

**CHAPTER 34**

**SUBDIVISIONS**

**ARTICLE I – GENERAL PROVISIONS**

**34-1-1**        **INTENT AND PURPOSE.** The intent and purpose of this Code is to prescribe procedures for the subdivision or resubdivision of land within the unincorporated areas of the County of Clinton, and comprise the procedures, requirements, standards and specifications with respect thereto.

**34-1-2**        **DISCLAIMER OF LIABILITY.** Except as may be provided by statute, no officer, board member, agent or employee of the County shall render himself personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this Code.

**34-1-3**        **PENALTIES.**  
(A)            Any person, firm or corporation violating this Code shall, upon conviction, be fined not more than **One Thousand Dollars (\$1,000.00)** for each offense; and a separate offense shall be deemed committed on each day during, on, or which a violation occurs or continues.  
(B)            It shall be illegal to sell or offer to sell, any lot, tract, or property which does not conform to the requirements and regulations of this Code and every such sale or attempt to sell, shall be subject to a fine of not less than **Fifty Dollars (\$50.00)** for each lot or tract.

**ARTICLE II – ENFORCEMENT AND FEES**

**34-2-1        ENFORCEMENT.**

(A)            No plat of any subdivision in unincorporated Clinton County shall be entitled to record in the office of the County Recorder of Clinton County, until it has been approved in the manner prescribed herein.

(B)            It shall be unlawful for any person, or agent, having control of any land within the unincorporated area of the County of Clinton, Illinois, to subdivide land, except by a plat which is in accordance with the regulations contained herein. Divisions of land that are exempt from the Illinois Plat Act are excluded from this requirement.

(C)            It shall be unlawful for the County Recorder to accept for recording, any plat of a subdivision within the unincorporated area of Clinton County until the plat has been approved as required herein and such approval has been endorsed in writing on the plat.

(D)            The County Board shall not permit any public improvements under its jurisdiction to be constructed or maintained within an area that has been subdivided after the adoption of this Code unless such subdivision has been approved in accordance with the requirements of the Code or any duly authorized variation thereof and properly recorded with the County Recorder of Deeds.

(E)            After the adoption of this Code, no building permit shall be issued for any lot hereafter platted unless such lot has been platted in accordance with the requirements of this Code or any duly authorized variation thereof and properly recorded with the County Recorder of Deeds.

(F)            Failure on the part of the developer to comply forthwith with any order made under the provisions of this Code will result in injunctive action, notwithstanding the penalty provisions of **Section 34-1-3.**

**34-2-2        FEES.**

(A)            **Final Plat.** The review fee for the Final Plat shall be **Fifty Dollars (\$50.00)** plus **Fifteen Dollars (\$15.00)** per lot, sub-lot, or tract of land. The fee shall be collected by the Zoning Administrator after the last item of required information has been submitted by the applicant.

## ARTICLE III - DEFINITIONS

**34-3-1 DEFINITIONS.**

**Alley:** A public access way, which affords a secondary means of vehicular access to the side or rear of properties abutting on a street.

**Building Envelope:** A building envelope is the maximum area on a lot within which a structure can be built as permitted by applicable building setback lines.

**Building Line:** A line on a plat between which line and the street right-of-way no building or structure may be placed.

**Comprehensive Plan:** A plan or any portion thereof adopted by a local governmental entity to guide and coordinate its physical and economic development.

**Cul-de-Sac:** A short street having one end open for vehicular traffic and the other permanently terminated by a turn-around for vehicles.

**Dedicate:** To transfer the ownership of a right-of-way, parcel of land or improvement to the County or other public entity without compensation.

**Detention Basin:** A facility, natural or artificial, that provides temporary storage for surface run-off accompanied by its controlled release.

**Developer:** Any person, firm, partnership, association, corporation, estate, or other group or combination acting as a unit, dividing or proposing to divide land in a manner that constitutes a subdivision as herein defined.

**Easement:** A right to use another person's property, but only for a specifically named purpose.

**Escrow Deposit:** A deposit in cash or other approved securities to assure the completion of improvements within a subdivision.

**Improvements:** The furnishing of all materials, equipment, work and services, including plans and engineering services, staking, supervision and inspection necessary to construct all the improvements required in **Article X** of this Code or any other improvements that may be provided by the developer. All of such materials, equipment and services shall be provided at the developer's cost and expense, although he may enter into a contract with individuals and firms to complete such improvements and the improvements shall be subject to the final approval of the County Engineer.

**Minor Subdivision:** A division of land into **six (6) lots** or less, all of which front upon an existing street, and does not involve any new streets or roads.

**Plans:** All the drawings including general plans, cross-sections, profiles, working details and specifications which the developer prepares or has prepared to show the character, extent and details of the improvements required in this Code, and which plans shall conform to any requirements of the County Engineer for his consideration, approval or disapproval.

**Plat:** A map, drawing, or chart, plus all required supplemental material upon which the developer's plan is presented and which he submits for approval and intends in final form to record.

**Plat, Final:** A plat drawn in ink upon tracing cloth and conforming to the requirements of **Article VII**.

**Plat, Preliminary:** A plat drawn upon tracing paper or other materials from which reproductions can be made and conforming to the requirements of **Article V**.

**Reserve:** To set aside a parcel of land in anticipation of its acquisition by the County (or other government entity) for public purposes.

**Right-of-Way:** A strip of land which the owner/developer has dedicated to the County or other government entity for streets, alleys or other public improvements.

**Roadway:** That portion of the right of way within the limits of construction.

**Setback Line:** A line that is usually parallel to the front, side and rear lot lines establishing the minimum space to be provided as the building envelope.

**Specifications:** The Standard Specifications for Road and Bridge Construction, prepared by the Illinois Department of Transportation, as adopted and amended by the Department, which are in effect at the time the subdivision is being constructed, and the related "Highway Standards". Any term in such specifications referring to State Departments or officials or to persons contracting with the State shall be deemed to refer to applicable departments, officials, or persons in the County of Clinton, and the term

"contractor" shall specifically apply to the developer who is responsible for installing all of the improvements required in **Article X** of this Code even though the developer may enter into agreements for such installing by other persons, firms, or corporations. "Engineer" shall be deemed to refer to the County Engineer.

**Street, Arterial:** A street designed or utilized primarily for high vehicular speeds or for heavy volumes of traffic on a continuous route, with intersections at grade, and which may have direct access to abutting properties, and on which geometric design and traffic control measures are used to expedite the safe movements of through traffic.

**Street, Collector:** A street which unilaterally carries or is proposed to carry intermediate volumes of traffic from local streets to arterial streets and which may or may not be continuous.

**Street, Local:** A street used primarily for access to abutting properties, providing for minimum speeds and traffic volumes.

**Structures:** Unless otherwise defined, structures shall comprise all objects constructed of materials other than earth, required to be built or to be removed, but not including surfacing, base course, curbs, gutters, sidewalk and pavement.

**Subdivision Committee:** The Subdivision Committee of the Clinton County Board.

**Subdivision Coordinator:** The County Zoning Administrator shall be the administrator for this code.

## ARTICLE IV – GENERAL REQUIREMENTS

**34-4-1 DEVELOPER COMPLIANCE TO REQUIREMENTS.** Anyone desiring to subdivide land within the unincorporated portion of the County of Clinton which subdivision is subject to the requirements of these regulations shall adhere to the following procedures:

(A) Prepare a plat of the subdivision in accordance with the requirements of **Articles V and VII** of this Code.

(B) If the subdivision lies within **one and one-half (1 ½) miles** of the corporate limits of any municipalities that have adopted and are enforcing subdivision regulations and a comprehensive plan on file with the County, the developer shall submit the preliminary plat to the Municipal Clerk of such municipalities for action by the appropriate jurisdiction body(s) to determine if said plat conforms with or exceeds the subdivision regulations and with streets, alleys, and public ground requirements, or proposals of the comprehensive plan of such municipalities. The municipality must approve the preliminary plat before said plat can be presented to the county for review.

(C) After the Municipality has approved the preliminary plat, or if the subdivision is within an area which has no subdivision control code is exercised by the municipality, then the preliminary plat shall be submitted to the Subdivision Coordinator for review. If the Subdivision Committee approves the plat, the developer shall proceed with the preparation of a final plat covering all or any part of the approved preliminary plat, with the plans for improvements, and with the installation of improvements required in **Article X** of this Code and the applicable provisions of the Municipal Subdivision Code.

(D) The final plat shall be submitted to and approved by the same agencies and the officials that approved the preliminary plat and also by the Zoning Administrator, but no plat lying within **one and one-half (1 ½) miles** of a municipality having a comprehensive plan shall be entitled to recording unless it conforms with or exceeds the streets, alleys and public grounds requirements of such plan or unless it has been approved by the municipality. The procedure and requirements for review of the final plat by the municipality having jurisdiction shall be as prescribed by that municipality's subdivision control code and in compliance with the provisions of the Illinois Compiled Statutes, as amended.

(E) When the final plat is submitted to the County Recorder, it shall be accompanied by a certificate from the County Clerk, showing that there are no delinquent or unpaid general or special taxes nor any delinquent or unpaid special assessments upon any part of the subdivided area.

(F) The final plat, together with such certificates as may be required by the Subdivision Coordinator and any accompanying subdivision restrictions shall be presented for recording to the County Recorder within **sixty (60) days** after their approval by the County Board. Any plat that is not so filed within such period shall not be entitled to recordation without re-approval.

(G) Preliminary plat approval will remain in effect for a **one (1) year** period. The applicant may during this period submit all of or part of said preliminary plat for final approval. Whenever a large tract is intended to be developed in stages and only part of the tract is to be submitted for final approval, a preliminary plat for subdivision of the entire tract shall be submitted. The applicant may, by written mutual agreement with the County Board, have final approval of the last part of the plat delayed for a period not to exceed **three (3) years** from the date of the preliminary plat approval. All terms and conditions under which the preliminary plat approval was granted will not be changed. Any preliminary plat that is no longer in effect must be resubmitted to the Subdivision Committee for approval.

## ARTICLE V – PRELIMINARY PLATS

**34-5-1 REQUIRED INFORMATION.** A Preliminary Plat is required for all subdivisions that do not meet the Minor Subdivision criteria. The Preliminary Plat shall portray or present the following:

- (A) Name under which the proposed subdivision is to be recorded and location;
- (B) Location map showing the relation of the proposed subdivision to section or U.S. Survey lines and to platted subdivisions and dedicated streets within **three hundred (300) feet** of the proposed subdivision. The key map shall show the location of any corporate limits of any municipality lying within **one and one-half (1 1/2) miles** or less of the subdivision.
- (C) North arrow, graphic and written scales, and date;
- (D) Names and addresses of the owner, developer, engineer, and the professional land surveyor who prepared the preliminary plat;
- (E) Tract boundary lines, showing their lengths and directions according to available information and references to lines of the public land survey and of other major land divisions;
- (F) All lot lines adjacent to and abutting the subdivision, and identification of adjoining;
- (G) Layout of proposed lots, showing their dimensions, their area to the 100<sup>th</sup> of an acre, showing an identifying number for each lot, and stating the zone district classification(s) of the proposed subdivision;
- (H) Streets or alleys and rights-of-way adjoining the site of the proposed subdivision and their names; the street roadway and right-of-way widths, approximate gradients, types and widths of pavement, curbs, sidewalks, planting strips and other pertinent data; the classification of all existing or proposed streets as to function as established herein;
- (I) Parcels of land proposed to be dedicated or reserved for schools, parks, playgrounds or other public, semi-public or community purposes, the use(s) of the area to be subdivided, and on the manner and extent of correspondence of the proposed uses to the Comprehensive Plan, as adopted by the County Board;
- (J) Easements, existing and proposed, showing locations, widths, and purposes;
- (K) The gross and net area of the proposed subdivision, the area of street rights-of-way, and the area of any parcels reserved for the common use of the property owners within the subdivision or for public use. The standard road right-of-way or easement shall not be included in the lot acreage.
- (L) Because the topography has a significant bearing upon the street grades, the plan of public utilities and drainageways or facilities in the proposed subdivision, elevation contour lines at intervals not greater than **two (2) feet** intervals shall be shown.
- (M) Location of major water courses, ponding areas, natural drainageways and flood hazard areas;
- (N) Location, size and available capacity of existing public utilities and drainageways or facilities within or adjoining the proposed subdivision and the location and size of the nearest water trunk mains, interceptor sewer lines and other utilities pertinent to the subdivision;
- (O) Location, type and approximate size of utility improvements to be installed;
- (P) The Preliminary Plat shall be drawn to scale of not more than **one hundred (100) feet to one (1) inch**; and the resulting plat is at least **eight and one-half (8 1/2) inches** by **fourteen (14) inches** but not more than **twenty-four (24) inches** by **thirty-six (36) inches**.
- (Q) A statement to the effect that "this plat is not for record" shall be printed or stamped upon all copies of the preliminary plat;
- (R) Indication on plat whether or not any part of the property shown is located within Special Flood Hazard Area as identified by Federal Emergency Management Agency and delineate any Special Flood Hazard Area on plat.
- (S) Road Authority approval per Illinois State Statute.
- (T) The building setback line along all front, side, and rear lot lines shall be shown.
- (U) A preliminary drainage plan prepared by a Licensed Professional Engineer, which when implemented assures that the drainage of surface waters will not be changed by the construction of such subdivision or any part thereof, or, that if such surface water drainage will be changed, reasonable

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provision has been made for collection, diversion, and release of such surface waters into public areas, or drains which the subdivider has a right to use, and

(V) County Board approval signature block.

(W) Whenever a large tract is intended to be developed in stages, and only a part of that tract is to be submitted for final plat approval, a preliminary plat for subdivision of the entire tract shall be submitted with notation made of the part to be next submitted for final approval.

## ARTICLE VI - IMPROVEMENT PLANS

**34-6-1 IMPROVEMENT PLANS.** After the Preliminary Plat is approved, improvement plans prepared by an engineer for the subdivision of all or any part of the tract shall be submitted to the County Engineer for review. Improvement plans shall be prepared on an exhibit not to exceed **twenty-four (24) inches by thirty-six (36) inches** and shall contain the following information:

(A) Title page, which shall include a key map showing the relationship of the area to be subdivided to the project area and which shall reflect areas of the project area previously subdivided plus adjacent streets;

(B) North arrow, graphic and written scales, and date;

(C) Title block showing name and address of developer and engineering firm, as well as the engineer's seal;

(D) **One (1)** or more bench marks, in or near the subdivision, to which the subdivision is referenced. The elevation shall be based on the sea level datum.

(E) List of the standards and specifications followed, citing volume, section, page or other references;

(F) Pavement details conforming to Clinton County standards specifications;

(G) Details of streets, existing and proposed sanitary sewers, water lines, drainage channels, swales, and storm sewers as required by **Article IX**.

(H) Plans and profiles of streets, storm and sanitary sewers, water lines and other improvements required by **Article IX**. The plans and profiles shall be drawn at a scale not greater than **one hundred feet to one inch (1" = 100')** horizontal; and **one inch equals ten feet (1" = 10')** vertical.

(I) Existing and proposed survey monuments on street plans or on the proposed Final Plat.

(J) As built drawings shall be submitted to the County Engineer after the improvements have been installed.

(K) Cross sections shall be provided along all roadways at **one hundred (100) feet** intervals; this includes existing road frontages. The cross sections shall be drawn at a scale not greater than **ten feet to one inch (1" = 10')** horizontal; and **one inch equals five feet (1" = 5')** vertical.

**34-6-2 FILING.** After preliminary plat approval, but prior to submission of the final plat, the developer shall file with the County Engineer for approval, **two (2) copies** of the plans, specifications, and supporting data for all improvements to be installed in or in conjunction with the proposed subdivision.

## ARTICLE VII - FINAL PLATS

**34-7-1**        **SUBDIVISION COMMITTEE REQUIREMENTS.** In order to provide for a well-informed review of the Final Plat by the Subdivision Committee, the following information shall also be required:

(A)            The final land use plan for all uses in the project or project area phase under consideration;

(B)            A project or project phase development schedule indicating:

- (1)        the approximate date when construction of the project can be expected to begin;
- (2)        the stages in which the project will be built and the approximate date when construction of each stage can be expected to begin;
- (3)        the anticipated rate of development;
- (4)        the approximate dates when the development of each of the stages in the development will be substantially completed; and
- (5)        the area and location of common or public open space that will be provided at each stage.

(C)            The term or the text of agreements, provisions, or covenants, if any, which will guarantee the conveyance or governance of use, provide proper maintenance, and continued protection of the proposed development and any of its common open area or facilities. Such covenants shall be recorded and shall provide that changes cannot be made to the covenants without County Board approval until at least **fifty-one percent (51%)** of the lots have been sold by the developer.

(D)            The following plans and diagrams, in so far as the Subdivision Committee finds that the proposed development will create special problems of traffic, parking and landscaping:

- (1)        An off-street parking and loading plan; and
- (2)        A landscaping and tree-planting plan.

**34-7-2**        **FINAL PLAT REQUIREMENTS.** The Final Plat to be provided by the subdivider shall meet the following specifications:

(A)            The Final Plat may include all or only part of the project area portrayed on the Preliminary Plat which has received approval.

(B)            The Final Plat shall be drawn on a stable material with waterproof black ink to a scale of not more than **one hundred (100) feet to one (1) inch**; provided that the resulting drawing is at least **eight and one-half (8 1/2) inches** by **fourteen (14) inches** but not more than **thirty (30) inches** by **thirty-six (36) inches**. **Five (5)** black or blue line prints shall be provided by the subdivider.

(C)            All dimensions shall be shown in feet and decimals of a foot.

(D)            The Final Plat shall be prepared under the active and personal direction of a registered Illinois Land Surveyor, who shall certify that the plat correctly shows the results of his survey of the boundaries and platting of parcels within the subdivision.

**34-7-3**        **PLAT DATA.** The Final Plat shall portray or present the following:

(A)            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 **five thousand (5,000) feet**;

(B)            Accurate distances and directions to the nearest established official monument. Reference corners shall be accurately described on the final plat.

(C)            Reference to known and permanent monuments and bench marks from which future surveys may be made together with elevations of any bench marks; and the Surveyor shall, at the time of making his survey, establish permanent monuments (set in such a manner that they will not be moved by frost) which mark the external boundaries of the tract to be divided or subdivided and must designate upon the plat the locations where they may be found.

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- (D) Accurate metes and bounds descriptions of the boundary and the included area of the subdivision to the nearest **one-hundredth (1/100)** of an acre;
- (E) Accurate locations of all existing and recorded streets intersecting the boundaries of the tract;
- (F) Right-of-way line of streets, easements and other rights-of-way and property lines and areas of lots and other tracts, with accurate dimensions, bearings and curve data, including radii, arcs and chords, points of tangency, and central angles;
- (G) Name and right-of-way width for each proposed street or other right-of-way street not dedicated to the public shall be labeled **PRIVATE STREET**;
- (H) Location and dimensions of any easement and a statement of purpose for each easement;
- (I) Number to identify each lot or site and area labeled to the 100<sup>th</sup> acre;
- (J) Purpose for which sites, other than residential lots, are dedicated or reserved;
- (K) Lot dimensions and areas of each lot, and building or setback lines and dimensions;
- (L) Location, type, material and size of all monuments and lot markers;
- (M) Certification, before a Notary Public, by the owners in fee of all property embraced within the final plat, acknowledging the plat to be their free and voluntary act, dedicating to the public use forever the streets, utility easements, and drainage easements shown thereon. In addition, the dedication and reservation to the public of any right-of-way lying along any public road adjacent to the boundaries of the plat;
- (N) Reference to recorded subdivision plats within **three hundred (300) feet** of adjoining platted land by record name, date and number;
- (O) Restrictions of all types which will run with the land and become covenants in the deeds for lots. Covenants and restrictions are recorded within the County Recorder's Office as a part of this plat.
- (P) Title or name of subdivision; identification of the portion of the Public Lands Survey in which the subdivision is located; and north arrow, graphic and written scale, and date drawn;
- (Q) Certification by design professional with registration numbers and seal affixed to all final documents;
- (R) Certification of dedication of all public areas;
- (S) Indication on plat whether or not any part of the property shown is located within a Special Flood Hazard Area as identified by Federal Emergency Management Agency;
- (T) The building setback line along all front lot lines shall be shown.
- (U) Certification from the County Clerk indicating that there are no delinquent or unpaid general or special taxes nor any delinquent or unpaid special assessments upon any part of the subdivided area;
- (V) Label street names and house numbers as approved by the County Addressing Office;
- (W) County Board approval signature block.

**ARTICLE VIII - ASSURANCE OF COMPLETION**

**34-8-1**        **FINAL PLAT APPROVAL.** The County Board shall not approve any final plat of subdivision (and said final plat shall not be entitled to recording) until:

(A)            All improvements required in the approved preliminary plat have been completed by the subdivider/developer, and inspected and accepted by the County Engineer; or

(B)            In accordance with this Article, the subdivider/developer has provided the County with legal assurance to guarantee the satisfactory completion of all required improvements.

(C)            The plans for all such improvements shall have been submitted to and approved by the County Engineer.

(D)            A digital media copy of the boundaries and lot lines of the final plat shall be provided in an ESRI shapefile or an AutoCAD drawing file.

**34-8-2**        **PERFORMANCE GUARANTEE, BOND OR ESCROW AGREEMENT.** Final Plat shall be neither approved by the County Board Chairman nor recorded by the County Clerk unless the applicable following conditions are met:

(A)            **Prior Installation.** The capital improvement or facilities intended to be dedicated to the County, Road District, other public body or acceptable private entity have been completed, inspected, and accepted prior to such approval; or

(B)            **Surety Bond.** A surety bond by an insurance company authorized to do business in the State of Illinois or Irrevocable Letter of Credit shall be posted by the applicant with the County Treasurer as approved by the County Engineer before construction of the improvements or facilities is started. Such surety bond shall be equal to the amount determined by the County Engineer for the estimated construction cost of all improvements intended to be dedicated to the County Road District, other public body, or approved private legal entity. Performance of work necessary to complete construction and installation of the required improvements to be dedicated to the County Road District, other public body, or approved private legal entity shall be completed within **two (2) years** of the date of approval of the final plat, unless such time is extended by written agreement between the applicant and the County Engineer. If such improvements are not satisfactorily installed within the time period specified or required, then such surety bond or proportion thereof shall be forfeited by the applicant, and the proceeds of the surety bond shall be used to pay for the completion of installing such improvements in accordance with the requirements specified herein or the amount of the bond heretofore released, whichever is less; or

(1)            Order the County Treasurer to retain all escrowed funds needed to complete all the required improvements, and to return the balance if any of such funds to the developer; or

(2)            Require the 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.

If the surety fails to perform on the bond or the escrow agent fails to remit within **thirty (30) days** after written request, the State's Attorney shall take immediate action to require performance.

**34-8-3**        **SURETY RELEASE.** The bond or an Irrevocable Letter of Credit shall remain in effect until such time as the County Clerk shall, by written authorization to the County Treasurer, release the surety from the obligation of the bond, which release may be partial and may occur from time to time, as improvements are completed and approved; provided, however:

(A)            Authorization to release up to **ninety percent (90%)** of the bond amount or the Irrevocable Letter of Credit may be authorized by the County Clerk upon written notification from the County Engineer. Such authorization by the County Engineer shall only be given as improvements are installed equal in value to funds released.

(B) The remaining **ten percent (10%)** may only be released when the County Engineer notifies the Subdivision Coordinator, in writing, that all improvements have been completed in a satisfactory manner. The Subdivision Coordinator shall then notify the County Clerk that authorization may be given to release all funds. Whenever improvements are to be dedicated to another authority, school district, road district, park or other government, such improvements shall be accepted or approved before the release of all funds.

## ARTICLE IX - MINIMUM STANDARDS OF DESIGN

**34-9-1 GENERAL STATEMENT.** The subdivider shall conform to the following principles and standards of land subdivision in the design of each subdivision or portion thereof. No preliminary plat shall be approved unless it conforms to the following minimum standards of design. The Subdivision Committee, in its review of the preliminary plat, will take into consideration the requirements of the county and the best use of the land being subdivided.

**34-9-2 STREET PLANNING.** The arrangement, character, extent, width and location of all streets shall be considered in their relation to existing and planned streets, to reasonable circulation of traffic, to topographic conditions, to runoff of storm water, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets. Wherever possible and necessary, the arrangement of streets in new subdivisions shall provide for the continuation of existing streets in adjoining areas. Where adjoining unsubdivided areas may be subdivided, the arrangement of streets in a new subdivision shall make provision for the proper projection of streets into adjoining areas by carrying the new streets to the boundaries of the new subdivision at appropriate locations. No building shall be allowed in areas within a projected street continuation. In no case shall land be subdivided in such a manner that adjoining property be denied access.

A public street or streets shall be provided to afford convenient access to all property within the subdivision. A private street or thoroughfare may be permitted if access easements are provided for. When streets are required within the subdivision no less than one street of full width shall be provided to furnish the subdivision with access to an existing public highway.

(A) **Continuation of Adjoining Street System.** Where subdivision streets or rights-of-way are continuations or extensions of existing streets or rights-of-way, the width thereof shall be of the same or greater width as the existing street or right-of-way except that in no case shall the street or right-of-way in the subdivision be of less width than the minimum as provided herein. Dedication of half or portions of a street shall be discouraged, but may be permitted whenever there is no other logical method of platting.

(B) **Marginal Access Street.** Where the subdivision abuts on or contains an existing or proposed area service highway, the Subdivision Committee may require that marginal access streets be provided in order that no lots front on such existing or proposed area service highway. If the subdivision adjoins a non-access highway constructed by the Illinois Department of Transportation, the Subdivision Committee, upon the recommendation of the Illinois Department of Transportation, may require the reservation of a service road right-of-way with a minimum width of **sixty (60) feet**, which road shall parallel the highway and may have connections thereto at locations that are jointly approved by the County Engineer and Illinois Department of Transportation.

(C) **Private Reserve Strips.** Private reserve strips controlling access to streets shall be prohibited.

(D) **Street Names.** Proposed streets, which are obviously in alignment with others existing and named, shall bear the assigned name of the existing streets. In no case shall the name of proposed streets duplicate or be phonetically similar to existing street names, irrespective of the use of the suffix, street, avenue, boulevard, drive, place, court, etc.

(E) **Private Lanes.** In cases where lots do not directly abut or have direct access to a public street, a private lane may be utilized provided the lane serves no more than **four (4) lots** but more than a single lot. If an additional lot or lots is platted or desires to access the private lane, all properties must meet all platting requirements herein, including but not limited to, the minimum street specifications and improvement standards and drainage requirements.

- (1) The private lane may be constructed in a manner consistent with typical driveway construction.
- (2) A maintenance agreement shall be recorded establishing the arrangement for which the private lane will be maintained.
- (3) The final plat shall include an access easement for all lots.
- (4) The final plat shall show the location and the width of the private lane.

- (5) The final plat shall include a certificate stating essentially as follows:

I, \_\_\_\_\_, owner of tract and the private lane shown hereon, declare that the private lane is not dedicated to the public, but shall remain private, to be maintained by and for the adjoining lot owners unless said lane(s) is accepted by the appropriate township or Clinton County, Illinois.

Signed \_\_\_\_\_

Date \_\_\_\_\_

- (6) Private lanes shall not be located closer than 1320 feet from another private lane on the same side of the existing public road.

**34-9-3 STREET DESIGN STANDARDS.** The following design standards shall be considered minimum requirements and shall specifically apply to residential subdivisions. The requirements for nonresidential subdivisions shall be such as the Subdivision Committee deems appropriate for the type of development and use contemplated but in no event be less than the requirements of residential subdivisions. A typical cross-section of each type of roadway to be built shall be furnished.

(A) **Right-of-Way Width.** Right-of-way width should be determined by expected future extensions, volumes, land use type and density and the topographical conditions. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the right-of-way. When the subdivision is located on only one side of an existing right-of-way, which is less than the required width, the subdivider shall dedicate additional right-of-way to meet the requirements, but not exceeding **one-half (1/2)** of the total required width. In cases where topography or other conditions make the dedication of the required minimum width of a street or part thereof impractical, the County Engineer may modify the right-of-way width requirements.

Additional right-of-way width may be required; the following represent minimums:

- |     |                    |         |
|-----|--------------------|---------|
| (1) | Arterial           | a/      |
| (2) | Collector          | 60 feet |
| (3) | Land Access Street | 50 feet |

a/ Design of area service highways shall conform to the Illinois Department of Transportation Design and Construction Policies, Standards and Specifications.

(B) **Pavement Widths.** Pavement width, shoulder to shoulder, shall not be less than the following:

- |     |  |         |
|-----|--|---------|
| (1) | Arterial   | a/      |
| (2) | Collector<br>(Streets 24 feet wide with 8 foot shoulders)          | 40 feet |
| (3) | Land Access Street<br>(Streets 20 feet wide with 5 foot shoulders) | 30 feet |

a/ Design of area service highways shall conform to the Illinois Department of Transportation Design and Construction Policies, Standards and Specifications.

(C) **Street Grades.** Street grades shall not exceed the following unless otherwise approved by the County Engineer:

- (1) Grades of all streets shall not normally be greater than **seven percent (7%)**.
- (2) The profile of all streets shall be approved by the County Engineer. The profile shall show existing ground line and proposed grades.

- (3) Grades approaching intersections shall not exceed **five percent (5%)** for a distance of not less than **one hundred (100) feet** from the centerline of said intersection.
- (4) Surface cross-drainage shall not be permitted on any street.
- (D) **Horizontal Curves.** Where a centerline deflection angle occurs a circular curve shall be introduced, having a centerline radius of not less than the following:
  - (1) Collector Street 200 feet
  - (2) Land Access Street 100 feet
- (E) **Tangents.** There shall be a tangent of not less than **one hundred (100) feet** provided between reverse curves on all streets.
- (F) **Intersections.** Street intersections shall be laid out as follows:
  - (1) Streets shall intersect as nearly as possible at right angles and no street shall intersect at less than **sixty degrees (60°)**.
  - (2) Intersections, including driveways and private lanes, with county highways and state highways shall be at least **six hundred sixty (660) feet** apart measured from centerline to centerline, except where impractical or impossible due to existing property divisions or topography. Entrances on township roads shall be subject to the approval of the Township Highway Commissioner. Intersections with state highways shall also be approved by the Illinois Department of Transportation.
  - (3) Land access street curb intersections shall be rounded by radii of at least **fifteen (15) feet**; intersections involving collector streets shall have radii of not less than **twenty-five (25) feet**.
  - (4) Street intersections with centerline offsets of less than **one hundred twenty-five (125) feet** shall not be permitted.
  - (5) Intersection of more than **two (2) streets** at **one (1) point** shall be prohibited.
- (G) **Cul-de-Sac and Dead-End Streets.** Unless topography indicates a need for a greater length, cul-de-sac and dead-end streets, designed to be so permanently, shall be no longer than **one thousand (1,000) feet** and shall terminate in a circular open space having a radius at the outside of the pavement of at least **fifty (50) feet** and a radius at the outside of the right-of-way of at least **sixty (60) feet**. This length may be increased where topography or existing conditions prohibit a reasonable connection. Temporary stub streets shall be provided with a temporary turnabout at the terminus of such streets.
- (H) **Alleys.** When required, alleys shall comply with the following requirements:
  - (1) Alleys may be required in commercial and industrial districts, except that the Subdivision Committee may waive this requirement where other definite and assured provision is made for services access, such as off-street loading, unloading, and parking facilities.
  - (2) Alleys are not permitted in residential districts, except when the Subdivision Committee determines special conditions warrant a secondary means of access.
  - (3) Alleys, where provided to serve business area, shall have a right-of-way of not less than **twenty-four (24) feet**; where provided to serve residential blocks shall have a right-of-way width of not less than **twenty (20) feet**.
  - (4) Dead-end alleys shall not be permitted, except where provided with adequate turn-around facilities at the dead-end, or where such dead-end alleys provide the only access to off-street parking or loading spaces.
- (I) **General Standards.** The following general standards for street design shall be followed:
  - (1) In order to provide adequate traffic circulation and to insure adequate access to developed areas, collector streets shall be provided at approximately **one-half (1/2) mile** intervals.
  - (2) Land access streets shall be designed so as to discourage through traffic.

- (3) The Subdivision Committee shall not approve streets which will be subject to frequent inundation or flooding.

(J)

**Elevations and Grading.**

- (1) Set line and grade stakes so that the contractor can complete the preliminary grading of the roadway, shoulder, slopes, and ditches.
- (2) Set a combination of offset stake and elevation reference hub on a minimum of **one hundred (100) foot** intervals on tangents and a minimum of **fifty (50) foot** intervals on curves. Each stake shall be offset a fixed distance (**±2 ft.**) from the edge of the final rock surface and marked with Station and a final grade reference. These stakes shall not be removed until the final rock grade has been approved by the Clinton County Highway Department.
- (3) Check the final compacted dirt grade from the grade stakes with a stringline to within **three-fourths (3/4) inch** tolerance and mark any area where all the topsoil or all unsuitable material has not been removed. (Note – these areas will require additional excavation and the addition of at least **four (4) inches** of rock.) The Clinton County Highway Department will spot check the dirt grades from the grade stakes and inspect the final dirt surface and grade before any fabric is placed.
- (4) Check the final rock grade from grade stakes with a stringline to within **one-half (1/2) inch** tolerance, check the final rock surface for compaction and loose material. Notify the Clinton County Highway Department when the rock is ready to be primed. (Note – the Clinton County Highway Department shall inspect the rock surface before any prime is applied.)
- (5) **Certify In Writing To The Clinton County Highway Department That:**
- (a) The final dirt grade of the roadway was to within **one (1) inch** tolerance at all required grade stakes and that all apparent top soil and unsuitable material was removed or at least **four (4) inches** of additional rock was added at the locations where this material was not removed.
- (b) The final rock grade was to within **three-quarters (3/4) inch** tolerance at all required grade stakes.
- (c) The roadway, shoulders, slopes, and ditches were built to the lines, grades, and cross sections shown on the approved plans for the subdivision to within **one (1) inch** tolerance at all required grade stakes. **(Ord. No. 1-98-8) (See Appendix "A")**

(K)

**General Constraints.**

- (1) The subgrade shall be compacted clay or if it is impossible to remove all the top soil or unsuitable material the aggregate thickness shall be increased as determined by the County Engineer. (Minimum of **four (4) inches**.)
- (2) All rock shall be placed on Geotextile Fabric for Ground Stabilization or a minimum of **six (6) inches** of lime stabilized soil provided the subgrade is suitable for lime stabilization.
- (3) The rock thickness shall be **ten (10) inches**.
- (4) The aggregate surface must be oiled and chipped at least **three (3) times** after a prime coat has been applied.
- (5) The Developer shall provide copies of all the tickets of all the material used on the roads to verify the quantities and that the material is approved by the State of Illinois.
- (6) The entrances to County and State roads for new Subdivision roads shall be hot mix asphalt on an aggregate base, full depth hot mix asphalt, or full depth concrete, with the thickness of the various materials to be approved by the County Engineer. Minor Subdivisions (**six (6) lots** or less) are exempt from this requirement.

**34-9-4 EASEMENTS.** Subdivision drainage plans shall be so structured so as not to block or obstruct the natural drainage of adjoining areas. The following shall be the required standards to be observed for the design of easements in a subdivision.

(A) Easements of not less than **ten (10) feet** in width shall be provided on each side of all rear lot lines, and alongside lot lines where necessary for storm and sanitary sewers, gas, water and other mains, and for electric and telephone lines or for other public utilities. Easements of not less than **fifteen (15) feet** in width shall be provided along all front lot lines for storm and sanitary sewers, gas, water and other mains, and for electric and telephone lines or for other public utilities. Easements of greater width may be required along or across lots when necessary for the extension of main sewers or other utilities or where both water and sewer lines are located in the same easement.

(B) Adequate easements for storm water drainage shall be established along any natural drainage channel and in such other locations as may be necessary to provide satisfactory disposal of storm water from streets, alleys and all other portions of the subdivision. All necessary drainage easements shall be furnished at no expense to the County and meet the following minimum standards:

- (1) Top channel widths from **zero (0) feet** to **fifty (50) feet** require top width plus **twenty-five (25) feet**.
- (2) Over **fifty (50) feet** top channel widths require top widths plus **twenty-five (25) feet** each side.

Wider drainage easements may be required as is necessary to permit proper construction of drainage facilities based on the drainage system plan of the area. No subdivision shall block or obstruct the natural drainage of an adjoining area.

(C) Pedestrian easements, no less than **ten (10) feet** wide, may be required where deemed essential to provide circulation, or access to schools, playgrounds, shopping centers, transportation, and other community facilities.

(D) No tree, shrub or building shall be placed or erected in any easement for utility or drainage purposes or within the right-of-way of any street, except at the owner's risk as to all costs for demolition, removal or reconstruction, and the beneficiaries of the easement rights may have free access to and use of the easements at any time.

## ARTICLE X - MINIMUM STANDARDS OF IMPROVEMENT

**34-10-1** **GENERAL STATEMENT.** Street improvements shall be provided by the subdivider in each new subdivision in accordance with the standards and requirements described in the following section. The requirements set forth below shall be considered as minimum requirements and nothing contained herein shall be construed to mean that the subdivider cannot construct or provide improvements of a higher type.

No Final Plat shall be approved unless:

(A) the improvements required in this Article have been completed and approved prior to such approval; or

(B) the subdivider shall file a performance guarantee or bond as provided in **Section 34-8-2.**

**34-10-2** **REFERENCE MONUMENTS.** The surveyor must at the time of making the survey, set in such manner that they will not be moved by frost, good and sufficient monuments marking the external boundaries of the tract to be divided and must designate upon the plat the points where they may be found. These monuments must be placed at all corners, at each end of all curves, at the point where a curve changes its radius, at all angle points in any line and at all angle points along a meander line, the points to be not less than **twenty (20) feet** back from the normal water elevation of a lake or from the bank of a stream, except that when such corners or points fall within a street, or proposed future street, the monuments must be placed in the rights-of-way line of the street. All lot corners shall be monumented with iron pins or pipe.

The Developer may delay installation of lot marker monuments until completion of improvements provided that cost of placing said monuments shall be included in the improvement plan cost estimate and be subject to bonding requirements. The land surveyor shall submit letter stating desire to place monuments after improvements are completed in contract form guaranteeing maximum cost for installation.

**34-10-3** **STREET IMPROVEMENTS.** All new streets, which are created and dedicated for use within a subdivision, shall be graded, drained and surfaced in accordance with the minimum requirements herein set forth and in a manner which will provide complete and adequate drainage of all the streets, alleys and public grounds in the entire subdivision, including any such work which may be necessary in order to provide adequate and satisfactory drainage along the side of any existing public street which lies adjacent to the subdivision.

(A) **Area Service Highways.** Construction of area service highways shall conform to the Illinois Department of Transportation Design and Construction Policies, Standards and Specifications.

(B) **Land Access and Collector Streets.** Land access and collector streets shall be designed and surfaced according to the requirements listed below. The developer shall assume responsibility for maintaining the roadway including the seeding, removal of earth, crushed stone or other debris from the pavement, curb and gutter and other drainage facilities until acceptance by the Township Highways Commissioner or by the County.

- (1) Land access and collector street pavement shall consist of Type A or B crushed stone, **ten (10) inches** in thickness, conforming to Illinois Department of Transportation Specifications. Additional thickness may be required by the County Engineer for poor soil conditions. Street surfacing shall be bituminous surface treatment, conforming to the Illinois Department of Transportation Specifications for Class A, Sub-class A-3, and shall be sufficient in the opinion of the County Engineer to withstand the traffic that the roadway will be subjected to. Portland Cement Concrete pavement or bituminous concrete may be used instead of crushed stone.

The pavement design with these materials shall be subject to the approval of the County Engineer.

- (2) Before any paving work is commenced all street grading shall be properly completed as shown on plans submitted with the Improvement Plans.
- (3) The surface course of the roadway pavement shall not be laid until the backfilling of all trenches dug for the installation of the utility services has completely settled or compacted to the satisfaction of the County Engineer.
- (4) Before the surface course of the roadway pavement is laid all depressions in the base course shall be properly filled and brought to the required grade so as to create a level surface.
- (5) **Utility Lines.** Underground utility lines in utility easements or rights-of-ways shall be installed prior to the construction of such streets and alleys.

**34-10-4 STORM SEWERS AND OTHER DRAINAGE APPURTENANCES.** All storm sewers necessary to provide adequate drainage along any street and such storm sewers, manholes, catch basins, inlets and outlets shall be constructed in accordance with the applicable provisions in the specifications. Catch basins are to be constructed in accordance with the Standard Specifications for Road and Bridge Construction, prepared by the Illinois Department of Transportation, as amended. The stormwater drainage system shall be separate and independent of the sanitary sewer system and shall be in accordance with the drainage laws of the State of Illinois. The plans and specifications for the disposing of storm water shall be approved by the County Engineer.

**34-10-5 FLOW LINES.** The flow line of any combination curb and gutter section, as well as the flow line of any storm sewer, shall have a fall of at least **one-half (1/2)** of a foot per **one hundred (100) lineal feet**, except where vertical curves in the grade line of the street make this provision inapplicable with respect to the curb and gutter.

**34-10-6 PIPE CULVERTS.** All across-road culverts and entrance culverts shall comply with the specifications. No such pipe culverts, however, shall be less than **fifteen (15) inches** in diameter unless written approval is given by the County Engineer for a reduced size, with a minimum of **twelve (12) inches** in diameter. The design, installation and construction of all drainage structures shall be in accordance with the policies and procedures contained in the Illinois Department of Transportation, Drainage Manual.

**34-10-7 STREET MARKERS AND TRAFFIC SIGNS.** A street marker shall be placed at each intersection designating the names of the streets entering the intersection. The marker shall be of an approved material sufficient in size to accommodate **six (6) inch** lettering; they shall be mounted on **four (4) inch** by **four (4) inch** creosoted wood posts, **two (2) inch** galvanized pipe posts or standard "U" channel painted or galvanized sign posts (minimum weight **two and six-tenths (2.6) pounds** per foot) with at least **three (3) feet** in the ground and a minimum of **seven (7) feet** above the ground. All signs shall be reflectorized.

The developer shall place all traffic control devices required by the latest edition of the State of Illinois Manual of Uniform Traffic Control Devices. The County Engineer will provide written requirements at time of the improvement plan review.

**ARTICLE XI – STANDARDS FOR UTILITIES**

**34-11-1**     **UTILITY REQUIREMENTS.** All proposed water and sanitary sewer facilities shall comply with all federal and state requirements, as well as requirements of the Clinton County Health Department.

**34-11-2**     **FIRE HYDRANTS.** When a new water main is installed as part of the subdivision, fire hydrants shall be installed by the developer on the new water main. Installation of fire hydrants shall be accomplished in such a manner that each lot is within **four hundred (400) feet** of the fire hydrant when measured along the center line of the right-of-way. Water mains smaller than **six (6) inches** in diameter are exempt from the fire hydrant requirements. No fire hydrant shall be placed on a new water main that cannot support fire hydrants as determined by either the water district or a professional engineer. This determination shall be submitted to the county in writing. The type and materials for the fire hydrant and appurtenances shall be as specified by either the water district or a professional engineer.

**34-11-3**     **SANITARY SEWERS.** Whenever a subdivision is located within **one and one-half (1 ½) miles** of an incorporated area or other public agency and where public sanitary sewers are within a reasonable distance of the subdivided area, each lot in the subdivision shall conform to the plans and specifications and be under the supervision of the public agency operating the system to which it is connected. If the connection is made to a private system serving another subdivision, then the new system shall conform to the plans, specifications and requirements of the Illinois Department of Public Health and the approval of the agency shall be secured.

Whenever the developer provides a private system of sanitary sewers and a treatment plant, such system and plant shall conform to all standards, specifications and requirements of the Illinois Department of Public Health and the approval of the agency shall be secured.

Whenever septic tanks are permitted, the system shall comply with the applicable regulations or recommendations of the Illinois Department of Public Health and the County Health Department.

**34-11-4**     **PROVISIONS FOR MAINTENANCE AND OPERATION.** Where the subdivision is to contain sewers, sewage treatment plants, water supply system, park areas, or other physical facilities which will not be maintained by existing public agencies, adequate provision shall be made for the continuing maintenance, supervision, operation and reconstruction of such facilities by the lot owners in the subdivision, subject to the regulations of the Department of Public Health of the State of Illinois where applicable.

**ARTICLE XII - VARIANCES**

**34-12-1**      **CONDITIONS OF VARIATION.** The applicant shall be required to provide any additional information as determined necessary by the Subdivision Committee in order to determine a subdivision request. The County Board may grant a variance from the provisions of this Code provided, in each case, the following conditions are met:

(A)            Any variance or exception shall comply with the Intent and Purpose declared in **Section 34-1-1 of Article I;** and

(B)            Special conditions and circumstances are present which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same area; and

(C)            Literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the same area under the terms of this Code; and

(D)            The special conditions or circumstances do not result from the actions of the applicant; and

(E)            Granting the variance requested will not confer on the applicant any special privilege that is denied by this Code to owners of other lands, structures, buildings in the same area; and

(F)            The variance requested in the minimum variance which would alleviate the hardship.

**34-12-2**      **VARIANCE PROCEDURES.** The following procedures shall be utilized to process a variance:

(A)            The subdivider shall apply in writing to the Subdivision Committee for such a variance or exception upon filing the preliminary plat with the Subdivision Coordinator.

(B)            The Subdivision Coordinator shall notify the Chairman of the County Board, and shall submit the plat and variance request along with the Subdivision Committee's opinion to the County Board at a regularly scheduled Board meeting.

(C)            The County Board shall make its decision within **sixty (60) days** from the date of notification by the Subdivision Coordinator.

(D)            Any variation granted shall be in writing and clearly state all conditions requiring the variance and shall set forth the exact terms of the variance; a copy of which shall be attached to the preliminary and final plats and included in the minutes of the County Board with the reasoning set forth upon which the variance was considered justified.

**34-12-3**      **FILING.** A copy of any variation shall be part of the public record and shall be filed in the office of the Subdivision Coordinator.

**ARTICLE XIII – PLAT VACATIONS**

**34-13-1**     **PLAT VACATION.** Any plat may be vacated per the applicable portions of Illinois State Statute.

**34-13-2**     **SUBMITTAL DOCUMENTS – PLAT VACATION.** The written vacation instrument shall be accompanied by the following plats and plans:

(A)           **Two (2) copies** of the plat of subdivision, on which there shall be shown the part thereof, or street, alley, easement, or part thereof, to be vacated.

(B)           A certificate signed by the County clerk of Clinton County certifying that there are no delinquent general taxes, no unpaid current general taxes, no unpaid forfeited taxes, and no redeemable tax sales against any of the land included in the property to be vacated.

(C)           When lots have been sold, the written vacation instrument shall be signed by all the owners of lots in the plat.

**34-13-3**     **APPROVALS REQUIRED.** The vacation request must be approved by the appropriate following person(s) or agency(s):

- (A)           Clinton County Board;
- (B)           Township Highway Commissioner having jurisdiction;
- (C)           Clinton County Superintendent of Highways;
- (D)           District Engineer of the Illinois Department of Transportation.

**34-13-4**     **VACATION RECORDED.** When any plat or part thereof is vacated the recorder in whose office the plat is recorded or filed as aforesaid, shall, upon the recording of such vacation, write in plain letters across the plat or part so vacated the word "vacated", and shall also make a reference on the same to the volume and page in which the instrument of vacation is recorded.

**ARTICLE XIV - MISCELLANEOUS**

**34-14-1**      **AMENDMENTS.** This Code may be amended, supplemented or repealed by a majority vote of the County Board.

**34-14-2**      **PENALTY FOR PRIOR SALE.** Any person who shall sell or offer for sale, lease or offer for lease, while this Code is in effect, any lot or lots or block or blocks, within the area of jurisdiction of the County or any resubdivision of any block or lot therein, before all of the requirements of this Code have been complied with, shall be deemed in violation and be subject to fines specified in **Section 34-1-3.**

**(Ord. No. 2015-06-54; 06-01-15)**

**APPENDIX A**

**NEW SUBDIVISION ROAD CONSTRUCTION AGREEMENT**

I, \_\_\_\_\_, Owner/Developer of \_\_\_\_\_, a new subdivision which was approved by the Clinton County Board on \_\_\_\_\_ do hereby certify that I have read and that I am aware of all of the Clinton County requirements for the construction of subdivision roads shown below and stated in the following:

\* Clinton County Subdivision Code 34-9 and 34-10

All construction shall be in accordance with the latest standard of the Illinois Department of Transportation STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.

**STAKING:** The Owner/Developer's Engineer shall set line and grade stakes on a minimum of **fifty (50) foot** intervals on tangents and a minimum of **twenty-five (25) foot** intervals on curves with all stakes a fixed offset distance ( $\pm 2$  ft.) from the edge of the final rock surface with the Stations and final grade reference on each stake. Additional stakes at **twenty-five (25) foot** intervals may be required by the County Engineer. The Owner/Developer's Engineer shall replace any damaged or missing grade stakes until the final rock grade has been approved in writing by the Clinton County Highway Department.

**MATERIALS:** All material used on subdivision roads shall meet Illinois Department of Transportation Specifications and shall be approved by the Clinton County Engineer. Owner/Developer or Contractor shall provide the Clinton County Highway Department a list and source of the material to be used. The Owner/Developer shall provide the Clinton County Highway Department with a copy of all the tickets of the material used.

**SUBGRADE:** The subgrade shall be prepared by removing all vegetation, filling all depressions, and smoothing the surface. Soft and unstable material shall be removed and replaced with suitable material that will compact or with additional thickness of rock base. If the subgrade is dusty or muddy, placement of the fabric on the road shall be delayed until the subgrade is in a condition satisfactory to the County Engineer. The Owner/Developer's Engineer must certify to the Clinton County Highway Department in writing that the subgrade is within the specified county tolerances before the subgrade will be inspected by the Clinton County Highway Department. This approval shall include a copy of the measurements from a stringline from the grade stakes. No geotechnical fabric or rock shall be placed until the subgrade and any crossroad culverts have been approved in writing by the Clinton County Highway Department.

**ROCK BASE (CA-6):** The aggregate shall be placed on the fabric by a method that will not damage the fabric and that will prevent segregation of the aggregate. If segregation does occur, the County Engineer may require the addition of additional material. Compaction of the aggregate shall be to the satisfaction of the County Engineer. The Owner/Developer's Engineer shall certify in writing to the Clinton County Highway Department that the final aggregate rock grade is within the required tolerances. This approval shall include a copy of the measurements from a stringline from the grade stakes. The aggregate surface shall not be primed until it has been approved in writing by the Clinton County Highway Department, and a copy of all the rock tickets have been provided to the Clinton County Highway Department.

**OIL AND CHIP:** The aggregate surface shall be primed with MC-30. The type of road oil and chips to be used shall be approved by the Clinton County Engineer. Road oil shall not be applied when there is loose aggregate on the roadway surface.

**P.C.C. & BITUMINOUS CONCRETE PAVEMENTS:** Design and construction of Portland Cement Concrete pavement and Bituminous Concrete pavements shall be in accordance with the latest standard of the



**COUNTY OF CLINTON**

**SUBGRADE APPROVAL**

DATE \_\_\_\_\_

OWNER/DEVELOPER \_\_\_\_\_

SURVEYOR/ENGINEER \_\_\_\_\_

SUBDIVISION NAME \_\_\_\_\_

ROAD NAME \_\_\_\_\_

STATION \_\_\_\_\_ TO STATION \_\_\_\_\_

This certifies that the Clinton County Highway Department has received certification from the above Surveyor/Engineer that the subgrade has been constructed to the required tolerances on the portion of road listed above in the above referenced subdivision, and approves the subgrade for the portion of road listed above. Approval is granted to place geotechnical fabric and rock on this section of roadway.

\_\_\_\_\_  
CLINTON COUNTY HIGHWAY DEPARTMENT

**COUNTY OF CLINTON**

**FINAL AGGREGATE SURFACE APPROVAL**

DATE \_\_\_\_\_

OWNER/DEVELOPER \_\_\_\_\_

SURVEYOR/ENGINEER \_\_\_\_\_

ROAD NAME \_\_\_\_\_

STATION \_\_\_\_\_ TO STATION \_\_\_\_\_

This certifies that the Clinton County Highway Department has received certification from the above Surveyor/Engineer that the final rock grade has been constructed to the required tolerances on the portion of road listed above in the above referenced subdivision, and approves the final rock grade for the portion of road listed above. Approval is granted to oil & chip the rock surface within **ten (10) working days** of this notice on this section of road. If the aggregate surface has not been oiled & chipped within **ten (10) working days** from the date of this approval, you must reapply for approval. Please submit copies of rock tickets and the bill of sale for the amount of oil used to the Clinton County Highway Department within **five (5) working days** of material placement. Failure to comply with this requirement may require the addition of more material to the road for this subdivision.

\_\_\_\_\_  
CLINTON COUNTY HIGHWAY DEPARTMENT

## APPENDIX A

### NEW SUBDIVISION ROAD CONSTRUCTION AGREEMENT

I, \_\_\_\_\_, Owner/Developer of \_\_\_\_\_, a new subdivision which was approved by the Clinton County Board on \_\_\_\_\_ do hereby certify that I have read and that I am aware of all of the Clinton County requirements for the construction of subdivision roads shown below and stated in the following:

- \* Clinton County Subdivision Code 34-5-3 Pages 910, 911
- \* County Board Ordinances (2) Dated January 20, 1998

All construction shall be in accordance with the latest standard of the Illinois Department of Transportation STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.

STAKING: The Owner/Developer's Engineer shall set line and grade stakes on a minimum of **fifty (50) foot** intervals on tangents and a minimum of **twenty-five (25) foot** intervals on curves with all stakes a fixed offset distance ( $\pm 2$  ft.) from the edge of the final rock surface with the Stations and final grade reference on each stake. Additional stakes at **twenty-five (25) foot** intervals may be required by the County Engineer. The Owner/Developer's Engineer shall replace any damaged or missing grade stakes until the final rock grade has been approved in writing by the Clinton County Highway Department.

MATERIALS: All material used on subdivision roads shall meet Illinois Department of Transportation Specifications and shall be approved by the Clinton County Engineer. Owner/Developer or Contractor shall provide the Clinton County Highway Department a list and source of the material to be used. The Owner/Developer shall provide the Clinton County Highway Department with a copy of all the tickets of the material used.

SUBGRADE: The subgrade shall be prepared by removing all vegetation, filling all depressions, and smoothing the surface. Soft and unstable material shall be removed and replaced with suitable material that will compact or with additional thickness of rock base. If the subgrade is dusty or muddy, placement of the fabric on the road shall be delayed until the subgrade is in a condition satisfactory to the County Engineer. The Owner/Developer's Engineer must certify to the Clinton County Highway Department in writing that the subgrade is within the specified county tolerances before the subgrade will be inspected by the Clinton County Highway Department. This approval shall include a copy of the measurements from

a stringline from the grade stakes. No geotechnical fabric or rock shall be placed until the subgrade and any crossroad culverts have been approved in writing by the Clinton County Highway Department.

ROCK BASE (CA-6): The aggregate shall be placed on the fabric by a method that will not damage the fabric and that will prevent segregation of the aggregate. If segregation does occur, the County Engineer may require the addition of additional material. Compaction of the aggregate shall be to the satisfaction of the County Engineer. The Owner/Developer's Engineer shall certify in writing to the Clinton County Highway Department that the final aggregate rock grade is within the required tolerances. This approval shall include a copy of the measurements from a stringline from the grade stakes. The aggregate surface shall not be primed until it has been approved in writing by the Clinton County Highway Department, and a copy of all the rock tickets have been provided to the Clinton County Highway Department.

OIL AND CHIP: The aggregate surface shall be primed with MC-30. The type of road oil and chips to be used shall be approved by the Clinton County Engineer. Road oil shall not be applied when there is loose aggregate on the roadway surface.

P.C.C. & BITUMINOUS CONCRETE PAVEMENTS: Design and construction of Portland Cement Concrete pavement and Bituminous Concrete pavements shall be in accordance with the latest standard of the Illinois Department of Transportation STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION and approved by the County Engineer.

SEEDING: No area shall be seeded until the Owner/Developer's Engineer has certified in writing to the Clinton County Highway Department that the shoulders, slopes, radii, and ditches have been constructed within the required tolerances in accordance with the lines and grades shown on the approved plans.

MAINTENANCE: The Owner/Developer is responsible for maintaining the road **two (2) years** after all construction has been completed. The Owner/Developer will be required to have a performance guarantee for maintenance until the road is accepted by the road district highway commissioner.

EROSION AND SEDIMENT CONTROL: The National Pollutant Discharge Elimination System (NPDES) program of the Federal Clean Water Act imposes erosion and sediment control requirements for construction projects. All projects disturbing one or more of land that are under construction on or after **March 10, 2003** are required to comply with NPDES Phase II rules. The owner/developer shall comply with all the current or future provisions of the NPDES Permit No. ILR 10, an individual permit or any other future applicable erosion and sediment control requirements unless the owner/developer or his engineer certifies in writing to the Clinton County Highway

Department that the construction of the proposed subdivision road is not subject to the NPDES program. If the NPDES storm water permit requirements apply to this subdivision road project a Storm Water Prevention Plan (SWPPP) for the proposed subdivision road must be submitted with the improvement plans. No plans will be approved until a copy of the SWPPP has been submitted to the Clinton County Highway Department. In addition to the SWPPP, the owner/developer shall provide the Clinton County Highway Department with copies of all the required forms submitted to IEPA including the following: Notice of Intent (NOI), Incident of Noncompliance (ION) (if any), and the Notice of Termination (NOT). The owner/developer shall be completely responsible for all compliance with all the requirements of the National Pollutant Discharge Elimination System (NPDES) for his subdivision. The owner/developer shall pay for all penalties for any NPDES violation during the construction of his subdivision road. If the developer fails or refuses to pay for all penalties for any NPDES violation part or all of the developer's performance guarantee may be used to pay for any or all penalties so that there will be no liens against the road and a township road district highway commissioner could accept it for maintenance. New roads must have permanent erosion controls in place prior to the release of the performance guarantee.

PENALTY: I understand that if my Engineer or Contractor fails or refuses to comply with the Clinton County requirements for the construction of subdivision roads part or all of my performance guarantee may be used by the Clinton County Highway Department to hire another Engineer or Contractor to do the necessary work. The Clinton County Highway Department will notify the Owner/Developer in writing when his Engineer or Contractor has not complied with the county requirements. The Owner/Developer may have up to **thirty (30) days** at the discretion of the County Engineer to comply with county requirements before the County Engineer hires another firm to do the required work.

If fabric and aggregate are placed on any subgrade that has not been approved in writing by the County Highway Department, additional rock will be required at these locations. The thickness and quantity of this additional rock will be determined by the Clinton County Engineer.

If prime, oil and chips are placed on any section of a rock surface that has not been approved in writing by the County Highway Department, additional applications of oil and chips and possibly other bituminous materials will be required at these locations. The type and quantity of additional material will be determined by the Clinton County Engineer.

MISCELLANEOUS: The Owner/Developer's Contractor must give **two (2) working days** notice to the Clinton County Highway Department when an onsite inspection is needed to approve the subgrade, rock surface or site grading for seeding.

If Clinton County Highway Department personnel have to make more than **two (2) trips** to a subdivision to inspect a single item of work that is not ready or was not done properly, the Owner/Developer will be billed for each additional trip at the rate of a minimum of **One Hundred Dollars (\$100.00)** per trip.

A pre-construction meeting with the Clinton County Engineer, Owner/Developer, Engineer and Contractor is required before any work is done on a new subdivision road. The Owner/Developer or Contractor shall notify the Clinton County Highway Department **two (2) days** before any work is done.

Any change from the approved plans must be approved in writing by the Clinton County Engineer.

\_\_\_\_\_  
OWNER/DEVELOPER                      DATE                      TELEPHONE NUMBER

NAME OF CONTRACTOR \_\_\_\_\_

ADDRESS \_\_\_\_\_

TELEPHONE NUMBER \_\_\_\_\_

NAME OF ENGINEER \_\_\_\_\_

ADDRESS \_\_\_\_\_

TELEPHONE NUMBER \_\_\_\_\_

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