations and right-of-way widths of all existing and proposed streets and alleys;
- (i) locations, widths, and purposes of all existing and proposed easements;
- (j) location and size of existing and proposed sanitary and storm sewers;
- (k) locations, types, and approximate sizes of all other existing and proposed utilities;
- (l) locations, dimensions, and areas of all parcels proposed to be reserved and dedicated for schools, parks/playgrounds, and other public purposes;
- (m) location, dimension, and area of all proposed or existing lots within the subdivision;
- (n) proposed street typical section;
- (o) proposed pavement composition; and
- (p) drainage arrows along streets.

Section 2-2 IMPROVEMENT PLANS

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

- (a) the Administrator shall not issue any Authorization to Proceed that would have the effect of permitting actual construction of said improvements to commence; and
- (b) the Board of Trustees shall not act upon the application for final plat approval.

2-2.1 INFORMATION REQUIRED:

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

- (a) topography of the tract, both before and after development, at the same scale as required in the preliminary plat;
- (b) existing and proposed elevations along the centerlines of all streets;
- (c) radii of all curves and lengths of tangents on all streets;
- (d) locations and typical cross-section of street pavements including curbs/gutters and catch basins;
- (e) locations and typical cross-section of sidewalks and driveway aprons;
- (f) locations, sizes, and invert elevations of all existing and proposed sanitary sewers, storm sewers, and fire hydrants, showing connections to any existing or proposed utility systems;
- (g) locations and sizes of all water, gas, electric, and other utilities;
- (h) locations of street lighting standards and street signs;
- (i) locations of all trees having a diameter of two (2) inches or more when measured twelve (12) inches above the ground;
- (j) all proposed measures to control erosion and sedimentation;
- (k) high water elevation of all lakes/streams adjoining or within the tract; and
- (l) such other information as the Village Engineer may reasonably require to perform his duties under this Section.

2-2.2 INSPECTIONS REQUIRED:

The subdivider/developer shall notify the Village Engineer of the start of actual construction or approved improvements and of their completion. The Village Engineer shall inspect said improvements while they are under construction. If he determines that they are being built in violation of this Code, he shall promptly notify the Administrator who, in turn shall issue a stop order. (See: Division I Subsection 1-5.) The Village Engineer shall also inspect approved improvements upon their completion; unless he certifies that said completed improvements are in compliance with this Code, the Administrator shall not issue a Final Certificate of Code Compliance and therefore, the Village shall not accept them.

2-2.3 FILING "AS-BUILT" RECORDS:

Upon the completion of approved improvements, the subdivider/developer shall file with the Administrator a set of reproducible cloth or polyester-base film positives showing the as-built details and any deviation from the approved plans.

Section 2-3 ASSURANCE FOR COMPLETION OF REQUIRED IMPROVEMENTS

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

- (a) all improvements required in the approved improvements plan have been completed by the subdivider/developer and inspected and accepted by the Village or other appropriate entity; or
- (b) in accordance with the subsections below, the subdivider/developer has provided the Village with legal assurance to guarantee the satisfactory completion of all required improvements that will be dedicated to the Village.

2-3.1 FORMS OF ASSURANCE:

The required legal assurance shall be in the form of a guarantee to be posted with the Village Clerk.

2-3.2 AMOUNT OF BOND OR DEPOSIT:

The amount of the guarantee shall be equal to the Village Engineer's estimate of the amount necessary to construct the uncompleted portion of the required public improvements plus required inspection fees as well as any necessary costs or expenses to be incurred by the Village. (See Division II, Article 2, Section 2-2, "Guarantee").

2-3.3 ELIGIBLE SURETIES:

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

2-3.4 TERM OF ASSURANCE, EXTENSION:

The initial term of any performance bond or escrow agreement shall not exceed two (2) years. If all the required improvements have not been completed by the end of the two-year period, the Administrator, with the advice and consent of the Board of Trustees, may either extend said bond/escrow agreement for one (1) year or may proceed as per Division VI Subsection 2-3.6.

2-3.5 RELEASE OF BOND/ESCROW DEPOSIT:

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

2-3.6 FAILURE TO COMPLETE IMPROVEMENTS:

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

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

Section 2-4 FINAL PLATS

The St. Clair County Recorder of Deeds shall not record any final plat of a subdivision located within the jurisdiction of the Village until said final plat has been approved by the Board of Trustees. A final plat shall not be approved by the Board of Trustees until: (1) the applicant for said final plat has paid all fees, costs, and expenses that the Village has incurred during processing, reviewing and acting upon the application for preliminary and final plat approval; and (2) the Board of Trustees determines that the final plat is in compliance with all pertinent requirements of this Code including those set forth in the subsections below.

2-4.1 FILING, TIME LIMITS:

The subdivider of every subdivision--whether major or minor but excluding land specifically exempted from the Illinois Plats Act as now or hereafter amended (765 ILCS 205)--who desires final plat approval shall file four (4) copies of the final plat and supporting data with the Village Clerk not later than one (1) year after preliminary plat approval has been granted. However, with

the Board of Trustee's consent, the subdivider may delay application for final approval of part(s) of the tract shown on the preliminary plat for successive one-year (1) periods.

2-4.2 INFORMATION REQUIRED:

Every final plat shall be prepared by a registered land surveyor on new linen tracing cloth- or polyester-base film with waterproof black ink at a scale not greater than one hundred (100) feet equals one (1) inch, provided that the resultant drawing shall not exceed thirty-six (36) inches square. The final plat and supporting data shall portray/provide all of the following information:

- (a) north arrow, graphic scale, and date;
- (b) name of the subdivider;
- (c) identification of the portion of the Public Lands Survey in which the subdivision is located;
- (d) accurate metes and bounds or other adequate legal description of the tract;
- (e) accurate boundary lines, with dimensions and bearings or angles which provide a survey of the tract, closing with an error of closure of not more than one (1) foot in ten thousand (10,000) feet;
- (f) reference to recorded plats of adjoining platted land by recorded name, plat book, and page number;
- (g) accurate locations of all existing streets intersecting the boundaries of the subdivision;
- (h) right-of way lines of all streets, other rights-of-way, easements, and lot lines with accurate dimensions, angles, or bearings and curve data, including radii, arcs, or chords, points of tangency, and central angles;
- (i) name and right-of-way width of every proposed street;
- (j) purpose of any existing or proposed easement;
- (k) number of each lot, lot dimensions, and (in a separate list) lot areas;
- (l) purpose(s) for which sites, other than private lots, are reserved;
- (m) building or setback lines with accurate dimensions; and
- (n) restrictions of all types which will run with the land and become covenants in the deeds of lots.

2-4.3 CERTIFICATES REQUIRED:

As required by State law (765 ILCS 109 and 65 ILCS 5/11-12-8), the following certificates shall be executed on the final plats:

(a) Owners' Certificate

We, _____, the Owners of (_____description_____) have caused the said tract to be surveyed and subdivided in the manner shown, and said subdivision is to be hereinafter known as _____. All rights-of-way and easements shown hereon are hereby dedicated to the use of the public forever including the release and waiver of the right of homestead under the Homestead Exemption Laws of the State of Illinois.

Dated this _____ day of _____, _____

_____ (SEAL)

_____ (SEAL)

(b) Notary Public's Certificate

State of Illinois)
) §.
County of St. Clair)

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

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

Notary Public

(c)
Surveyor's Certificate

I, the undersigned Illinois Licensed Professional Land Surveyor, hereby certify that at the request of the owner(s), we have surveyed the tract of land shown hereon for the purpose of subdividing the tract into lots as shown, and that this plat conforms to the current Illinois minimum standards for a boundary survey. We further certify that we have examined the Federal Emergency Management Agency's Flood Insurance Rate Map for the subject property and that it appears that (part) / (no part) of said land is situated within a special flood hazard area as identified by the Federal Emergency Management Agency.

We further certify that we have reviewed the map of Mined-Out Coal Map No. 27 as available from the Illinois State Geological Survey in Urbana, Illinois, and that it appears that (part)/(no part) of the subdivided property shown hereon lies within a mined-out area.

Illinois Licensed Professional Land Surveyor

Registration Number

Date

(d)
County Clerk's Certificate

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

County Clerk

Date

(e)
Board of Trustees' Certificate

I, _____, President of the Village of Caseyville, do hereby certify that the plat shown hereon was duly presented to the Caseyville Board of Trustees and approved at a meeting of same _____ date _____.

President

ATTEST _____
Village Clerk

(f)
Flood Hazard Certificate

We, the undersigned, do hereby certify that no part of this plat to be recorded is situated within five hundred (500) feet of any surface drain or watercourse serving a tributary area of six hundred forty (640) acres or more. If this plat is within five hundred (500) feet of any surface drain or watercourse, we hereby certify that this plat has been reviewed by the Illinois Department of Transportation, Division of Water Resources, and their report is on file with the St. Clair County Recorder of Deeds.

By: _____
Owner(s)

By: _____
Illinois Land Surveyor

Registration Number

Date

(g)
Engineer's and Owner's Drainage Statement

We, the undersigned, hereby certify that to the best of our knowledge and belief the drainage of surface waters will not be changed by the construction of this subdivision or any part thereof, or, that is such surface water drainage will be changed, reasonable provision has been made for collection and diversion of such surface waters into public areas, or drains which the subdivider has a right to use, and that such surface waters will be planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to the adjoining property because of the construction of the subdivision.

Illinois Licensed Professional Engineer

Owner(s)

2-4.4 ADMINISTRATIVE REVIEW, ADVISORY REPORT:

Within thirty (30) days from the date of application for final plat approval, the Village Engineer and Administrator shall review said final plat (and supporting data), and shall jointly advise the Planning Commission in writing whether it substantially conforms to the approved preliminary plat. A copy of their advisory report shall be forwarded to the Planning Commission and the Planning Commission shall then examine the final plat for its conformance with the approved preliminary plat, any conditions of approval of the preliminary plat, and the regulations of this Code and all other Village ordinances. The Planning Commission shall recommend approval, conditional approval, or rejection of the final plat to the Board of Trustees.

In accordance with State law, the Planning Commission shall either approve or disapprove the application for final plat approval within ninety (90) days from the date of said application or the filing of the last item of required supporting data, whichever date is later, unless the Planning Commission and the subdivider mutually agree to extend this time limit. (65 ILCS 5/11-8.) If the Planning Commission disapproves the final plat they shall furnish to the applicant within the ninety-(90) day period a written statement specifying the aspects in which the proposed plat fails to conform to this Development Code and/or the Official Map. If the Planning Commission approves the final plat, they shall promptly so inform the Board of Trustees.

2-4.5 ACTION BY BOARD OF TRUSTEES:

In accordance with State law, the Board of Trustees shall either approve or disapprove the application for final plat approval by resolution within sixty (60) days from the date said application or the filing of the last item of required supporting data, whichever date is later, unless the Board and the subdivider mutually agree to extend this time limit. (65 ILCS 11-12-8.) The Board of Trustees shall not approve any final plat unless:

- (a) the final plat substantially conforms to the approved preliminary plat; and
- (b) the final plat manifests substantial compliance with the design and improvements standards of this Code and the Official Map; and
- (c) to the Board of Trustee's knowledge and belief, the final plat complies with all pertinent requirements of State law; and
- (d) either of the following has been met--
 1. all required improvements have been completed, inspected, and accepted; or
 2. the subdivider/developer has posted a performance bond or deposited funds in escrow to guarantee the satisfactory completion of all required improvements.

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

The Village Clerk shall attach a certified copy of the Board's resolution and the plat shall be retained by the Village Clerk, one copy shall be filed with the Administrator and one copy shall

be given to the subdivider.

2-4.6 CHANGES IN APPROVED FINAL PLATS:

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

Section 2-5 MAINTENANCE BONDS

The subdivider/developer shall maintain all the improvements in the subdivision until they have been accepted by the Village or other appropriate entity. Prior to dedication, the subdivider/developer shall post with the Village a maintenance bond, approved by the Village Attorney, in an amount determined by the Village Engineer. Said bond shall guarantee the satisfactory condition of the required improvements for a period of two (2) years from the date of their acceptance and dedication. If at any time during the two-year period the improvements are found to be defective, they shall be repaired/replaced at the subdivider/developer's expense. If the subdivider/developer fails or refuses to pay such costs within ninety (90) days after demand is made upon him by the Village, the Village shall use the maintenance bond to make the necessary repairs/replacement. If the cost of repairs/replacement exceeds the bond amount, the subdivider/developer shall be liable for the excess.

Section 2-6 SUBDIVISION VARIANCES

Any subdivider/developer desiring a variance from the requirements of Article 7 of this Code shall file a written application therefore with the Administrator at the same time that he files his application for preliminary plat approval. The application shall fully explain the grounds for the variance request, and specify the sections(s) of this Code which, if strictly applied, would cause great practical difficulties and hardship.

2-6.1 PLANNING COMMISSION'S ADVISORY REPORT:

The Planning Commission shall submit an advisory report on the requested subdivision variance to the Board of Trustees within thirty (30) days from the date the variance application is transmitted to them by the Administrator. Their advisory report shall be responsive to all of the subdivision variance standards set forth in Division VI Subsection 2-6.2.

2-6.2 ACTION BY BOARD OF TRUSTEES, VARIANCE STANDARDS:

At their next regularly scheduled meeting following receipt of the Planning Commission's advisory report, the Board of Trustees shall decide by resolution whether to grant or deny the requested subdivision variance. A copy of their decision, clearly stating their reasons therefore and the exact terms of any variance granted, shall be attached to both the preliminary and final plats. The Board of Trustees shall not grant any subdivision variance unless, based upon the evidence presented to them, they determine that:

- (a) the proposed subdivision variance is consistent with the general purposes of this Code (See: Division VI Section 1-1); and
- (b) strict application of the subdivision requirements would result in great practical

- difficulties or hardship to the applicant, not a mere inconvenience; and
- (c) the proposed subdivision variance is the minimum deviation from the subdivision regulations (Division VI) that will alleviate the difficulties/hardship; and
 - (d) the plight of the applicant is due to peculiar circumstances not of his own making; and
 - (e) the peculiar circumstances engendering the subdivision variance request are not applicable to other tracts and, therefore, that a subdivision variance would be a more appropriate remedy than a Code amendment; and
 - (f) the subdivision variance, if granted, will not materially frustrate implementation of the Village's Comprehensive Plan including the Official Map.

Section 2-7 VACATION OF PLATS

In accordance with State law (765 ILCS 205), any plat or part thereof may be vacated by the owner of the tract, at any time before the sale of any lot thereon, by a written vacation instrument to which a copy of the plat is attached. If there are public service facilities in any street, other public way, or easement shown on said plat, the instrument shall reserve to the Village or other public body or public utility owning such facilities, the property, rights-of-way, and easements necessary for continuing public service by means of those facilities and for maintaining/reconstructing the same. The vacation instrument shall be approved by the Board of Trustees in the same manner as plats of subdivision, and shall also be approved by the St. Clair County Superintendent of Highways, the Highway Commissioner of the appropriate township, the District Engineer of the State Department of Public Works and Buildings, and the public utilities involved. In the case of platted tracts wherein any lots have been sold, the written vacation instrument must be also be signed by all the owners of lots in said tract.

Section 2-8 VACATION OF STREETS AND ALLEYS

- (a) A petition requesting the vacation of any street, alley or part thereof shall be filed with the Village Zoning Administrator in triplicate and signed by all owners of property abutting upon the street, alley or part thereof which is to be vacated.
- (b) Such petition shall be accompanied with a plat in triplicate of the street, alley or part thereof desired to be vacated, along with a filing fee of three hundred fifty dollars (\$350.00).
- (c) All petitions requesting vacation shall be referred to the Plan Commission for its recommendation.
- (d) The Plan Commission shall hold a public hearing on the proposed vacation. At least fifteen (15) days prior to such a hearing, notice of time, place and subject matter shall be published in a newspaper of general circulation. At the hearing, all interested persons shall be heard concerning the proposed vacation.

- (e) Within a reasonable time after the hearing, the Plan Commission shall submit their advisory report to the Village Board. The reports shall state the Plan Commission's recommendations regarding the vacation and their reasons thereof.
- (f) The Council may adopt an ordinance providing that it shall become effective when all the owners of property abutting upon the street, alley or part thereof so vacated shall pay compensation in the amount to be determined in the following manner:
 1. Determine the most recent equalized assessed value (E.A.V.) of the petitioner's unimproved land abutting the street, alley or part thereof which is to be vacated.
 2. Establish a cost per square foot of the unimproved land by dividing the E.A.V. by the square footage of the petitioner's land.
 3. Apply this rate per square foot to the number of square feet to be vacated by the City.
- (g) If there are any public service facilities in such street, alley or part thereof, the ordinance may also reserve the Village or public utilities' right of way or easements which are necessary for continuing public service.

Section 2-9 MINOR SUBDIVISION

The subdivider who desires a minor subdivision must first meet the definition for "Subdivision, Minor" in Division II, Article 2, Section 2-2 Definitions.

The subdivider shall file with the Zoning Administrator four copies at a minimum of ~~14~~ 24 inch by 17 inch format of the draft plat of the proposed minor subdivision for review by the Zoning Administrator and Village Engineer for compliance as a minor subdivision. Upon establishing that the proposed minor subdivision meets the minimum requirements for a minor subdivision under the Village of Caseyville Development Code, the Zoning Administrator shall so notify the subdivider that he may submit an application for a minor subdivision using the "Application for Preliminary and Final Plat Approval" from the Village of Caseyville.

2-9.1 INFORMATION REQUIRED:

The Minor Subdivision submitted shall be in accordance with the following requirements:

- (a) Completed Application.
- (b) \$350.00 Application Fee submitted with Application.
- (c) The subdivider shall file one (1) copy of the Minor Subdivision Plat with the St. Clair County Soil and Water Conservation District. (70 ILCS 405/22.02a).
- (d) Submit in final form, four (4) copies in 24 inch by 36 inch format of the minor subdivision; twenty (20) copies in 11 inch by 17 inch format of the

minor subdivision; and twenty (20) copies of all data necessary to show compliance the provisions of this Code.

- (e) The Minor Subdivision Plat shall display the following required information and shall be prepared by a land surveyor registered in Illinois:
- 1) names and addresses of the owner, subdivider (if not the owner), and registered land surveyor;
 - 2) proposed name of the subdivision;
 - 3) zoning district classifications of the tract to be subdivided;
 - 4) north arrow, graphic scale, and date of map;
 - 5) dimensions of the tract, and its gross and net area;
 - 6) topography of the tract to be subdivided as indicated by two – (2) foot contour data for land having slopes of zero-four percent (0-4), five- (5) foot contour data for land having slopes of four-twelve percent (4-12%), and ten- (10) foot contour data for land having slopes of twelve percent (12%) or more;
 - 7) locations of such features as bodies of water, ponding areas, natural drainageways, railroads, cemeteries, bridges, parks, schools, etc.;
 - 8) locations, types, and approximate sizes of all other existing and proposed utilities;
 - 9) location, dimension, and area of all proposed or existing lots within the subdivision;
 - 10) identification of the portion of the Public Lands Survey in which the subdivision is located;
 - 11) accurate metes and bounds or other adequate legal description of *the* tract;
 - 12) accurate boundary lines, with dimensions and bearings or angles which provide a survey of the tract, closing with an error of closure of not more than one (1) foot in ten thousand (10,000) feet;
 - 13) reference to recorded plats of adjoining platted land by recorded name, plat book, and page number;
 - 14) accurate locations of all existing streets intersecting the boundaries of

the subdivision;

15) right-of-way lines of all streets, other rights-of-way, easements, and lot lines with accurate dimensions angles, or bearings and curve data, including radii, arcs, or chords, points of tangency, and central angles;

16) number of each lot, lot dimensions, and (in a separate list) lot areas;

17) purpose(s) for which sites, other than private lots, are reserved;

18) building or setback lines with accurate dimensions; and

19) restrictions of all types which will run with the land and become covenants in the deeds of lots.

(f) Certificates Required: As required by State law (765 ILCS 109 and 65 ILCS 5/11-12-8), the following certificates shall be executed on the final plats:

1) Owners' Certificate

We, _____, the Owners of (_____ description _____) have caused the said tract to be surveyed and subdivided in the manner shown, and said subdivision is to be hereinafter known as _____. All rights-of-way and easements shown hereon are hereby dedicated to the use of the public forever including the release and waiver of the right of homestead under the Homestead Exemption Laws of the State of Illinois.

Dated this _____ day of _____, _____

_____ (SEAL)

_____ (SEAL)

2) Notary Public's Certificate

State of Illinois)
) §.
County of St. Clair)

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

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

Notary Public

3) Surveyor's Certificate

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

Illinois Licensed Professional Land Surveyor

Registration Number

Date

4) County Clerk's Certificate

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

County Clerk

Date

5) Board of Trustees' Certificate

I, _____, President of the Village of Caseyville, do hereby certify that the plat shown hereon was duly presented to the Caseyville Board of Trustees and approved at a meeting of same _____ date _____.

President

ATTEST _____
Village Clerk

6) Flood Hazard Certificate

We, the undersigned, do hereby certify that no part of this plat to be recorded is situated within five hundred (500) feet of any surface drain or watercourse serving a tributary area of six hundred forty (640) acres or more. If this plat is within five hundred (500) feet of any surface drain or watercourse, we hereby certify that this plat has been reviewed by the Illinois Department of Transportation, Division of Water Resources, and their report is on file with the St. Clair County Recorder of Deeds.

By: _____
Owner(s)

By: _____
Illinois Land Surveyor

Registration Number

Date

2-9.2 FILING, TIME LIMITS:

The subdivider of a Minor Subdivision who desires approval has one (1) year to complete the process. The year begins with the filing of the Application with the Zoning Administrator. However, with the Board of Trustee's consent, the subdivider may delay the process for plat approval for successive one year (1) periods.

2-9.3 ADMINISTRATIVE REVIEW, ADVISORY REPORT:

Within sixty (60) days from the date of application for a Minor Subdivision, the Village Engineer and Administrator shall review said Minor Subdivision plat (and supporting data), and shall jointly advise the Village Board in writing whether it substantially conforms to the Minor Subdivision plat requirements. Their advisory report shall be forwarded to the Village Board at the Planning and Zoning Committee at least fifteen (15) days before the Board meets to approve or disapprove the Minor Subdivision plat.

2-9.4 ACTION BY BOARD OF TRUSTEES:

In accordance with State law, the Board of Trustees shall either approve or disapprove the application for final plat approval by resolution within sixty (60) days from the date said application or the filing of the last item of required supporting data, whichever date is later, unless the Board and the subdivider mutually agree to extend this time limit. (65 ILCS 11-12). The Board of Trustees shall not approve any Minor Subdivision plat unless:

- (a) the Minor Subdivision plat substantially conforms to the Minor Subdivision plat requirements; and
- (b) the Minor Subdivision plat manifests substantial compliance with the design and improvements standards of this Code and the Official Map; and
- (c) to the Board of Trustee's knowledge and belief, the Minor Subdivision plat complies with all pertinent requirements of State law; and
- (d) either of the following has been met--
 - 1. all required improvements have been completed, inspected, and accepted; or
 - 2. the subdivider/developer has posted a performance bond or deposited funds in escrow to guarantee the satisfactory completion of all required improvements.

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

The Village Clerk shall attach a certified copy of the Board's resolution and the plat shall be retained by the Village Clerk, one copy shall be filed with the Administrator and one copy shall be given to the subdivider.

2-9.5 CHANGES IN APPROVED MINOR SUBDIVISION PLATS:

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

Section 2-10 COMPLIANCE REQUIRED BEFORE ISSUANCE OF AN INITIAL CERTIFICATE OF CODE COMPLIANCE

No Initial Certificate Code of Compliance, including, but not limited to a building permit shall be issued for the construction of any building, structure or improvement to land or any lot within any subdivision until all requirements of this Division have been complied with in full. This restriction is in addition to any requirement and/or restriction for Initial Certificate of Code Compliance Building Permits that may be found in other provisions of this Code or other Ordinances of the Village.

Section 2-11 PREREQUISITES TO THE ISSUANCE OF A FINAL CERTIFICATE OF CODE COMPLIANCE

No Final Certificate of Code Compliance, including, but not limited to an occupancy permit shall be granted for the use of any structure within a subdivision until:

- (a) the required utility facilities have been installed and made ready to service the property; and,
- (b) street identification signs and traffic control signs have been installed; and,
- (c) the street lighting system has been installed and is functioning; and
- (d) the roadways providing access to the subject lot have been constructed or are in the course of construction and are suitable for vehicular traffic.

These requirements are in addition to any requirements and restrictions for Final Certificate of Code Compliance, including Occupancy Permits that may be found in other provisions of this Code or other Ordinances of the Village.

APPENDIX A STREET DESIGN DETAILS