

02/16/15
02/17/15
02/18/15
03/02/15C

VILLAGE OF LAKE VILLA

ORDINANCE NO. 2015-03-02

AN ORDINANCE AMENDING
THE VILLAGE OF LAKE VILLA VILLAGE CODE

(RE: Title 5, "Public Properties and Utilities":

Chapter 1, "Streets and Sidewalks":
Section 5-1-1, "Openings or Excavations";

Chapter 3, "Public Improvements: Design and Construction":
Section 5-3-2, "Water System Improvements";
Section 5-3-3, "Sanitary Sewer System Improvements";
Section 5-3-4, "Storm Water Drainage Improvements";
Section 5-3-5, "Street and Sidewalk Improvements";

Chapter 4, "Combined Waterworks and Sewer System Regulations":
Section 5-4-5, "Water Meter Conduit";
Section 5-4-8, "Water Towers";
Section 5-4-9.2, "Meter Interface Unit";
Section 5-4-9.3, "Surface Mount Phone Jack"; and
Section 5-4-9.4, "Remote Meters"; and

Comprehensive Amendment to Title 11, "Subdivision Regulations")

ADOPTED BY THE
CORPORATE AUTHORITIES
OF THE VILLAGE OF LAKE VILLA

THIS 11TH DAY OF MARCH, 2015

Published in pamphlet form by authority of the Corporate Authorities of the Village of Lake Villa, Lake County, Illinois, this 12th day of March, 2015.

AN ORDINANCE AMENDING
THE VILLAGE OF LAKE VILLA VILLAGE CODE

(RE: Title 5, "Public Properties and Utilities":

Chapter 1, "Streets and Sidewalks":
Section 5-1-1, "Openings or Excavations";

Chapter 3, "Public Improvements: Design and Construction:
Section 5-3-2, "Water System Improvements";
Section 5-3-3, "Sanitary Sewer System Improvements";
Section 5-3-4, "Storm Water Drainage Improvements";
Section 5-3-5, "Street and Sidewalk Improvements";

Chapter 4, "Combined Waterworks and Sewer System Regulations":
Section 5-4-5, "Water Meter Conduit";
Section 5-4-8, "Water Towers";
Section 5-4-9.2, "Meter Interface Unit";
Section 5-4-9.3, "Surface Mount Phone Jack"; and
Section 5-4-9.4, "Remote Meters"; and

Comprehensive Amendment to Title 11, "Subdivision Regulations")

WHEREAS, the Corporate Authorities of the Village of Lake Villa ("Village") have determined that it is in the best interests of the Village and its residents to make certain amendments to the Lake Villa Village Code relative to streets and sidewalks, the design and construction of public improvements, and the Village's combined waterworks and sewer system regulations and to approve a comprehensive amendment to Title 11, "Subdivision Regulations" of the Village of Lake Villa Village Code relative to the Village's standards for the development and construction of subdivisions within the Village:

NOW THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Lake Villa, Lake County, Illinois, as follows:

SECTION 1: The Corporate Authorities of the Village hereby find that the recitals hereinabove set forth are true and correct and are incorporated into the text of this Ordinance as its findings of fact to the same extent as if each such recital had been set forth herein in its entirety.

SECTION 2: Subparagraph E, "Restoration of Surface", of Section 5-1-1, "Openings or Excavations", of Chapter 1, "Streets and Sidewalks", of Title 5 of the Lake Villa Village Code, as amended, is hereby amended to read as follows:

"5-1-1: OPENINGS OR EXCAVATIONS:

* * * *

- E. Restoration of Surface: Promptly upon the completion of the work for which the opening, excavation or tunnel was made, the person making such opening, excavation or tunnel shall restore said street or public place to its original condition.

Openings or excavations in public parkway areas shall be backfilled using suitable excavated subsoil materials with proper allowance for shrinkage and which will develop a compacted stability satisfactory to the village engineer. Backfill shall be carefully placed and compacted using six inch (6") layers of selected excavated material which is free of large stones, clods of turf, roots or rubble, or using gravel, crushed stone, or other granular material. The backfilled surface shall be left smooth and sufficiently crowned to allow for settlement.

Wherever the excavation is in streets, parking areas, driveways, or other paved areas, the opening shall be backfilled to within twelve inches (12") of the surface with gravel, crushed stone, controlled low strength material (CLSM), or other approved granular backfill material, jetted for compaction.

The top twelve inches (12") of the openings in streets, parking areas, driveways, or other paved areas shall be filled with approved road gravel or crushed stone as a temporary pavement, and shall be maintained level with adjoining pavement surface until the original type of pavement, or equal, is replaced.

All public parkway areas which are removed or damaged during the work shall be provided with a prepared topsoil of not less than four inches (4") of black dirt raked smooth and level without any stones or debris. Prior to seeding, standard commercial grade fertilizer shall be applied and raked uniformly into the topsoil at a rate of ten (10) pounds per one thousand (1,000) square feet. Grass seed shall be planted only during the months of March through May and August through October. Grass seed mixtures shall be proportioned by weight and consist of sixty percent (60%) Kentucky bluegrass, twenty five percent (25%) perennial ryegrass, ten percent (10%) redtop or creeping red fescue, and five percent (5%)

white Dutch clover. Seeding shall be applied at a uniform rate of not less than two and five-tenths (2.5) pounds per one thousand (1,000) square feet. Areas which require protection from erosion shall be mulched with straw or burlap, or may be sodded.

All street and driveway pavements including surfaces, bases and stabilized subbases, curbs and gutters, and sidewalks shall be reconstructed as required for the complete replacement of existing pavement surfaces which were removed or which were damaged or destroyed by the excavation work. This work shall not be started until the trenches have been properly backfilled and thoroughly compacted. The work shall be constructed in accordance with applicable provisions of and the most recent amendments to the "Standard Specifications for Road and Bridge Construction", adopted by the state of Illinois, department of transportation.

Where the original surface was gravel, crushed stone, or cinder materials, the temporary pavement shall be reshaped to proper grade and condition equal to or better than the original surface in accordance with the State specifications.

Replacement of all other pavement surfaces shall be in accordance with the following paragraphs. Grade, cross section and thickness shall match the existing adjoining pavement, except that thickness shall not be less than specified hereinafter. The temporary gravel pavement shall be prepared as a base or subbase for the new pavement in accordance with the State specifications.

Brick pavements shall be replaced with a minimum of six inches (6") of Portland cement concrete surface pavement.

Portland cement concrete base or surface pavement shall be replaced with a minimum of six inches (6") of Portland cement concrete. The concrete pavement shall have steel reinforcing bars equal in size and spacing to the reinforcement of the original pavement; the minimum size steel reinforcing shall be six inch by six inch (6" x 6") #6 welded wire fabric. This work shall be constructed in accordance with the requirements of the State specifications.

Bituminous aggregate mixture base or surface pavement shall be replaced with a minimum thickness of six inches (6") of bituminous aggregate mixture and shall be constructed in accordance with State specifications.

Bituminous surface pavement shall be replaced with a minimum thickness of six and one-half inches (6 ½") of hot mix asphalt consisting of a minimum of two inches (2") hot-mix asphalt surface course and a minimum of four and one-half inches (4 ½") hot-mix asphalt binder course, constructed in accordance with the requirements of the State specifications.

Portland cement concrete curbs and gutters shall be constructed to match the original type, thickness, grade and cross section, and shall have a prepared subbase of not less than four inches (4") of compacted sand or fine gravel. This work shall be completed in accordance with the requirements of the State specifications.

Portland cement concrete sidewalks and crosswalks shall have a minimum thickness of four inches (4") and shall be constructed on a prepared subbase of not less than two inches (2") of compacted sand or fine gravel. Portland cement concrete sidewalks through driveways shall have a minimum thickness of six inches (6") and shall be constructed on a prepared subbase of not less than two inches (2") of compacted sand or fine gravel. This work shall be completed in accordance with the requirements of the State specifications. "

* * * *

SECTION 3: Subparagraphs C, D, E, F, G and H of Section 5-3-2, "Water System Improvements", of Chapter 3, "Public Improvements: Design and Construction," of Title 5 of the Lake Villa Village Code, as amended, are hereby amended to read as follows:

"5-3-2: WATER SYSTEM IMPROVEMENTS:

* * * *

- C. Village distribution water mains shall either be AWWA C900 or AWWA C905 PVC, gasketed push-on joints, or DR 11 HDPE, DIPS sizing, as a minimum. Cement lined class 52 ductile iron pipe shall only be used for building/site piping. Directionally-drilled water mains shall either be HDPE or Certa-Lok or an equivalent as approved in advance in writing by the Village's Director of Public Works. All water mains shall have continuous 3/16-inch insulated stainless steel aircraft cable as tracing wire. HDPE pipe installations shall include concrete pipe anchors at transition points. All tracing wires shall be physically connected to every installed fire hydrant, valve vault and valve box for conductivity and tracing. Fittings shall be of domestic manufacture. All water main fittings shall be ductile iron rated at two hundred fifty (250) psi minimum. Approved manufacturers are Tyler/Union. All bends, tees, hydrants, valves, plugs and caps shall be restrained with retainer glands in lieu of concrete thrust blocks. Approved manufacturers for retainer glands are Meglug or Uniflange.
- D. Water mains shall have a minimum bury of six feet (6') over all pipe and fittings, and services. All water mains installed within Village-owned right-of-way shall be backfilled with controlled low strength material (CLSM) under roadways and within two feet (2') of the back of curb Water mains installed under Village-owned sidewalk shall be backfilled with CA 6.
- E. Water mains shall be provided with resilient wedge gate valves (RWGV) at all tees and crosses, and at not more than five hundred foot (500') intervals in commercial districts and at not more than eight hundred foot (800') intervals in residential and industrial districts. No brass valves shall be used or accepted.
- F. All RWGVs shall be of domestic manufacture and rated for two hundred fifty (250) psi working pressure and the resilient seated disc wedge shall be fully (100 percent) encapsulated in styrene butyl rubber (SBR). All valves shall have mechanical joints unless

they are attached directly to a fire hydrant or are used in an aboveground application in which case that joint shall be flanged. All RWGVs shall be Mueller A2360.

- G. All gate valves, excluding hydrant auxiliary valves, shall be installed inside forty eight inch (48") diameter booted precast concrete valve vault structures with a concentric cone and a Cretex, or the equivalent exterior rubber chimney seal as approved in advance in writing by the Director of Public Works. Valve vaults shall be located in paved areas, except when the location thereof in a specific unpaved area has been approved in advance in writing by the Village's Director of Public Works. The valve vault shall have cast iron steps with a precast base on a six inch (6") sand bed. Manhole frames and covers shall be Neenah R-1772, or East Jordan 1022. Covers shall be self-sealing with the word "Water" imprinted on it. Frames will be flush with final grade. Hydrant auxiliary valves and valves in unpaved areas shall have six inch (6") valve boxes. Boxes must also be flush with final grade with covers marked "Water".
- H. Fire hydrants shall be installed at all street intersections and at intervals of not more than three hundred feet (300') in commercial and industrial districts and intervals of not more than four hundred feet (400') in residential districts. An acceptable manufacturer is Mueller Super Centurion 250 with a mechanical joint or an equivalent as approved in advance in writing by the Director of Public Works. Each hydrant shall be provided with a six inch (6") RWGV mounted directly to an anchoring tee. Bolts shall be Cor-ten steel. Each hydrant shall be painted gloss red and contain a five foot (5') long, spring-mounted reinforced fiberglass hydrant whip marker. Acceptable manufacturers are RoDon, Barco, or an equivalent as approved in advance in writing by the Director of Public Works.

* * * *

SECTION 4: Subparagraphs G, H, I, and J of Section 5-3-3, "Sanitary Sewer System Improvements", of Chapter 3, "Public Improvements: Design and Construction," of Title 5 of the Lake Villa Village Code, as amended, are hereby amended to read as follows:

"5-3-3: SANITARY SEWER SYSTEM IMPROVEMENTS:

* * * *

- G. The connection of the building sewer into the public sewer shall be made at the branch fitting, if such is available at a suitable location. Manhole connections are not allowed. If the public sewer is twelve inches (12") in diameter or less, and if no properly located branch fitting is available, the owner shall, at his expense, install in the public sewer a branch fitting approved by and at a location specified by the Village's Director of Public Works. Where the public sewer is greater than twelve inches (12") in diameter, and no properly located branch fitting is available, a neat hole may be cut into the public sewer to receive the building sewer, with entry in the downstream direction at an angle of about forty five degrees (45°). A forty five degree (45°) elbow may be used to make such connection, with the spigot end cut so as not to extend past the inner surface of the public sewer. A smooth, neat joint shall be made, and the connection made secure and watertight

by encasement in concrete. Special fittings may be used for the connection but only when approved in advance in writing by the Village's Director of Public Works.

- H. All sanitary sewers and building sewers shall be bedded on a layer of gravel or crushed stone conforming to the latest revision of ASTM specification D448, to provide a minimum thickness of four inches (4") under and supporting the full bottom quadrant of the pipe. Backfill materials shall be placed and tamped by hand in six inch (6") layers around the pipe to a height of twelve inches (12") over the top of pipe. All sewers and sewer services installed within Village-owned right-of-way shall be backfilled with controlled low strength material (CLSM) under roadways and within two feet (2') of the back of curb. Sewers and sewer services installed under Village-owned sidewalk shall be backfilled with CA 6.
- I. All sanitary sewers and building sewer branches shall be tested for watertightness by a low pressure air test to assure that infiltration will not exceed two hundred (200) gallons per inch of pipe diameter per twenty four (24) hours per mile of sewer. The contractor shall furnish all testing equipment and personnel required for conducting the low pressure air test as directed by the Superintendent or Village Engineer.
 - 1. Prior to low pressure air testing, the sewers shall be thoroughly cleaned and mandrel tested and televised. Televised sewer video records shall be provided to the Village in an electronic file format.
 - 2. After cleaning and dampening, all sewer pipe openings shall be sealed with suitable airtight plugs and braces.
 - 3. Wherever the sewer to be tested is submerged underground water, a pipe probe shall be inserted by boring or jetting into the backfill material adjacent to the center of the sewer pipe. Air shall be forced to flow very slowly through the probe pipe to determine the back pressure caused by ground water static head. The gauge pressure of the ground water static head shall be added to the standard air test pressure to compensate for the back pressure effect of ground water static head on the low pressure air test.
 - 4. The low pressure air test shall be made by slowly adding air to the plugged sewer sections under test until the internal air pressure reaches four (4.0) PSIG greater than any ground water hydrostatic pressure. After the initial pressurization, at least two (2) minutes shall be allowed for air temperature to stabilize and adding only the amount of air to maintain the initial test pressure.
 - 5. After the initial air pressure temperature has been stabilized, the air supply shall be shut off. An approved stop watch shall be used to record the time in seconds for the internal sewer pressure to drop from three and five-tenths (3.5) PSIG to two and five-tenths (2.5) PSIG greater than any ground water hydrostatic pressure. The low pressure air test of sanitary sewers shall be considered satisfactory if the total rate of air loss from any section of sewer tested in its entirety does not exceed 0.0030 cubic

feet of air per minutes per square foot of internal pipe surfaces. If the low pressure air test fails to meet these requirements, the contractor shall locate and repair, or remove and replace the faulty sections of sewer in a manner approved by the superintendent or village engineer, as necessary to perform a satisfactory low pressure air test upon retesting. The use of acrylamid gel sealants as a method of correcting leakage will not be acceptable.

- J. Sanitary sewer manholes shall have an inside diameter of forty eight inches (48") for all sewer sizes of eight inch (8") through twenty four inch (24") pipe diameter, and an inside diameter of sixty inches (60") for all sewer sizes of twenty-seven inch (27") through thirty-six inch (36") pipe diameter. Manholes shall be constructed of precast reinforced concrete sections conforming to the latest revision of ASTM specification C478. Manhole sections shall be joined together using either flexible watertight rubber ring gaskets or preformed bituminous plastic gaskets similar to RAM-NEK made by K.T. Snyder Company, Inc., or type CS-208 made by Concrete Sealants, Inc., or equal approved by the Village Engineer, and shall include an external joint wrap system, MacWrap or equal. Sanitary sewer manholes shall have a Cretex exterior rubber chimney seal or an equivalent exterior rubber chimney seal as approved in advance in writing by the Village's Director of Public Works. Top manhole sections shall be precast eccentric type cones with a twenty four inch (24") diameter manhole cover opening. All exterior surfaces of manhole sections shall be sealed with bitumastic material for water tightness. Manhole frames and covers shall be Neenah Foundry Company No. R-1772, or East Jordan Iron Works, Inc., No. 1022, or an equivalent as approved in advance in writing by the Village Engineer, with standard duty, nonrocking type, indented top solid lids marked "SEWER". Not more than eight inches (8") of grade adjusting rings will be permitted. Frames shall be set on a preformed bituminous plastic gasket to provide a watertight joint. Cast iron steps similar to Neenah Foundry Company No. R-1980-C, or East Jordan Iron Works, Inc., No. 8501, or an equivalent as approved in advance in writing by the Village Engineer, shall be installed at twelve inch (12") spacing on centers. Precast concrete bottom slabs shall be carefully bedded on a six inch (6") compacted sand cushion. Spaces around and under all pipes entering the manholes shall be filled with concrete from the outside. The invert elevations of sewer pipes entering manholes shall be such that the inside top of pipe is level with that of the outlet sewer unless a drop pipe connection is provided on the outside of the manhole. All pipe connections shall be made with flexible watertight connectors meeting the requirements of ASTM C923. Resilient connectors shall be cast in place into manhole walls and shall provide a watertight, flexible seal between the pipe and manhole. Each manhole shall have bottom concrete fillets shaped to provide smooth flow channels through manholes conforming in shape and slope to that of the sewers, with the top of fillet sides at one-half ($1/2$) of the outlet sewer vertical diameter dimension."

* * * *

SECTION 5: Subparagraphs E, H, and I of Section 5-3-4, “Storm Water Drainage Improvements”, of Chapter 3, “Public Improvements: Design and Construction,” of Title 5 of the Lake Villa Village Code, as amended, are hereby amended to read as follows:

“5-3-4: STORM WATER DRAINAGE IMPROVEMENTS:

* * * *

- E. Storm sewer inlets shall be located at street intersections, low points between intersections, and at sufficiently frequent intervals that gutters or ditches will not be overloaded. Low points shall include double inlets.

* * * *

- H. Manholes, inlets and catch basins shall be standard types approved by the State of Illinois Department of Transportation, Division of Highways. Inlet and catch basin frames and grates shall be consistent with the curb and gutter size. All storm inlets and catch basin frames shall include the “no dumping” stamp.

* * * *

- I. Storm manholes shall have external chimney seals. Chimney seals shall be Cretex or an equivalent external rubber chimney seals as approved in advance in writing by the Village’s Director of Public Works.”

* * * *

SECTION 6: Section 5-3-5, “Street and Sidewalk Improvements”, of Chapter 3, “Public Improvements: Design and Construction,” of Title 5 of the Lake Villa Village Code, as amended, shall be amended by the revision of Subparagraphs C(7), D(1), D(2), and E(1) and the addition of a new Subparagraph H, all of which shall read as follows:

“5-3-5: STREET AND SIDEWALK IMPROVEMENTS:

* * * *

- C. The following specifications shall govern the design, grading and surfacing of new and existing public streets, unless otherwise approved by the Village Engineer.

* * * *

- 7.1 The minimum requirements for Major-Business-Industrial Street pavement design shall be:

- a. 2-inch (2”) hot-mix asphalt surface course, Mix “D”, N50
- b. 5-inch (5”) hot-mix asphalt binder course, IL-19.0, N50
- c. 12-inch (12”) Type A aggregate base course, extending two feet beyond back of curb
- d. 18-inch (18”) improved subgrade, extending two feet beyond back of curb
- e. Underdrain where determined to be necessary by Village Engineer
- f. Wick Drains/Geonet at inlets

- 7.2 The minimum requirements for Secondary Street pavement design shall be:
- 2-inch (2") hot-mix asphalt surface course, Mix "D", N50
 - 5-inch (5") hot-mix asphalt binder course, IL-19.0, N50
 - 10-inch (10") Type A aggregate base course, extending two feet beyond back of curb
 - 18-inch (18") improved subgrade, extending two feet beyond back of curb
 - Underdrain where determined to be necessary by Village Engineer
 - Wick Drains/Geonet at inlets

- 7.3 The minimum requirements for Minor Street pavement design shall be:
- 2-inch (2") hot-mix asphalt surface course, Mix "D", N50
 - 4 ½-inch (4 1/2") hot-mix asphalt binder course, IL-19.0, N50
 - 6-inch (6") Type A aggregate base course, extending two feet beyond back of curb
 - 16-inch (16") improved subgrade, extending two feet beyond back of curb
 - Underdrain where determined to be necessary by Village Engineer
 - Wick Drains/Geonet at inlets

* * * *

- D. Combination concrete curbs and gutters shall be constructed along the edges of all street pavements.

- Gutters and curbs shall be M-4.12 (mountable curb type) for secondary and minor streets and standard type B-6.24 (barrier curb type) for major streets as approved by the State Division of Highways.
- Formed depressed type of entrance curbs having a width of not less than twelve feet (12') shall be provided at all private driveways. Curb cut entrances shall be by written approval only.

* * * *

- E. Sidewalks shall be constructed of air entrained class X Portland cement concrete in accordance with section 624 of the state standard specifications.

- The minimum width of sidewalks shall be:
Residential 5 feet
Business 6 feet

* * * *

- H. Pavement markings shall be thermoplastic with glass beads."

SECTION 7: Section 5-4-5, "Water Meter Conduit", of Chapter 4, "Combined Waterworks and Sewer System Regulations," of Title 5 of the Lake Villa Village Code, as amended, is hereby amended to read as follows:

“5-4-5: WATER METER CONDUIT:

In all new construction, metal conduit and 3 conductor, 18-gauge wire shall be installed from the water meter location to an outside wall at a point approximately five feet (5') from the front of the building or to a location approved by the electrical inspector. Village will install and connect a remote reader to each water meter.”

SECTION 8: Section 5-4-8, “Water Towers”, of Chapter 4, “Combined Waterworks and Sewer System Regulations,” of Title 5 of the Lake Villa Village Code, as amended, is hereby amended to read as follows:

“5-4-8: WATER TOWERS:

Any water tower which provides potable water for residential consumption or commercial purposes shall have clearly painted on the bulb the colors, words and symbols approved in advance by the Village Board. All water towers shall have cathodic protection and have top warning lights with one hundred ten (110) volt outlets and mounting rail.”

SECTION 9: Section 5-4-9.2, “Meter Interface Unit”, of Chapter 4, “Combined Waterworks and Sewer System Regulations,” of Title 5 of the Lake Villa Village Code, as amended, is hereby deleted in its entirety.

SECTION 10: Section 5-4-9.3, “Surface Mount Phone Jack”, of Chapter 4, “Combined Waterworks and Sewer System Regulations,” of Title 5 of the Lake Villa Village Code, as amended, is hereby deleted in its entirety.

SECTION 11: Section 5-4-9.4, “Remote Meters”, of Chapter 4, “Combined Waterworks and Sewer System Regulations,” of Title 5 of the Lake Villa Village Code, as amended, is hereby amended to read as follows:

“5-4-9.4: REMOTE METERS:

A remote readings system shall be installed on all new residential, commercial, and industrial

buildings serviced by Village water. The remote touchpad installed by the Village shall be installed on the front of each building or on the side of such building within five feet (5') of the front of such building. Connecting wire shall be 3-conductor, 18-gauge wire. The wire shall be run in one-half inch ($\frac{1}{2}$ ") EMT conduit and be installed with one foot (1') excess wire for Village connection to an MXU."

SECTION 12: The existing Title 11, "Subdivision Regulations", of the Village of Lake Villa Village Code, as amended, is hereby deleted in its entirety and in lieu thereof, a new Title 11, "Subdivision Regulations", is hereby inserted, which new Title 11 shall read substantially as set forth on Exhibit A attached hereto and thereby made a part hereof.

SECTION 13: If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is, for any reason, held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance, or any part thereof. The Corporate Authorities hereby declare that they would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 14: This Ordinance shall not affect any prosecution pending or any penalty, punishment, forfeiture incurred, cause of action, or rights, powers, or remedies accrued under any ordinance in effect immediately prior to the effective date hereof.

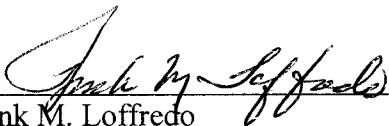
SECTION 15: This Ordinance shall be published in pamphlet form and shall be in full force and effect from and after its passage, approval, and publication.

SECTION 16: The Village Clerk is directed to immediately publish this Ordinance in pamphlet form.

Passed by the Corporate Authorities on March 11, 2015, on a roll call vote as follows:

AYES: Trustees *Bartlett, Battistone, Harris, Kruckeberg, McDonald*
NAYS: *& Nielsen*
ABSENT:
ABSTAIN:

Approved by the Mayor on March 11, 2015.



Frank M. Loffredo
Mayor, Village of Lake Villa

ATTEST:


Alice K. Brownlee, Village Clerk

Published in pamphlet form this 12th day of March, 2015.

EXHIBIT A

TITLE 11, "SUBDIVISION REGULATIONS"

CHAPTER 1: SUBDIVISION REGULATIONS

Section

TITLE, PURPOSE, APPLICABILITY AND ADMINISTRATION

- 11-1-1 Title
- 11-1-2 Purpose and Intent
- 11-1-3 Definitions
- 11-1-4 Jurisdiction
- 11-1-5 Applicability
- 11-1-6 Legal Authority and Status
- 11-1-7 Approvals, Interpretations, Exceptions, and Variations
- 11-1-8 Revocation of Development Permit
- 11-1-9 Enforcement and Penalties
- 11-1-10 Appeals
- 11-1-11 Effective Date

SUBDIVISION STANDARDS

- 11-1-12 Character of Development
- 11-1-13 Procedures for Review of Plat(s) and Plan(s)
- 11-1-14 Design Standards
- 11-1-15 Improvements
- 11-1-16 Utilities
- 11-1-17 Tree Removal and Tree Preservation
- 11-1-18 Easements, Reservations, Vacations

RESIDENTIAL DESIGN STANDARDS

- 11-1-19 Variation in Design; Antimonotony Standard
- 11-1-20 Prefabricated Housing

ADDITIONAL REQUIREMENTS

- 11-1-21 Letters of Credit or Cash Deposits; Maintenance Guarantee
- 11-1-22 Inspection at Developer's Expense
- 11-1-23 Building Permit(s)
- 11-1-24 Occupancy Permit
- 11-1-25 Acceptance; As-Built Drawings

- Appendix A Engineering Details
- Appendix B Watershed Development Ordinance
- Appendix C Plat Signature Blocks
- Appendix D Easement Language

TITLE, PURPOSE, APPLICABILITY AND ADMINISTRATION

11-1-1: TITLE:

This Chapter shall be cited and referred to as the "Village of Lake Villa Subdivision Regulations" and may also be referred to in this Village Code as the "Village of Lake Villa Development Regulations."

11-1-2: PURPOSE AND INTENT:

The purpose of this Title is to regulate the development of land located within and within one and one-half miles of the corporate limits of the Village and the Regulations set forth in this Title are hereby made a part of the Official Comprehensive Plan of the Village of Lake Villa ("the Village"), as may be amended from time to time. This Title is also intended to provide for the harmonious development of the Village and its environs; for the coordination of streets within new developments with other existing or planned streets; for the dedication and acceptance of land for public use; for the installation and construction of utilities, roadways and other improvements essential to service the developments; for the dedication and acceptance of land required for schools, parks, playgrounds, and other public uses; for the preparation of subdivision and other development plans and the procedure for the submittal thereof to the Village and the related public hearing process, approval and recording of plats of subdivision, when required by and in compliance with the relevant provisions of this Village Code and the Illinois statutes.

The purpose of this Title is also:

- A. To promote and protect the public health, safety, convenience and the general welfare.
- B. To facilitate the orderly growth and development of the Village by providing suitable residential, commercial and industrial developments consistent with the Official Comprehensive Plan.
- C. To secure a safe traffic circulation system by having a good relationship between the street system, adjoining developments, and public facilities.
- D. To achieve homesites of maximum utility and livability.
- E. To ensure adequate provisions for water, drainage, sanitary sewer facilities and other health requirements.
- F. To secure adequate provisions for roads, recreational and open space areas, school sites and other public facilities.
- G. To facilitate the further resubdivision of large tracts into smaller parcels of land.
- H. To preserve the character of the Village and contiguous unincorporated territory.
- I. To preserve the ecological system and the environment.
- J. To establish standards of design and reasonable procedures for subdivision and resubdivision and other development of land within the Village and adjacent unincorporated areas which are within the subdivision jurisdiction of the Village.
- K. To assist land developers and public officials in processing subdivisions and making other decisions about them.
- L. To avoid disturbing areas subject to flooding.
- M. To preserve natural vegetation.
- N. To define and limit the powers and duties of the administrative officers and bodies that administer and enforce these Regulations.
- O. To help enforce the development standards contained in the other applicable ordinances of the Village.

11-1-3: DEFINITIONS:

For the purposes of these Subdivision Regulations and in order to carry out its provisions and intentions, certain words, terms, and phrases shall be deemed to have the meaning ascribed to them herein.

When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is mandatory and not discretionary.

ACCEPTED PUBLIC STREET: Any street duly accepted in writing by the Corporate Authorities of the Village for maintenance thereof by the Village.

ADMINISTRATIVE OFFICER OR ADMINISTRATION AUTHORITY: The Village Administrator or any officer designated by him or her to administer and enforce this Title. [Also see: "Enforcement Officer"]

ALLEY: A strip of land along the side of or in the rear of properties intended to provide access to those properties abutting and/or adjacent to said strip of land.

APPROVED STREET: Any street, whether public or private, meeting standards or specifications of the Village and/or otherwise accepted by the Village for dedication.

BIKE PATH: A designated right-of-way provided for the specific use of pedestrians and bicycles.

BOARD or VILLAGE BOARD: See "Corporate Authorities".

BLOCKS: A tract of subdivided land bounded by streets, or by a combination of streets, public parks, railroad rights of way, or other natural boundaries.

BUILDING LINE: A line parallel to a lot line set at the closest point of the principal building, excluding allowable obstructions, to such lot line.

BUILDING SETBACK LINE: A building line establishing the minimum allowable distance between a street right-of-way line or property line and any structure.

COMMISSION: Whenever the word "Commission" is used in this Title, it shall be deemed to refer to the Plan Commission of the Village.

COMMUNITY PARK: See definition of Park, Community.

COMPREHENSIVE PLAN: The Official Comprehensive Plan, or any geographical or functional part thereof, as adopted and amended from time to time by the Village, including the Official Map which is part thereof.

CORPORATE AUTHORITIES: The Mayor and Board of Trustees of the Village.

COUNTY ENGINEER: Chief Administrative Official of the Lake County Division of Transportation.

CROSSWALK: A strip of land dedicated as public right of way across a block to be used by pedestrians and/or for underground utilities.

CUL-DE-SAC: A street having one (1) open end and being permanently terminated by a vehicle turnaround.

DEVELOPMENT OR "TO DEVELOP": Any subdivision, resubdivision, or any other project which includes any construction or any installation of site improvements on a lot or parcel which affects or relates to the need (present or future) for public improvements and/or which includes and/or may include the installation of such public improvements.

DEVELOP: (See “DEVELOPMENT”)

EASEMENT: A strip of land on or between parcels of land dedicated for use for a specific purpose or purposes, including but not limited to use by the Village, public and/or utilities, and/or the general public, usually shown on a plat and/or granted by the property owner by a separate easement document, which shall be recorded in the office of the Lake County Recorder of Deeds.

ENFORCEMENT OFFICER: For purposes of this Title, the Enforcement Officer shall be the Village Administrator or that Village employee or consultant(s) designated by the Village Administrator. The Enforcement Officer of the Village shall also be its Plat Officer.

ENGINEER: A professional engineer registered as such in the State of Illinois.

FRONTAGE, LOT: The length of all of the property of such lot fronting on a street, as measured between side lot lines.

FRONTAGE ROAD: A street, often parallel to and providing access to the adjacent land where direct access to such street is precluded.

FRONTAGE ROAD, REVERSE: A street often parallel to a high volume road and located behind the adjacent buildings, instead of between the buildings and the major road

HEALTH OFFICER: The Director of the Lake County Health Department, or his designee.

INSPECTOR: The authorized and designated representative of the Village Administrator assigned to make detailed inspection(s) of any or all portions of the work or material thereof.

LOT: A parcel of subdivided land duly recorded.

MAJOR SUBDIVISION: Any subdivision not classified as a minor subdivision or not specifically exempted under the terms of these Subdivision Regulations.

MINIPARK: See definition of Park, Mini.

MINOR SUBDIVISION: Any subdivision containing not more than five (5) lots, and fronting on an existing improved minor street, and not involving any new street or road or the extension of the municipal facilities, and not adversely affecting the development of the remainder of the parcel or adjoining property, and not in conflict with any provisions or portion of the Official Comprehensive Plan, Zoning Ordinance, or these Subdivision Regulations.

NEIGHBORHOOD PARK: See definition of Park, Neighborhood.

OFFICIAL PLAN: The comprehensive plan, or any geographical or functional part thereof, as adopted by the Village of Lake Villa, indicating the general locations recommended for streets, parks, public buildings, and other community development aspects.

OWNER: Any person having legal and equitable title to the land sought to be subdivided.

PARK, COMMUNITY: An area permanently devoted to recreational uses, containing or suited for any combination of intense recreational facilities (such as formal athletic fields, athletic complexes, or swimming pools) or natural resources for outdoor recreation (such as walking, viewing, sitting,

picnicking, etc.), depending upon site suitability and community need, to serve several neighborhoods.

PARK, MINI: An area permanently devoted to recreational uses, containing specialized facilities or natural resources to serve a concentrated or limited population or specific group, such as tots or senior citizens.

PARK, NEIGHBORHOOD: An area permanently devoted to recreational uses, containing or suited for intense recreational activities (such as field games, crafts, playground apparatus area, skating, picnicking, etc.) or natural resources to serve a neighborhood.

PARKWAY: An unpaved strip of land within the right-of-way of a street between a sidewalk and the back of curb or edge of pavement, or if there is no sidewalk, between the lot line and the back of curb or edge of pavement.

PEDESTRIANWAY: A right of way, however designated, across or within a block for use by pedestrian traffic, which shall include but not be limited to sidewalks and/or crosswalks.

PERSON: A firm, association, authority, organization, partnership, company or corporation as well as an individual.

PLAT: A map, drawing, or chart on which the developer's plan of the subdivision is presented and which he submits for approval and intends to record when in final form.

PLAT, FINAL: The final plat of the subdivision, including but not limited to plats of consolidation and plats of resubdivision, or the final plan for a development, with accompanying material, which is submitted to the Village for approval.

PLAT, PRELIMINARY: A preliminary plat of subdivision or plan with accompanying material, upon which the design for the subdivision is presented, and submitted to the Village for approval, but not recording.

PLAT OFFICER: The Village's Enforcement Officer shall be the Village's Plat Officer.

PRELIMINARY PLAN: The drawings and documents described in Section 11-1-13 of this Title.

PUBLIC IMPROVEMENT(S): Facilities (present or future) protecting the public health, safety, and welfare, including but not limited to public or private streets, highways, alleys, public grounds, easements for utilities, curbs, gutters, sidewalks, and/or pedestrian ways and/or bicycle paths, streetlights, parks, playgrounds, school grounds, storm water drainage, water supply and distribution, sanitary sewers and sewage collection and/or treatment facilities.

PUBLIC STREET: All major and minor collector streets and all local streets and cul-de-sacs which are shown on the subdivision plat and dedicated for public use and accepted by the Village or appropriate public body.

RESERVE STRIP: A strip of land, smaller than a lot, and retained in private ownership as a means of controlling access to land.

RESUBDIVISION: The relocation of property boundaries, or the reallocation of property in a recorded subdivision. The vacation of property lines not accompanied by the relocation of new property lines shall not constitute resubdivision, but rather, a vacation of the subdivision.

RIGHT OF WAY: A strip of land acquired by reservation, dedication, prescription, or condemnation intended to be occupied or occupied by a road, alley, sidewalk, trail, bicycle path, or similar use(s).

ROAD OR ROADWAY: The paved area within the street right-of-way available and intended for vehicle movement, not including private drive aprons.

SINGLE-FAMILY RESIDENTIAL SUBDIVISION: A single-family residential subdivision of land includes the division of land for single-family residential purposes, into two or more lots, sites or parcels and may include the dedication or establishment of a public or private road, highway or street through a parcel of land.

SITE PLAN: A plan as specified by the Village Administrator or his designee that shows all of the existing features and proposed changes to a development site.

STREET: A vehicular way, whether public or private, which may also serve for all or part of its width as a way for pedestrian traffic, whether called street, highway, thoroughfare, parkway, thoroughway, road, avenue, boulevard, lane, place, alley, mall or otherwise designated.

STREET, ARTERIAL: A continuous roadway through the Village linking it to other villages or cities.

STREET, MAJOR COLLECTOR: A street which connects local and arterial roadways. Not always continuous through the Village.

STREET, MINOR COLLECTOR: A street which connects local roadways, usually to Major Collector Streets. Not always continuous through a village or city.

STREET, LOCAL: A street that extends block to block and is not continuous.

STREET RIGHT OF WAY: All property dedicated or intended for streets.

STREET WIDTH: The shortest distance between the lines delineating the right-of-way of a street.

SUBDIVIDER: Any owner or other person proceeding under these Subdivision Regulations to subdivide or develop land.

SUBDIVISION: For the purposes of these Development Regulations, any condominium development, planned unit development, and other residential, commercial, industrial and/or other development on one or more lots, tracts or parcels of land which affects or relates to the need for public improvements and/or which includes or may include the installation thereof (present or proposed), including but not limited to any division of, or redivision of, any tract, parcel, or lot of land, into two (2) or more parts, which shall include resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.. For the purpose of these Development Regulations, a subdivision of land includes resubdivision, and/or consolidations of land.

SUBDIVISION JURISDICTION: Within one and one-half miles beyond the corporate limits of the Village, unless otherwise provided by an intergovernmental boundary agreement executed by the Village.

SURVEYOR: A land surveyor registered in the State of Illinois.

SUBSTANTIAL COMPLIANCE: The plan is within the limits set by the previously approved and recorded site capacity and schematic plan, or sketch and residuals plan. Specifically, the limits for density shall be equal to or lower than previously approved, for open space ratios shall be equal to or higher than previously approved, and for the level of resource protection shall be equal to or higher than that previously approved.

SUPERINTENDENT OF HIGHWAYS: The Superintendent of Highways of the County of Lake.

THOROUGHFARE, SECONDARY: A street which carries traffic from a minor street to a primary thoroughfare, including the principal entrance streets and circulation streets of most subdivisions.

TYPE MAP: A map delineating the types of existing vegetation by dominant species, size and condition.

ZONING OFFICER: The Village Administrator of the Village of Lake Villa is designated as its Zoning Officer.

ZONING ORDINANCE: The Zoning Ordinance of the Village of Lake Villa, and the Official Zoning Map pertaining thereto as the same may be amended from time to time.

11-1-4: JURISDICTION:

Whenever any subdivision or other development of land shall hereafter occur within the corporate limits of the Village or within one and one-half miles beyond the corporate limits of the Village ("subdivision jurisdiction"), unless otherwise provided by an existing intergovernmental boundary agreement executed by the Village, the developer thereof or his agent, shall submit to the Village both a preliminary plan therefor and, if applicable, a preliminary plat of subdivision, and shall thereafter be required to submit a final plan and, if applicable, a final plat of subdivision to the Village. All public improvements within the corporate limits of the Village and within its subdivision jurisdiction shall be installed in accordance with the design standards and requirements of this Title. Said plans and plats, the proposed public improvements, and all procedures relating thereto, shall in all respects, be in substantial compliance with these Subdivision Regulations set forth in this Title and as otherwise provided in this Code, provided, however, except any subdivision and/or other development of land lying outside of the Village and within one and one-half miles beyond the corporate limits of the Village, shall also be required to comply with the regulations of the county in which the property is located whenever said county requirements are more stringent than the provisions of this Title.

11-1-5: APPLICABILITY:

A. Compliance Required:

1. No landowner may subdivide or plat or otherwise develop any land within the Village or within its subdivision jurisdiction unless the procedures of this Title are followed and the requirements of these Development Regulations are met.

2. No improvements, such as, but not limited to, sidewalks, water supply, storm water drainage, sewerage facilities, gas service, electric service or lighting, or grading, paving or surfacing of streets, shall hereafter be made within any such subdivision by any owner or owners or his or their agent, or by any public service corporations at the request of such owner or owners or his or their agent until the plans for the subdivision and improvements have been approved by the Village Engineer and the Village Board of Trustees and the subdivision plat has been recorded.
3. No plat of subdivision shall be valid or recorded, nor any street improvements made to the land, until the plan(s) of the subdivision or street improvements shall have been reviewed by the Plan Commission and approved by the Board of Trustees of the Village in full compliance with the procedures and requirements provided in this Title.
4. No property shall be subdivided in any manner without complying with the procedures and requirements of this Title, and any such subdivision, which is accomplished by conveyance or otherwise, without complying with said procedures and requirements, shall be null and void and the subdivider thereof shall be subject to the penalties provided in this Title.

B. Sales Prohibited Prior To Approval of Final Plat:

1. No owner or agent of the owner of any parcel of land located in a proposed subdivision or other development shall transfer or sell such parcel before a final plan and, if applicable, a final plat of subdivision has been approved in accordance with the terms of these Subdivision Regulations.
2. No lot, tract or parcel of land within any such subdivision shall be offered for sale nor shall any sale, contract for sale, or option be made or given until such subdivision plans have been properly reviewed by the Plan Commission and officially approved by the Village Board of Trustees.

C. Applicability:

These Development Regulations shall be applicable to:

1. All subdivision of land within the corporate limits of the Village.
2. All resubdivision of land heretofore platted within the corporate limits of the Village.
3. All subdivision of land and the resubdivision of land heretofore platted within the subdivision jurisdiction of the Village, except where the Village has a boundary agreement with another municipality or the subdivision jurisdiction of another municipality overlaps the subdivision jurisdiction of the Village.
 - (a) Boundary agreements between the Village and other municipalities will take precedence in determining the Village's subdivision jurisdiction for unincorporated areas;
 - (b) If another municipality's subdivision jurisdiction overlaps the subdivision jurisdiction of the Village and there is no boundary agreement that applies, these Development Regulations shall be applicable to the territory from the corporate limits of the Village

to a line equidistant from its boundary and the boundary of the other municipality nearest to the Village at any given point on the land.

4. All development other than subdivisions or resubdivisions which affect or relate to the need for public improvements and/or which includes or may include the installation thereof (present or proposed).
5. Any condominium development, any planned unit development, and any other residential, commercial or industrial building and/or other development on one or more lots, tracts or parcels of land which affects or relates to the need for public improvements and/or which includes or may include the installation thereof (present or proposed).

D. Exceptions:

These Development Regulations shall not be applicable to the following situations, consistent with the definition of a "subdivision" as set forth in this Title:

1. The division or subdivision of land into parcels or tracts of five (5) acres or more in size which does not involve any new streets or easements of access and which does not affect, or relate to the need for public improvements (present or future) and/or which includes or may include the installation thereof.
2. The sale or exchange of parcels of land between owners of adjoining and contiguous land but excluding any resubdivision of land heretofore subdivided or platted and which does not affect, involve or relate to the need for facilities (present or future) protecting the public health, safety and welfare and/or which includes or may include the installation thereof, and which does not result in the creation of any additional lots, and which does not result in creation of any lots or parcels which are nonconforming relative to the requirements of this Title or pursuant to the requirements of the Village of Lake Villa Zoning Ordinance.
3. The conveyance of parcels of land or interests therein for use as a right-of-way for railroads or other public utility facilities and other pipelines which does not involve any new streets or easements or access and which does not affect, or relate to the need for public improvements (present or future) and/or which includes or may include the installation thereof.
4. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access and which does not affect or relate to the need for public improvements (present or future) and/or which includes or may include the installation thereof.
5. The conveyance of land for a road, street, highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.
6. Conveyances made to correct descriptions in prior conveyances.
7. The sale or exchange of parcels or tracts of land following the division into no more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959, and which does not involve any new streets or easements of access and which does not affect or relate to the need for public improvements and/or which includes or may include the installation thereof, and which does not result in creation of any lots or parcels which are nonconforming relative to

the requirements of this Title or pursuant to the requirements of the Village of Lake Villa Zoning Ordinance.

11-1-6: LEGAL AUTHORITY AND STATUS:

A. Applicable Statutes:

This Title, and the Development Regulations set forth herein, are adopted pursuant to the legal authority of the Village provided by 65 ILCS 5/11-12-5, 5/11-12-5.1, 5/11-12-6, 5/11-12-7, 5/11-12-8, 5/11-12-9, and 65 ILCS 5/11-15-1.

B. Conflict With Other Instruments:

In case of conflict between any part of these Development Regulations and any other valid law, ordinance, rule, or regulation, the most restrictive provisions shall apply in every case.

C. Minimum Requirements and Interpretation:

1. Minimum Requirements: In their interpretation and application, the provisions of these Development Regulations shall be held to be the minimum requirements for the promotion of the public health, safety, morals, convenience and general welfare.
2. Higher Standards Govern: Where the Development Regulations imposed by any provision of this Title are either more restrictive or less restrictive than comparable regulations for the same site imposed by any other provision of this Code or any other applicable law, ordinance, rule or regulation of any kind, the regulations which are more restrictive or which impose higher standards or requirements shall govern.
3. Abrogation: This Title is not intended to abrogate any easement, covenant or other private agreement; provided, however, that where the Development Regulations of this Title are more restrictive or impose higher standards or requirements than any such easements, covenants or other private agreements, the requirements of this Title shall govern and prevail.

11-1-7: APPROVALS, INTERPRETATIONS, EXCEPTIONS, AND VARIATIONS:

- A. No plat of any subdivision shall be entitled to be recorded in the office of the applicable county recorder of deeds or have any validity, or any development which constitutes, affects, or is related to the need for public improvements (present or future) and/or includes or may include the installation thereof, until it shall have received final approval by resolution or ordinance of the Corporate Authorities of the Village in the manner prescribed by this Title and the other applicable provisions of the Village of Lake Villa Village Code.
- B. No land shall hereafter be subdivided or filed for record, nor any street laid out, nor any public improvements made to the land, nor shall any development activities commence on the land until the respective final plat of subdivision and/or the related plans for said development, including for the public improvements which are part thereof, are approved by action of the Corporate Authorities of the Village. This approval must be in writing and the Village's written approval placed on the original of the respective Final Plat prior to the recording thereof according to the procedure outlined in this Title.

- C. No lot, tract, parcel of land, or condominium within any such subdivision or within any other development shall be offered for sale, nor shall any sale, contract for sale, or option be made or given until the Final Plat therefor and the final plans for the development, if any, shall have been approved in writing by the Corporate Authorities of the Village.
- D. No public improvements shall be installed, nor shall any development activities occur within any such subdivision by any owner or owners or his or their agent, or by any public service corporation at the request of such owner or owners or their agent until the respective Final Plat, if any, and also the final plans for improvements to such subdivision or other development have been the subject of review and a recommendation by the Village's Plan Commission and approval in writing by the Corporate Authorities of the Village.
- E. Where a tract of land is proposed for subdivision that is part of a larger, logical subdivision unit in relation to the Village as a whole, the Corporate Authorities of the Village may cause to be prepared, a possible plan of the entire area for the purpose of providing both the Plan Commission and the Corporate Authorities an aid in evaluating the proposed plat and/or plans.
- F. All interpretations of this Title are reserved to the Village's Enforcement Officer, its Plan Commission, and finally, to its Corporate Authorities.
- G. The Corporate Authorities of the Village may grant, in writing, variations and/or exceptions as set forth herein where there is sufficient evidence, in its sole opinion, of hardship caused by topographical conditions, or where any other unique conditions may exist, provided such variations or exceptions are in substantial compliance with the spirit and intent of the Village's Official Comprehensive Plan, as may be amended from time to time.
- H. Whenever the areas divided into lots containing larger lots, such as, for example, one to three acres, and there are indications that such lots will eventually be re-subdivided or redeveloped into smaller building lots, consideration shall be given to the street and lot arrangement of the original subdivision so that additional minor streets can be opened which will permit a logical arrangement of future smaller lots.

11-1-8: REVOCATION OF SITE DEVELOPMENT PERMIT:

In addition to imposing any penalties as provided in this Title and/or as otherwise provided in the Lake Villa Village Code, the Village is authorized to suspend and/or revoke any site development permit and/or any other Village approval issued by the Village pursuant to this Title for any violation of any of the terms and/or conditions of such permit, and/or for any violation of the provisions of this Title, including but not limited to activities such as site development in such a manner that is materially detrimental to the public welfare or injurious to person, property or the environment in the neighborhood and/or surrounding areas, and/or a temporary suspension of the respective site development permit may be imposed effective immediately upon written notification by any authorized representative of the Village to the person and/or entity to whom the site development permit was issued.

11-1-9: ENFORCEMENT AND PENALTIES:

A. Violations:

Violations of the provisions of this Title, including but not limited to failure to comply with any of the requirements of this Title, the other applicable provisions of the Lake Villa Village Code, and/or

the terms and/or conditions related to any permit issued by the Village, shall be subject to a fine for each offense.

B. Enforcement:

The Village employee or agent designated by the Village Administrator shall be the Enforcement Officer for purposes of this Title. This Title may be enforced by injunction, mandamus, abatement by the Village, civil penalties, and/or any other appropriate actions in law or equity.

C. Separate Violations:

Each day that each violation of this Title exists and/or continues shall be a separate offense for the purposes of the fines, penalties and/or remedies imposed by and/or available to the Village.

D. Violations and Penalties:

- (1) Any person, who shall sell, or offer for sale, or lease any lot, parcel, or block in any subdivision before complying with all the applicable requirements of this Title, shall be subject to a fine of not less than two hundred dollars (\$200.00) nor more than seven hundred fifty dollars (\$750.00) for each lot, parcel, or block, or part thereof so disposed of, offered for sale, or leased. Each day that sales or offers to sell or lease continue in violation of this Title shall constitute a separate offense, subject to the above penalties.
- (2) In addition to the foregoing penalty, any person found guilty of violating any of the provisions of this Title shall, upon conviction, be fined not less than two hundred dollars (\$200.00), nor more than seven hundred fifty dollars (\$750.00) for each offense. A separate offense shall be deemed to occur for each day upon which the violation occurs or continues.
- (3) For the purposes of this Title, a "person" shall mean and include an individual, corporation, partnership, association or other legal entity.

11-1-10: APPEALS:

A. Establishment and Purpose:

A process of appeals of the decisions of the Enforcement Officer is hereby established to provide appropriate checks and balances on delegated administrative authority.

B. Authority:

The Corporate Authorities of the Village shall hear and make final decisions on all applications for appeals of administrative decisions made by the Enforcement Officer.

C. Decisions Appealed:

Any decisions and/or interpretations of this Title by the Enforcement Officer can be appealed.

D. Application:

Appeals shall be filed in accordance with the requirements of the Application for Appeal form. Submission materials shall conform to the requirements as specified on that application. Submission materials shall be forwarded to the Corporate Authorities of the Village for review.

E. Decisions on Appeals:

The Corporate Authorities of the Village shall hear and make a final decision on an appeal at its next available, regularly scheduled Village Board meeting. Upon conclusion of such a hearing, the Corporate Authorities of the Village shall determine whether or not the permit shall be suspended or revoked.

F. Limitations on Appeals:

A written application for such appeal shall be delivered to the Village within 30 days of the respective decision(s) and/or interpretation(s) appealed from.

11-1-11: EFFECTIVE DATE:

The effective date of this Title shall be _____, 2015.

SUBDIVISION STANDARDS

11-1-12: CHARACTER OF DEVELOPMENT:

The Corporate Authorities, the Village Administrator, and the Enforcement Officer shall confer with a developer regarding the type and character of the proposed development, and, as part of that process, may impose upon the developer certain minimum conditions and restrictions in order to ensure that all of the proposed structures are built in substantial compliance with all applicable regulations and ordinances of the Village, and to ensure that the proposed land use is in compliance with the Village's Comprehensive Plan, as amended from time to time, in order to maintain the character and value of the proposed development and of adjoining property. Deed restrictions or covenants may be included to provide for the creation of a property owner's association or board of trustees for the proper protection and maintenance of the development and the related public and/or private improvements in the future provided, however, that such deed restrictions or covenants shall not contain reversionary clauses wherein any lot shall return to the developer because of a violation thereon of the terms of the restrictions or covenants.

11-1-13: PROCEDURES FOR REVIEW OF PLAT(S) AND PLAN(S):

A. Stages and Specifications:

All subdivision plats shall be processed in three (3) stages leading to approval for recording, except that the second stage may be waived in the case of minor subdivisions. The three (3) stages are the concept phase, the preliminary phase and the final phase. All of these phases will comply with the plan review procedures and submission requirements on file with the Village Clerk.

1. The Concept Plan:

A concept plan, submitted by the developer to the Plan Commission at a conference, is intended to familiarize the developer with requirements; eliminate, wherever possible, major revisions of the preliminary plat; and classify the subdivision as "major" or "minor". If the Plan Commission determines it appropriate, the concept plan shall also be reviewed and

approved by the Village Planner. Those classified as “minor subdivisions” may proceed directly to the third or final plat stage.

Prior to the conference the developer shall submit to the Enforcement Officer the following:

- a. A Concept Plan: The subdivider’s site concept plan shall show:
 - (1) Boundaries of the property to be subdivided;
 - (2) Land characteristics such as natural drainage, swamp areas, wooded areas, and ridges;
 - (3) Development characteristics such as surrounding streets, existing structures and available utilities;
 - (4) Proposed layout of streets, blocks and lots;
 - (5) Proposed location of business, park and other nonresidential areas;
 - (6) Existing easements and covenants affecting the property.
- b. A Location Sketch: The subdivider’s location sketch shall show the relationship of the proposed subdivision to traffic arteries, public transportation, municipal utilities, schools and churches.

2. The Preliminary Plat or Plan:

The preliminary plat or plan is a drawing, when necessary, accompanied by special engineering drawings, on which final adherence to design standards is based. This plat or plan shall show the lot and street configuration, as well as the proposed landscape improvements, and shall conform with the agreements reached in the concept plan conference.

The plat or plan shall be submitted to the Plan Commission at a regular monthly meeting, together with a transmittal letter and all applicable fees.

The plat or plan, and all other supporting documents, shall be submitted in ten (10) copies, and shall be drawn at a scale of one inch to one hundred feet (1" = 100'), unless a different scale is approved at the concept plan conference. This plat or plan shall show, or be accompanied by the following information:

- a. Title And Certificate: Name under which the proposed subdivision is to be recorded, location and position by quarter-quarter section, section, township, range, meridian, county and state; names and addresses of subdividers; graphic scale, north arrow; and the following certificate:

*State of Illinois, County of Lake, Village of Lake Villa Approved by _____,
Village Plat Officer This (__) day of, A.D. _____*
- b. Description Of Existing Conditions:
 - (1) Boundary Lines: Complete survey data such as angles, bearings, dimensions, curve data, etc., shall be shown for the exterior lines of the subdivision. The error of linear closure of said boundary survey shall be not greater than one in five thousand (5,000).

- (2) Easements: Location, width, and purpose of easements and other existing restrictions, reservations, or covenants.
- (3) Streets: Name, location, right of way width; also curbs, gutters, culverts, sidewalks and building setback lines.
- (4) Utilities: Location and size of sanitary and storm sewers; fire hydrants; location and size of water mains; location of gas lines, electric and telephone lines. (If water mains and sewers are not on, or adjacent to the tract, indicate the distance and direction to, and the size of, the nearest ones.)
- (5) Elevations: For land that slopes less than two percent (2%) show spot elevations at all breaks in grade, along all drainage channels or swales, and at selected points not more than one hundred feet (100') apart in all directions. For land that slopes two percent (2%) or more, contours with a vertical interval of not more than two feet (2') shall be shown. Elevations shall be U.S. geological survey datum; however, contours shall not be taken from USGS maps.
- (6) Physical Conditions: The water elevation at the date of survey of adjoining lakes, watercourses, marshes and bogs, and areas subject to inundation, and a graphic representation and notation of the high water marks of such; wooded areas and isolated preservable trees one foot (1') or more in diameter.
- (7) Manmade Features: Houses, barns, and other structures; other constructed features.
- (8) Conditions On Adjacent Land: All of the requirements of plat preparation shall apply equally to the site being subdivided and to all land within five hundred feet (500') of its boundaries, waiving accuracy requirements as to scale of features but not as to boundary lines.
- (9) Location Map: A drawing, one thousand feet (1,000') to five thousand feet (5,000') per inch, of the township in which the subdivision is situated, showing the location of the subdivision, and indicating its relationship to traffic arteries, community facilities, railroads, and other nonresidential land uses or adverse influence within a radius of two (2) miles.
- (10) Proposed Public Improvements: Highways or other major improvements planned by public authorities for future construction on or near the tract, according to the information received from the Plan Commission at the sketch plan conference.
- (11) Subsurface Conditions: Depth of ground water unless test pits are dry at a depth of eight feet (8'); location and results of any tests made to ascertain subsurface soil and rock conditions.
- (12) Percolation Tests: Percolation tests data shall be submitted for all subdivisions to be served by individual sewage disposal systems.
- (13) Application Form: Preliminary plan application form.
- (14) Site Capacity Calculations: Site capacity calculations.

- (15) Natural Resources: Lake County natural resources opinion.
- (16) Endangered Species Report: Illinois department of commerce, endangered species report (if required by another agency).
- (17) Archeological Survey: Archeological survey (if required by other agency).
- (18) Phase One Environmental Audit: Phase one environmental audit (if required or otherwise available). At the election of the subdivider, this item may be deferred to the final plat approval stage.
- (19) Wetland Reports: All correspondence or reports relating to wetlands, such as U.S. Army Corps of Engineers and IDOT division of water resources.
- (20) Traffic Management Studies: All correspondence and reports relating to traffic management such as traffic studies, or correspondence to or from IDOT or Lake County department of transportation.
- (21) Storm Water Detention Calculations: Storm water detention calculations.
- (22) Percolation Tests: Percolation tests if on site sewage disposal systems are to be utilized.
- (23) Preliminary Plat or Plan Requirements: Preliminary plats or plans shall include the following:
 - (A) Preliminary plat or plan.
 - (B) Preliminary utility plan.
 - (C) Existing natural resource plan.
 - (D) Natural resources protection plan.
 - (E) Preliminary landscaping plan.
- (24) Water Study Report: Water study report demonstrating adequate water supply.
- (25) Fiscal Impact Study: Fiscal impact study, if required by the Plan Commission.

c. Proposals of the Subdivider:

- (1) Name Of Subdivision: The subdivision name shall be original and not duplicate, or be substantially similar to, any existing Lake County subdivision.
- (2) Streets: Unduplicated names, right of way and roadway widths, similar data for alleys, if any.
- (3) Easements: Location, width and purpose.
- (4) Lot Lines: Location and dimensions.
- (5) Sites: Location and use of any site to be used for other than single-family residential.

- (6) Setback: Minimum building setback lines.
- (7) Site Data: A tabulation of gross area, street area, other dedicated area, net subdivided area, number of lots and lineal feet of street.
- (8) Elevations: Proposed contours of the finished subdivision, where different from existing contours, in the same detail used for existing elevations.
- d. Engineering Plans and Drawings:
 - (1) Engineer: Whenever improvements covered by this Subsection are required in the development of a subdivision, an engineer shall prepare all plans and specifications.
- e. Utilities: Where the preliminary plat contains utility easements, the plat shall be approved by an authorized employee of the utility company attesting to the suitability of said easements for the purpose shown.
- f. Review Agencies: Immediately upon the filing of a preliminary plat or plan, the Plat Officer shall forward one copy to each of the following:
 - (1) Village Zoning Officer.
 - (2) Village Engineer.
 - (3) Health Officer (where applicable).
 - (4) Village Planner.

Each of these officers shall review the plat or plan for compliance with the applicable portions of the Village's Subdivision Regulations and other applicable Village ordinances. A written report recommending approval or disapproval and giving the reasons therefor shall be sent to the Plan Commission within twenty (20) days.

- g. Preliminary Approval: The Plan Commission shall approve or disapprove the application for preliminary plat or plan approval within ninety (90) days from the date of filing the application or the filing by the applicant of the last item of required supporting documents, whichever date is later, unless such time is extended by mutual consent.
 - (1) When the preliminary plat or plan has been acted upon by the Plan Commission, it shall be referred to the Village Board of Trustees. If the Plan Commission approves the plat or plan it shall so indicate on the plat, and if it disapproves such plat or plan it shall furnish the board and the applicant a written statement setting forth the reason for disapproval and specifying with particularity the aspects in which the proposed plat or plan fails to conform to this ordinance and the Official Comprehensive Plan, and with the intent of the Village's Comprehensive Plan. The Board shall accept or reject said plat or plan within thirty (30) days after its regular stated meeting following the action of the Plan Commission.
 - (2) Upon approval of the preliminary plat or plan by the Board, the following notice of approval shall be stamped upon five (5) prints thereof, and required signatures affixed:

NOTICE OF APPROVAL OF PRELIMINARY PLAT OR PLAN

Notice is hereby given that the preliminary plat or plan of a subdivision shown hereon has received approval by the Board of Trustees of the Village of Lake Villa, Illinois, and upon compliance by the subdivider with requirements of qualifications governing the approval of preliminary plats or plans and with other revisions and stipulations that may be required, the Board will receive the final plat or plan for consideration when submitted by the subdivider in such form and with such time as required by this ordinance.

The Board of Trustees of the Village of Lake Villa.

Date , _____

By: _____
Mayor

Attest: _____
Clerk

3. The Final Plat:

A record of the subdivision as surveyed in the field is the final plat. It shows property lines and other dimensions important to the subdivider in selling lots, and to the public in keeping records of street lines, easements, and utility locations. Normally, approval will be automatic if the final plat conforms to the approved preliminary plat. Upon determining to his satisfaction that the final plat conforms to the approved preliminary plat, the Enforcement Officer shall sign the plat and submit it to the Mayor and Village Clerk for signature. Countersigning by the Mayor and Village Clerk shall constitute final approval and authorize the recording of the final plat. Recording of the final plat shall authorize the issuance of building permits, but does not constitute acceptance of proffered or required dedications.

- a. Conditions For Disapproval: Disapproval is warranted by, but not limited to, the following conditions:
 - (1) The final plat is not in conformance with the preliminary plat,
 - (2) More than one year has elapsed since preliminary plat approval.
- b. Staged Development: Submission of a final plat covering only a portion of the area covered by a preliminary plat may be permitted after consideration of the effect on the continuity of roads, utilities, and services. Validity of the preliminary plat may be extended to one year from the date of final approval of any portion thereof.
- c. Plat Form And Content: The final plat shall be drawn in waterproof black (India) ink on tracing cloth, on Mylar, or their equivalents. Permitted page sizes shall be as follows: thirty six inches by thirty inches (36" x 30") or twenty inches by thirty inches (20" x 30"). Other sizes will not be accepted. Scale shall be one inch to one hundred feet (1" = 100') or larger. Variation in scale may be allowed when determined by the Enforcement Officer to be necessary for a proper exhibit of the subdivision. When more than one sheet is used for any plat, they shall be numbered consecutively, and each sheet shall contain a notation showing the whole number of sheets in the plat, and

its relation to the other sheets (i.e., sheet 1 of 3 sheets). Linear dimensions shall be given in feet and decimals thereof. The final plat shall show on the face thereof:

- (1) The name of the subdivision;
- (2) The location and position of the subdivision indicated in each of the following ways:
 - (A) By quarter-quarter section, section, township, range, meridian, county, and state;
 - (B) By distance and bearings from true north or angles with reference to a corner or corners established in the United States public land survey;
 - (C) By a written legal description of the exterior boundaries of the land as surveyed and divided.
- (3) The top of a plat to be oriented north, and the plat to contain a north arrow;
- (4) A graphic scale;
- (5) The date of preparation;
- (6) The description and location of all survey monuments;
- (7) Survey data sufficient to reproduce any line or reestablish any monument in the subdivision;
- (8) A graphic presentation of all streets, alleys, blocks, parcels, and public grounds into which the land is divided and of all easements and rights of way;
- (9) The length of boundary lines of all streets, alleys, blocks, lots, parcels, public grounds, easements, and rights of way, or enough information so that the length of these lines can be derived by simple calculation; where a boundary line is an arc of a circle, the radius and the length of the arc shall be shown;
- (10) The width of all streets, alleys, easements, and rights of way;
- (11) A graphic presentation of the minimum building setback lines on all lots and parcels, and a notation of the distance between such lines and the street right of way line; in no case shall the setback line be less than that required by the Lake Villa Zoning Ordinance;
- (12) The area of each lot or parcel containing one acre or more;
- (13) Consecutive letters on all blocks and consecutive numbers on all lots throughout the plat;
- (14) The name of each street, printed on the graphic representation of each street, and an appropriate label designating all other easements, rights of way, setback lines, dedications, and reservations (e.g., "Dedicated for Park Purposes" or "Reserved for Public School Site");

- (15) The abutting street lines of all adjoining subdivisions, shown in their correct location by broken lines;
- (16) The water elevation of adjoining lakes or streams at the date of survey and a graphic representation, as well as a notation of, the high water marks of such lakes or streams; if any portion of the land within a subdivision shown on any final plat is subject to inundation or flood hazard by storm water, such fact and portion shall be clearly shown on the final plat by a prominent note on each sheet of such plat whereon any such portion shall be shown;
- (17) Covenants and restrictions;
- (18) All required certificates as specified below.
- (19) All necessary engineering plans and specifications, for all public or common improvements, prepared by an Illinois licensed engineer, shall be submitted in triplicate to the Plat Officer, duly signed, and bearing the engineer's seal, which shall include the following:
 - (A) Plans and specifications of street construction, including centerline profile of each street with a typical cross section of the roadway. The street plan shall show the location of drainage structures and their size. The profile shall be shown to a scale of one inch to fifty feet (1" = 50') horizontal and one inch to five feet (1" = 5') vertical. (Standard federal aid sheets are preferred.)
 - (B) Plans, details, specifications and cost estimates of proposed water distribution systems and of proposed water supply facilities.
 - (C) Plans, details, specifications and cost estimates of sewerage systems.
 - (D) Supplementary plans and drawings, when required by the Plat Officer or Village Engineer, shall be provided, when necessary for adequate review, when unusual site considerations or other factors are involved, which mandate the need for additional information. The Plat Officer shall advise the subdivider by letter of any such additional requirements.
 - (E) No final plat shall be approved, signed, or recorded, unless and until the Village Engineer has reviewed and given his written approval for the engineering plans and specifications, and the final plat.
- (20) In each subdivision, which is to be developed in separate phases, the final plat for each phase shall contain a resource protection schedule, which sets forth the applicable resource protection requirements, as required by the Village's Zoning Ordinance or such other ordinance as is applicable to the development, for the entire development, as well as for the particular phase, in the following form, or as may be modified from time to time by the Village Board:

Resource Protection Schedule						
Item	Total	Protected		Provided In Prior Phases	Provided This Phase	To Be Provided
		Required	Actual			
Acreage						
Wetlands:						
Existing (100%)						
Mitigated*						
Floodplains (100%)						
Mature Woodlands (70%)						
Young Woodlands (40%)						
Steep Slopes (30%+)						
Drainageways (40%)						
Park Land						
*Required per :1 mitigation rate.						

This resource protection schedule applies to the property legally described as follows:

(insert legal description for entire subdivision, not just the phase.)

- d. Certificates Required: The application for approval of the final plat shall be accompanied by the following final plat certificates, duly processed and signed, using waterproof black (India) ink. The required certificates and the exact wording of certificates shall be as set forth in Appendix C, Plat Signature Blocks.
- e. A certificate of the Lake County Superintendent of Highways shall also be required if the subdivision is to have direct access off a road under the jurisdiction of Lake County.
- f. A certificate of the Illinois Department of Transportation or letter of approval shall also be required if the subdivision is to have direct access off a road under the jurisdiction of the Illinois Department of Transportation.

B. Fees:

At the time the preliminary plat is submitted, the subdivider shall pay a separate, nonrefundable review and processing fee payable to the Village in accordance with the following schedule:

5 acres or less	\$ 200.00
Over 5 acres, but not exceeding 10 acres	\$ 400.00
Over 10 acres, but not exceeding 20 acres	\$ 600.00
Over 20 acres	\$1,000.00
Each additional acre over 20 acres	\$ 10.00

C. Recording:

The developer shall submit the approved final plat to the Lake County Recorder for recording within thirty (30) days of approval. Said final plat shall become the property of the County of Lake. The developer shall notify the Enforcement Officer of the date of recordation and he shall supply the Enforcement Officer with two (2) true and exact copies of the plat as recorded within ten (10) days of recordation.

D. Building Permits and Certificates of Occupancy:

1. Building permits shall not be issued until the Zoning Officer has been notified by the Enforcement Officer that the final plat has been approved and recorded.
2. Certificates of occupancy shall not be issued until the Zoning Officer has been notified by the Plat Officer that the required improvements have been completed and approved.

11-1-14: DESIGN STANDARDS:

A. General:

1. Conformity to Plans:

All subdivisions shall conform to these Subdivision Regulations, the Village of Lake Villa Zoning Ordinance, all applicable regulations relative to public improvements, and to all other applicable ordinances, resolutions and plans of the Village and/or such other applicable State or Federal agency having jurisdiction thereof.

2. Natural Features:

In all subdivisions due regard shall be given to the preservation of natural features such as large trees, water sources, historical and similar community assets, which, if preserved, will add attractiveness and value to the property.

B. Streets:

1. Layout:

The layout of streets in a subdivision plan shall conform to existing regulations and policies and shall be based on thorough consideration of:

- a. Topography and drainage,
- b. Public convenience and safety,
- c. Existing street pattern,
- d. Future circulation needs of nearby lands,
- e. Proposed uses of the land being subdivided,
- f. Need for extending streets to the property lines of the tract being subdivided to provide access to abutting properties.

2. Rights Of Way:

Except as otherwise approved by the Corporate Authorities of the Village, street right of way widths shall comply with the following table:

Street highways	120-150 feet
Major county highways	100-120 feet
Other county or township highways	80 feet
Primary thoroughfares	72-80 feet
Secondary thoroughfares	66 feet
Minor streets	60 feet
Marginal access streets	40 feet
Alleys, commercial or industrial	30 feet
Alleys, residential	20 feet

3. Minor Streets:

Minor streets shall be so designed as to discourage high speed, or through traffic.

4. Boundary Streets:

Streets shall not be laid out on the boundary of a subdivision. Exceptions to this may be permitted where the Enforcement Officer finds that such streets are desirable for further expansion or where such streets will conform to the existing street system.

5. Intersections:

Street intersections with primary thoroughfares shall be limited to not more than one per quarter ($\frac{1}{4}$) mile unless topographic and physical conditions require a lesser distance. Street intersections shall be at right angles. Where unusual conditions exist, the Plat Officer may permit intersections of less than ninety degrees (90°) but not less than sixty degrees (60°). In all cases street intersections and junctions shall be laid out so as to facilitate the safe flow of traffic. In no case shall two (2) junctions be offset less than one hundred twenty five feet (125').

6. Cul-De-Sacs:

Cul-de-sacs shall be not more than five hundred feet (500') in length measured along the centerline from the centerline of the street of origin to the center of the turnaround, and each shall have a terminus generally circular in shape, with a diameter of one hundred twenty feet (120') and a center on, or within thirty feet (30') of, the cul-de-sac centerline.

7. Marginal Access Streets:

Wherever a subdivision borders on or contains the right of way of a limited access highway, a railroad or a utility right of way, a street may be required approximately parallel to, and on either side of, such right of way for a distance suitable to service such uses as front thereon.

8. Half Streets:

Half streets shall not be permitted except to complete an existing half street which is dedicated and accepted.

9. Reserve Strips:

Reserve (“spite” or “devil”) strips controlling access to streets shall not be permitted. Streets roughly paralleling the subdivision boundary shall be located either on that boundary or not less than one lot depth from said boundary. All streets intended to provide the subdivision with future means of ingress and egress shall extend to the subdivision boundary.

C. Blocks:

1. Design:

The length, width and shape of blocks shall be determined with due regard for the following:

- a. Provision of adequate building sites suitable to the special needs of the types of use contemplated;
- b. Zoning requirements as to lot size and dimensions;
- c. Needs for convenient access, circulation, control and safety of street traffic;
- d. Limitations and opportunities of topography.

2. Length:

No block shall exceed one thousand four hundred feet (1,400') in length except where required by unusual topographic conditions, nor shall they be less than four hundred feet (400') in length.

3. Crosswalks:

Where blocks exceed eight hundred feet (800') in length, or where orientation of pedestrian and/or bicycle circulation requirements indicate, crosswalks may be required. Such crosswalks shall be not less than twenty feet (20') in width.

D. Lots:

1. Dimensions:

Lot dimensions and area shall be not less than the requirements of the Lake Villa Zoning Ordinance.

2. Frontage:

All lots shall front directly on an improved public street. Lots adjoining expressways and major thoroughfares shall be provided with marginal access streets or front on an interior street. Lots shall have a width at the street right of way line and rear lot line not less than the sum of the side yards as provided in the Village's Zoning Ordinance. An indication shall appear on the final plat where access is prohibited.

3. Lot Lines:

Side lot lines shall be at right angles or radial to the street line or substantially so.

4. Deep Lots:

Lots abutting an expressway, or major thoroughfare, a railroad, utility right of way or other inharmonious use shall have a width or a depth of twenty feet (20') in excess of the typical interior lot in the same subdivision. A planting screen easement, across which there shall be no right of access, may be required on such deep lots.

5. Corner Lots:

Corner lots for residential use shall have sufficient extra width to permit appropriate building setback from, and orientation to, both streets. A minimum side yard restriction of ten feet (10') shall be shown on all lots adjoining a pedestrianway.

6. Building Sites:

Every lot shall contain a suitable building site. In zones providing for a lot area of forty thousand (40,000) square feet or more, twenty five percent (25%) of the lot area therein may consist of uninhabitable lands, marshes or floodplain. However, where part of a lot may become subject to flooding, minimum floor elevation shall be required.

E. Easements:

1. Utility Easements:

- a. Easements shall be provided for utility service. They shall be ten feet (10') wide and be established where practicable at the rear of each lot and along such other lot lines as to provide continuity of alignment from block to block.
- b. All utility distribution lines for telephone and electric service shall be installed underground within easements and dedicated public ways. All transformer boxes shall be located so as not to be unsightly or hazardous to the public. The installation of such facilities shall be made in compliance with applicable orders, rules and regulations of the Illinois Commerce Commission now or hereafter effective, and the owner or subdivider of any property to be served from such underground installations shall be responsible for compliance with the rules and regulations, now or hereafter effective and filed with said Commission pursuant to the Illinois Public Utilities Act of any public utility whose services will be required with respect to the provision of such underground facility.

2. Drainage Easements:

When a subdivision is traversed by an established stream, established drainageway or channel, there shall be provided a storm water easement or drainage right of way conforming substantially with the course of same. The location, width, alignment and improvement of such easement shall be subject to the approval of the Plan Commission provided that such easement shall be not less than twenty feet (20') in width. Where ditch drainage is used in lieu of storm sewers, as may be permitted herein, the easement shall be of sufficient width to

allow future construction of a storm sewer main adequate to carry the ultimate runoff of the watershed as determined by current hydrological records. The area of any public way immediately adjacent to the ditch shall be taken into consideration.

11-1-15: IMPROVEMENTS:

A. General:

1. Purpose:

It is deemed necessary and essential to require and control the provision and installation of improvements when property is subdivided and developed, in order to:

- a. Ensure conformity to the statutes governing the subdivision of land in the state of Illinois;
- b. Cause the installation of utilities and public service facilities necessary to serve the property developed;
- c. Provide for the current financing of said facilities;
- d. Spread the costs of required improvements upon the property benefited;
- e. Prevent the dissipation or the improper use of public funds in providing these improvements or maintaining faulty installation;
- f. Protect the living standards, public safety, and the common welfare of residents within and without the subdivision.

2. Qualifications of Contractors:

The developer shall file with the Village a list of all contractors and subcontractors who are to participate in the construction of public improvements. Such contractors and subcontractors shall be subject to disqualification by reason of faulty performance of prior construction work done in the Village.

3. Time of Construction:

All improvements required herein shall be completely installed within two (2) years of final plat approval. The subdivider shall post a letter of credit or other surety in form approved by the Village Attorney guaranteeing the installation of these improvements. The posting of the letter of credit or other surety shall be a necessary prerequisite to final plat approval.

4. Sequence of Construction:

All underground utilities, sanitary sewers, and storm sewers installed in streets, alleys, service roads, or highways shall be constructed or installed prior to the surfacing of such streets. Service connections to such underground utilities and sewers shall be extended to the property line of each lot so as to obviate disturbing the surface improvements in such public ways when service connections are later made. Where underground utilities are located in the parkway adjacent to the paved roadway, service connections to properties across such roadway shall only be made by drilling under the pavement in such a way that surfacing is not disturbed or weakened.

5. Debris Removal:

The subdivider shall clean and maintain all public ways, sewers, and drains free from debris and trash, or other extraneous material, prior to acceptance and at such other times during construction as the Village Superintendent of Public Works may deem necessary to prevent the creation of a public nuisance.

B. Modification of Design of Improvements During Construction:

During the course of inspections, the appropriate Village inspector will especially note any circumstances which entail departures in the "as built" improvements from the plans and specifications as approved, such as an unforeseen difficulty of drainage, ground water, poor subsoil, unstable fill material, or unconventional or faulty practices of contractors or subcontractors. Whenever such departures are likely to cause either a lower ultimate level of performance or a higher construction cost than could reasonably have been anticipated, he shall prepare a report on his findings in the situation and promptly forward copies to the president and Board of Trustees and to the Enforcement Officer.

C. "As Built" Plans:

After completion of all public improvements and prior to final acceptance of said improvements, the subdivider shall make, or cause to be made, a plan showing the actual location and elevation of all valves, manholes, stubs, sewer and water mains, and other improvements. This plan shall be an electronic submittal, CADD based, coordinated with the Village to be incorporated in the Village's G{PS/GIS system. The presentation of this plan shall be a condition of final acceptance of the improvements and release of the surety bond assuring their completion. This plan shall become the property of the Village.

D. Policy on the Oversizing of Improvements:

Whenever necessary, to conform to an overall plan or otherwise to protect or promote the public interest, oversize improvements may be required of the subdivider; however, the excess cost resulting from the requirement of an oversize improvement shall be subject to a reasonable recapture ordinance to benefit the subdivision.

E. Monuments:

1. Preservation of Existing Monuments:

All United States, state, county or other official bench marks, monuments, or triangulation stations in or adjacent to the subdivision shall be preserved. When a proposed improvement in a subdivision makes necessary the moving of bench marks, monuments, or stations, the authority having jurisdiction shall be notified and given sufficient time to take appropriate action.

2. Placement of New Monuments:

Permanent monuments shall be erected at all street corners and all points where street lines intersect the exterior lines of the subdivision and at all lot corners, block corners, angles in the lot lines, and points of beginning and ending of curves.

3. Monument Materials:

Permanent monuments shall be of galvanized iron pipe not less than three-fourths inch ($\frac{3}{4}$ " in diameter and not less than twenty four inches (24") in length; or of stone or concrete not less than four inches (4") in diameter and not less than twenty four inches (24") in length. In no case shall thin wall pipe or electrical conduit be permitted.

F. Grading:

Where it is proposed to alter ground elevations more than two feet (2'), proposed, as well as existing, contours shall be shown on the contour map. Where topsoil is removed during the course of grading or construction, it shall be redistributed evenly to a depth of at least four inches (4"). All exposed areas shall be reseeded or sodded to prevent erosion.

G. Improvements Required:

1. Streets:

a. Subdivisions containing lots less than forty thousand (40,000) square feet in area:

- (1) Primary thoroughfares shall be improved with bituminous pavement and concrete curb, gutter, and median strip. The overall width shall be not less than fifty two feet (52') face to face of curb, including a median strip of not less than four feet (4').
- (2) Secondary thoroughfares shall be improved with a bituminous pavement and concrete curb and gutter. The overall width shall be not less than thirty six feet (36') face to face of curb.
- (3) Minor streets shall be improved with a bituminous pavement and concrete curb and gutter. The overall width shall be not less than twenty seven feet (27') face to face of curb.
- (4) All surfacing of streets shall be done in at least two (2) stages with the secondary and/or final stage to occur within twelve (12) months after the primary surfacing.
- (5) Entrances to all subdivisions shall have a median and shall be illuminated.

b. Subdivisions containing lots not less than forty thousand (40,000) square feet in area:

- (1) Primary and secondary thoroughfares shall be as above.
- (2) Local streets shall be improved with a bituminous surface treatment not less than twenty two feet (22') in width on a gravel or crushed stone base not less than twenty four feet (24') in width, with not less than thirty feet (30') in width from shoulder line to shoulder line.

c. Where proposed subdivision lots front on only one side of a public road, the subdivider shall be responsible for one-half ($\frac{1}{2}$) of such road to be improved. The remaining improvements shall be completed in the manner described in Subsection D of this Section. Whenever land adjacent to an existing public street is subdivided with lots

facing thereon, and said street is not improved to a standard as high as that required for an interior street of similar character, the subdivider may be required to improve said public street, but in no case shall the required expenditure for such improvement exceed that required for a similar interior street. Any improvement of an existing street shall be subject to the approval of the public authority having jurisdiction.

- d. Street profile, plans and cross sections for all subdivision streets shall be prepared by an engineer licensed in the State of Illinois in accordance with the requirements of this Village Code, including but not limited to those standards referenced in Appendix A of this Title, and the engineer, as agent for the subdivider, or his contractor, shall be responsible for establishing the proper lines and grades for all earthwork and drainage.
 - e. At least one street of full width shall be provided to furnish the subdivision with access to an existing improved public street. Said access street shall be improved by the subdivider in accordance with the standards appropriate to its function, whether or not it lies partly, or entirely, outside the subdivision.
2. Storm Drainage:
- a. The storm drainage improvements shall conform to the system designed and established by the engineer and approved by the Village Engineer. Computations may be required for the entire drainage basin of which the subdivision is a part. The design and construction of such improvements shall be in accordance with the requirements of this Village Code, including but not limited to those standards referenced in Appendix A of this Title.
 - b. In residential subdivisions containing lots less than forty thousand (40,000) square feet in area, and in all business and industrial subdivisions, underground storm sewer systems shall be constructed and installation shall be completed and approved by the Village Engineer prior to the placement of any surfacing material.
 - c. Special consideration shall be given to the avoidance of problems which may arise from storm water runoff onto adjacent properties. All storm drainage shall be conducted and/or connected to an approved outfall.
3. Sump Pumps:

Sump pump service stubs extending from the public storm sewer system shall be installed to receive subsoil drain pump discharge from each lot fronting on a street having curbs and gutters, connecting to a storm sewer of the subdivision drainage system. Service stubs may be installed at the side line of lots in residential subdivisions in such a manner that two (2) adjacent lots may be served by a single stub. All stubs shall extend one foot (1') inside of the lot line and shall be of four inch (4") diameter concrete sewer pipe or three inch (3") diameter drain, waste and vent, PVC or ABS plastic pipe schedule 40 and shall have not less than three feet (3') of earth cover for protection against freezing or as approved by the Village. Where a public storm sewer is installed in a rear or side yard easement on or adjoining a lot, the service stub may be extended from such storm sewer to any point on the lot within one foot (1') of the easement line.

4. Culverts and Bridges:

Adequate drainage structures shall be provided. The design, installation and construction of drainage structures shall comply with the requirements of this Village Code, including but not limited to those standards referenced in Appendix A of this Title.

5. Curbs and Gutters:

- a. In all subdivisions where underground storm drainage systems are required or proposed, curbs and gutters shall be provided.
- b. In subdivisions of lots under forty thousand (40,000) square feet, concrete curbs and gutters shall be provided.

6. Sidewalks and Pedestrianways:

- a. In all subdivisions where lots are less than forty thousand (40,000) square feet, sidewalks shall be provided by the subdivider or developer along both sides of all streets and cul-de-sacs. The Village Board of Trustees also may require that sidewalks and/or pedestrianways shall be provided by the subdivider or developer elsewhere than as required above, where the Village Board considers such improvements necessary to the public safety due to an anticipated concentration of pedestrian and/or bicycle traffic.
- b. Sidewalks and pedestrianways which form part of a system of sidewalks and/or bicycle paths as required above shall be improved in accordance with the requirements of this Village Code, including but not limited to those standards referenced in Appendix A of this Title.
- c. Inspections shall be performed by the Village Engineer.
- d. Crosswalks shall be provided at all school locations. The Village Engineer may also require that crosswalks be provided elsewhere when deemed necessary for the public safety due to anticipated pedestrian traffic.
- e. Where pedestrianways are provided, they shall be designed and installed at the subdivider's or developer's expense in accordance with "IDOT Bureau Of Design And Environment Manual", Chapter 17 on bicycle and pedestrian accommodations, as amended from time to time, which Chapter 17 shall constitute the minimum standards for such improvements.

7. Street Signs:

All required street signs shall be installed prior to subdivision acceptance. Signs to be provided include: a) stop signs at every primary intersection, b) street name signs on separate twelve foot (12') poles at each intersection, c) dead end signs at each cul-de-sac, and d) speed limit signs on each collection, primary and arterial street. Yield signs may be substituted in lieu of stop signs when approved by the Village Engineer. All signs shall conform to the applicable published State and Federal standards. The location of all signs shall be approved by the Village Engineer.

STREET SIGN SPECIFICATIONS

Post	U-channel galvanized 2 pound 8-gauge 12 feet for all but street name signs which shall be mounted on round galvanized 12 foot by 2 3/8 inch O.D., 2 1/4 inch I.D.
Street name signs	6 inch flat reflective 0.125-gauge with 4 inch white reflective series "C" letters with 12 inch brackets on large name signs and 5 inch brackets on all other signs
Stop signs	30 inch by 30 inch diamond grade
No outlet signs	24 inch by 24 inch high intensity
Speed limit signs	24 inch by 30 inch high intensity
All other signs	High intensity
No signs on bracket allowed on streetlight poles unless approved by the Director of Public Works	
All signs	Height 7 feet from top of curb to bottom of sign
No other signs allowed on stop or speed limit signposts.	

8. Streetlights:

In all subdivisions street lighting shall be provided throughout the subdivision by the subdivider. Streetlight standards shall be installed within the street parkways and shall be served by appropriate wiring with connections to a power supply of the Commonwealth Edison Company. A standard shall be located at each street intersection, at the turnaround of each cul-de-sac, and elsewhere at intervals of not more than three hundred feet (300') alternating on both sides of the roadway. Streets with medians shall have a standard with two (2) luminaires. Light poles shall be mounted on twenty four inch (24") diameter concrete bases extending to the frost line. Wiring shall be underground, grounded and encased in one inch (1") diameter conduit. Each pole shall have a one hundred ten (110) volt GFI outlet mounted in the base. Streetlight standards, luminaires, lamps and wiring shall be Holophane glass Washington postlite #WAU15AHPMTB3B4 HP S-67516 on fourteen foot five inch (14'5") Holophane Wadsworth black posts #W14F5/17-CA/BK for standards with one luminaire. Standards with two (2) luminaires shall be Holophane #WAU15AHPMTB3B4 HP S-67516 on Holophane Wadsworth black posts with cross arm #W14F5/17-CA/BK-PCP36-CAIBK. Streetlights shall not be located on the same corner as a fire hydrant. Lighting control shall be by photocell. Lighting color shall be yellow. Junction boxes shall be located at all splices.

9. Water Supply Facilities:

- a. Central Water Systems: All subdivisions within the corporate limits of the Village of Lake Villa and all other subdivisions with lots of less than one-half ($\frac{1}{2}$) acre in area, shall have an interconnected water distribution system supplying all lots with water from a source approved by the Illinois Environmental Protection Agency, Division of Public Water Supply. Where such a water supply system is not provided in subdivisions with lots of one-half ($\frac{1}{2}$) acre or more in area, outside the corporate limits of the Village of Lake Villa, conclusive evidence shall be presented by the subdivider, on the basis of suitable tests and surveys, that an adequate underground water supply is readily available for development at the individual lots.

- b. Water Main Requirements: Water mains shall be not less than eight inches (8") in diameter and shall be arranged so as to avoid dead ends. Shutoff valves shall be provided at each branch main connection, and elsewhere as required, to permit adequate sectionalizing for maintenance purposes. Valves within pavement shall be in booted vaults. Valves outside of pavements shall have risers. Fire hydrants shall be installed throughout the entire system at intervals not exceeding four hundred feet (400'). A house service connection shall be provided at the centerline of each lot, extending to within one foot (1') of the property lines, before roadway pavement is constructed. Materials, system arrangement, and details of design shall be subject to the approval of the Village Engineer in accordance with the requirements of this Village Code, including but not limited to those standards referenced in Appendix A of this Title.
 - (1) Individual Water Systems: Where central water systems cannot be provided according to Subsection G8a of this Section, individual private water systems may be permitted, provided such water systems meet all requirements of state and county health agencies.
 - c. Water Towers: Any water tower which provides potable water for residential consumption or commercial purposes shall have clearly painted on the bulb the colors, words, and symbols approved in advance by the Village Board. All water towers shall have cathodic protection and have top warning lights with one hundred ten (110) volt outlets and mounting rail.
 - d. Water Systems: All water systems shall be designed on the basis of three hundred (300) gallons per day per population equivalent (PE).
10. Sanitary Sewage Facilities:
- a. All subdivisions containing lots of less than forty thousand (40,000) square feet in area shall have a system of sanitary sewers serving each lot, connected to the Village sewerage system. All other subdivisions shall also have such sewage disposal facilities where standard seepage tests or other investigations indicate that the ground in the subdivision is unsuitable for individual sewage disposal facilities dependent upon seepage of the effluent into the soil.
 - b. Sanitary and storm sewer systems shall not be combined. Sewer mains with house service stubs to each lot shall be installed prior to the construction of street pavements. Service stubs shall be installed at the centerline of each lot and shall extend to within one foot (1') of the front lot line. Materials, system arrangement, and details of design shall be subject to the approval of the Village Engineer in accordance with the requirements of this Village Code, including but not limited to those standards referenced in Appendix A of this Title.
 - c. In subdivisions not required to install community sewage collection systems under Subsection G9a of this Section, individual sewage disposal systems may be permitted.
 - d. Regardless of location, lot size, or number of lots, a subdivision shall be disapproved where the health officer finds that the drainage, soil conditions, disposal facilities, or other conditions will tend to produce health problems.

11. Aerators:

All detention ponds deeper than thirty inches (30") shall be equipped with a foundation type aerator. They shall be sized on the basis of two (2) horsepower per acre. Spacing of the aerators shall be such that a ripple effect occurs on fifty percent (50%) of the pond area at all times. Pond fingers shall have separate aerators.

H. Dedication of Park Sites or Payment of Fees in Lieu Thereof:

As a condition of approval of a final plat of subdivision of any block, lot or subplot or any part thereof or any piece or parcel of land or of a final plat of a planned unit development, each subdivider or developer will be required to dedicate land for park and recreational purposes, to serve the immediate and future needs of the residents of the development, or cash contribution in lieu of actual land dedication, or a combination of both, at the option of the Village in accordance with the following criteria and formula:

1. Criteria for Requiring Park and Recreation Land Dedication:

- a. Requirement and Population Ratio: The ultimate density of a proposed development shall bear directly upon the amount of land required for dedication. The total requirement shall be fifteen (15) acres of land per one thousand (1,000) of ultimate population in accordance with the following classifications:

PARK AND RECREATION LAND DEDICATION REQUIREMENTS

Type of Recreation Area	Size Range	Acres/1,000 People
Minipark (plat lot)	1-1.7 acres	1
Neighborhood park (playground)	3.5-20 acres	3
Community park	25 acres or greater	11
	TOTAL:	15

- b. Location: A central location which will serve equally the entire development is most desirable. In large developments these sites can be located throughout the development according to established standards for park area distances. Additional standards may be determined by the Village Board as adopted from time to time.
- c. Credit for Private Open Spaces and Recreation Areas:
- (1) When subdividers or developers provide their own open space for recreation areas and facilities, it has the effect of reducing the demand for local public recreational services. Depending on the size of the development, a portion of the park and recreation area in subdivisions or planned unit developments may at the option of the Board of Trustees be provided in the form of "private" open space in lieu of dedicated "public" open space. The extent of same shall be determined by the Board of Trustees, based upon the needs of the projected residents and in conformance to the total park and recreation land for the general area.

- (2) In general, a substitution of private open space for dedicated parks will imply a substantially higher degree of improvement and the installation of recreational facilities, including equipment by the developer as part of his obligation. Detailed plans of such areas, including specifications of facilities to be installed, must be approved by the Village, and before any credit is given for private recreation areas, the subdivider or developer must guarantee that these private recreation areas will be permanently maintained for such use by the execution of the appropriate legal documents. When an adjustment for private recreation areas is warranted, it will be necessary to compute the total park land dedication that would have been required from the subdivision or planned unit development and then subtract the credit to be given.

2. Criteria for Requiring a Contribution in Lieu of Park and Recreational Sites:

Where the development is small and the resulting site is too small to be practical or when the available land is inappropriate for park and recreational purposes, the Village shall require the subdivider to pay a cash contribution in lieu of the land dedication required.

- a. Contribution to Be Used for Park Purposes: The cash contributions in lieu of park and recreation land dedication shall be utilized by the Village for park purposes, including acquisition, maintenance, preservation, or improvement of park sites.
- b. Acreage Value: The cash contributions in lieu of land shall be based on a value of eighty thousand dollars (\$80,000.00) per residential acre, or such other amount as is approved by the Village Board from time to time.
- c. Time of Payment: All cash contributions shall be paid prior to or simultaneous with final plat approval.

3. Criteria for Requiring Dedication and a Cash Contribution:

There will be situations in subdivisions or planned unit developments when a combination of land dedication and a contribution in lieu of land are both necessary. These occasions will arise:

- a. Where only a portion of the land to be developed is proposed as the location for a park site. That portion of the land within the subdivision falling within the park location shall be dedicated as a site as aforesaid, and a cash contribution in lieu thereof shall be required for any additional land that would have been required to be dedicated;
- b. Where a major part of the local park or recreation site has already been acquired and only a small portion of land is needed from the development to complete the site. The remaining portions shall be required by dedication, and a cash contribution in lieu thereof shall be required.

4. Density Formula:

- a. Table Established: The following table of population density is generally indicative of current and short range projected trends in family size for new construction and shall be used in calculating the amount of required dedication of acres of land or the cash

contributions in lieu thereof unless a written objection is filed thereto by the subdivider or developer:

**ESTIMATED ULTIMATE POPULATION
PER DWELLING UNIT**

Type of Unit	Total Persons Per Unit
Detached single-family	
3 bedroom	3.845
4 bedroom	4.510
5 bedroom	5.500
Attached single-family (townhouse, rowhouse, quadruplex, etc.)	
1 bedroom	1.500
2 bedroom	2.070
3 bedroom	3.666
4 bedroom	5.30
Low-density apartment (to 15 per acre)	
Efficiency	1.000
1 bedroom	1.583
2 bedroom	2.425
3 bedroom	3.297
4 bedroom	3.850
High-density apartment (16 plus acres)	
Efficiency	1.000
1 bedroom	1.357
2 bedroom	1.760
3 bedroom	2.752

- b. Developer Demographic Study: In the event a subdivider or developer files a written objection to the table of estimated ultimate population listed herein, he shall submit his own demographic study showing the estimated additional population to be generated from the subdivision or planned unit development and in that event final determination of the density formula to be used in such calculations shall be made by the Board of Trustees based upon such demographic information submitted by the subdivider or developer and from other sources which may be submitted to the Board of Trustees by the park board, school districts, or others. It is recognized that population density, age distribution, and local conditions change over the years, and the specific formula for the dedication of land, or the payment of fees in lieu thereof, as stated herein, is subject to periodic review and amendment if necessary.

5. Reservation of Additional Land:

Where the comprehensive plan or the standards of the Village call for a larger amount of park and recreational land in a particular subdivision or planned unit development than the developer is required to dedicate, the land needed beyond the developer's contribution shall be reserved for subsequent purchase by the Village or other public body designated by the

Village provided that such acquisition is made within one year from the date of approval of the final plat.

6. Combining With Adjoining Developments:

Where the subdivision or planned unit development is less than forty (40) acres, public open space which is to be dedicated should, where possible, be combined with dedications from adjoining developments in order to produce usable recreation areas without hardship on a particular developer.

7. Topography and Grading:

The slope, topography and geology of the dedicated site as well as its surroundings must be suitable for its intended purposes. Grading on sites dedicated for park and recreational uses shall not differ greatly from surrounding land.

8. Improved Sites:

All sites shall be dedicated in a condition ready for full service of electrical, water, sewer and streets (including enclosed drainage and curb and gutter) as applicable to the location of the site, or acceptable provision made therefor.

9. Conveyance:

All sites conveyed as provided herein, shall be conveyed either by warranty or trustee's deed. The subdivider or developer shall be responsible for conveying good, merchantable title to such sites, and shall be responsible for payment of all real estate taxes to the date of conveyance.

10. Annexation:

The dedications of land or cash contributions in lieu thereof required by this Section shall also be required as a condition to the annexation of any land to the Village and provisions therefor shall be incorporated in any pre-annexation agreement concerning such land.

11. Pedestrianway:

No credit against required dedications of land or against cash contributions in lieu thereof as required by this Section shall be provided for pedestrianways which are provided by the subdivider or developer. For purposes of this Section, a "pedestrianway" shall be defined as a right of way, however designated, across or within a block for use by pedestrian and/or bicycle traffic, as well as any sidewalks and/or crosswalks, wherever located, which the Board of Trustees has determined will be frequently utilized as a bicycle path.

I. School Payments:

1. Funds Paid To Secure School Sites:

As condition of approval for any final plat of subdivision of any block, lot, or subplot or any part thereof, or any piece or parcel of land, or of a final plat for a planned unit development, or as a condition of issuance of a building permit for any dwelling unit, each subdivider,

developer, and permittee shall be required to make payments to the elementary school and high school districts within which the property shall be located. These funds are intended to provide the school district with the necessary funds to secure school sites, and for such other purposes as permitted by law, to provide adequate schooling for the anticipated pupils who will live within each dwelling unit. The funds shall be paid at the time of final plat approval, or, at the election of the subdivider or developer, with the consent of the Village Board, shall be paid at the time of building permit issuance for each dwelling unit. In all other circumstances, the payment shall be made prior to issuance of a building permit. No payment shall be required for any building permit for any dwelling unit within a subdivision, if payment was made to the district at the time of subdivision approval, in accordance with the requirements existing at the time of said subdivision approval. No payment shall be required for any building permit for any dwelling unit within a subdivision, if payment was made to the district on or before July 1, 1994, pursuant to a written agreement entered into prior to July 1, 1993, for a subdivision, which received final plat approval prior to July 1, 1993.

The amount of the payment shall be determined by the respective school district, using generally accepted formulas, provided that the Village Board has approved the amount ascertained by the respective district, and provided that the district has executed the approved indemnification agreement. In the event that the property upon which the dwelling unit is to be located falls within two (2) school districts for the same level of schooling, such as the same two (2) elementary school districts, the district which has the greater portion of the property upon which the dwelling unit shall be located shall receive the funds.

If the funds are paid at time of plat approval or pursuant to a written agreement described above, the developer or permittee shall submit to the Village receipts from each recipient school district, which confirm that the required payments have been made. If the funds are to be paid at time of building permit issuance, prior to issuance of the building permit, the permittee shall furnish receipts from the recipient school districts, which confirm the required payments have been made. The developer or permittee shall be responsible to ensure that the correct school districts receive the funds. If the funds are paid to the wrong district, the permittee shall not be relieved of the obligation to pay the required amount to the correct school district.

2. Transition Fees:

A "school transition fee" is defined as a fee paid to the applicable school district(s) at or before the time a building permit is issued for new construction of a residential dwelling unit to provide funds to the school district to provide for the education of students who are anticipated to be generated from a dwelling unit. As a condition of all annexation agreements entered into by the Village, a provision shall hereafter be included in all such agreements requiring the developer or owner of vacant property to pay the transition fees as provided herein. The determination of the number of students to be generated from a particular dwelling unit or lot shall be based on the following data published by the Illinois School Consulting Service*:

	Pre-School	Elementary	Junior High	Total K-8	High School	Adults	Total
DETACHED SINGLE FAMILY							
2-bedroom	0.113	0.136	0.048	0.184	0.02	1.7	2.017
3-bedroom	0.292	0.369	0.173	0.542	0.184	1.881	2.899
4-bedroom	0.418	0.530	0.298	0.828	0.36	2.158	3.764
5-bedroom	0.283	0.345	0.248	0.593	0.30	2.594	3.770
ATTACHED SINGLE FAMILY (townhome, rowhouse, etc.)							
1-bedroom	0	0	0	0	0	1.193	1.193
2-bedroom	0.064	0.088	0.048	0.136	0.038	1.752	1.99
3-bedroom	0.212	0.234	0.058	0.292	0.059	1.829	2.392
4-bedroom	0.323	0.322	0.154	0.476	0.173	2.173	3.145
APARTMENTS AND CONDOMINIUMS							
Efficiency	0	0	0	0	0	1.294	1.294
1-bedroom	0	0.002	0.001	0.003	0.001	1.754	1.758
2-bedroom	0.047	0.086	0.042	0.128	0.046	1.693	1.914
3-bedroom	0.052	0.234	0.123	0.357	0.118	2.526	3.053

* Illinois School Consulting Service/Associated Municipal Consultants, Inc., Naperville, Illinois, 1996, or as updated from time to time by the same consulting firm.

The amount of the transition fee per dwelling unit shall be calculated by determining the unfunded cost to educate a student. The unfunded cost to educate a student shall be calculated by adding the cost of educating a student in the first and second years of occupancy of a new dwelling unit, less general student assistance from the state and partial payment of real estate taxes, during the time the property is not fully assessed as improved for a complete tax year, multiplied by the number of students generated per dwelling unit as provided in the aforesaid data, the product of which shall be the transition fee per dwelling unit or lot. As of the effective date hereof, the unfunded cost to educate a student is ten thousand dollars (\$10,000.00) for the first and second years of occupancy.

An objection to the transition fee shall be made in writing and shall be heard by the Board of Trustees, at which time the developer or owner of the subject property and the affected school district(s) shall be given the opportunity to appear and be heard.

Annually, the school district receiving transition fees shall provide written evidence to the Village of the unfunded cost to educate students so that the transition fees may be adjusted. If a school district fails to provide information about education costs after a request by the Village to do so, then at the Village's discretion, the transition fee shall remain the same for the following year.

11-1-16: UTILITIES:

All utilities, whenever possible, shall be public rather than privately developed facilities, except as expressly approved by the Village Board.

A. Public Utilities:

1. Public utilities shall obtain permits from the Village Board for the installation of communication, electric power, gas, or other utility services before any installation is started.
2. All utilities, including, without limitation, electric, telephone, gas and cable TV lines shall be installed and maintained underground in public rights-of-way or in easements provided for those purposes. All care should be taken to avoid disturbing or damage to trees to be preserved when any utilities are being installed. If the Village Administrator, or his designee, determines that it is not feasible for any utilities or their appurtenant equipment to be located underground, the developer shall present a screening plan for such above-ground utilities and their appurtenant equipment and a proposed screening location for the review and approval of the Village Administrator, or his designee, prior to the installation of such utilities, and the developer shall install and thereafter maintain in good condition such approved screening. Utilities shall be located in rear yards whenever possible.

B. Sewer and Water Supply:

Sanitary sewers and water lines shall be installed to comply with standards, specifications, and requirements set forth in Appendix A of this Title and shall be connected to the Village's public water supply and sanitary sewer systems, in accordance with plans and specifications approved in writing by the Village.

C. Privately Developed Facilities:

Where a development is to contain, park areas, storm water detention facilities and/or other improvements which will not be maintained by existing public agencies, provisions should be made, as part of recorded deed restrictions, for the continuous maintenance, supervision, operation and reconstruction of such facilities by the lot owners in the development. Said deed restrictions shall be reviewed and approved in writing by the Corporate Authorities of the Village, or by its designee, as part of its approval of the final plat and/or as part of the final plans and specifications for the development.

11-1-17: TREE REMOVAL AND TREES AND WOODLANDS PROTECTION:

Section 5-1-4 of this Village Code, "Tree Removal Permit", and Subsection 5-1-4.1, "Trees and Woodlands Protection", are hereby incorporated into these Development Regulations by reference as fully as if set forth herein in their entirety.

11-1-18: EASEMENTS, RESERVATIONS, VACATIONS:

A. Dedications:

1. Areas Required To Be Dedicated:
 - a. Except where the Village has approved the use of streets otherwise designated as private streets, all new streets created by subdivision and shown on the respective plats and/or plans submitted to the Village for approval and recording shall be dedicated as public Village streets.

- b. Additional street widths shall be dedicated along existing thoroughfares where a width greater than that existing is called for by the Village's Official Comprehensive Plan or by these Subdivision Regulations.
 - c. Except where the Village has approved the use of streets otherwise designated as private streets, crosswalks where required by this Title, or wherever otherwise approved by the Village, shall be dedicated to the Village.
- 2. Identification of Dedications:

Areas to be dedicated shall be clearly identified on the plat or plan as dedicated to the public.

B. Easements:

- 1. Areas To Be Shown As Easements:
 - a. Public utilities, storm water facilities and installations shall be located in suitable easements as specified in this Title.
 - b. Planting strips or buffers shall be located between reverse frontage lots and a thoroughfare, or between incompatible uses, or wherever required.
- 2. Identification of Easements:

Easements shall be clearly identified on all plats (i.e., drainage easement or utility easement).
- 3. The language of all easements set forth on any final plat shall be as specified in Appendix D, except as otherwise approved by the Corporate Authorities of the Village, or by their designee.

C. Reservations:

- 1. Areas To Be Reserved:

Whenever the area being subdivided embraces all or part of any lands designated in the Official Comprehensive Plan for a school, park, or other community facility, or any other public use, all land so designated shall be shown on the preliminary plat as being dedicated or reserved for that proposed use, and it shall be reserved by the subdivider for a period of one year from the date of approval of the preliminary plat, during which time it shall be made available to the respective public agency at the undeveloped acreage price, as determined by an appraisal acceptable to both parties.
- 2. Reservations and Preliminary Plats:
 - a. Areas reserved shall be clearly identified on the preliminary plat as reserved in accordance with these Subdivision Regulations.
 - b. The preliminary plat shall also contain the proposals of the subdivider, as they might otherwise be platted, for the areas under reservation, to be applied in the event the land is not acquired by the public within the period of reservation.

- c. Upon completion of the one year period of reservation, the preliminary plat shall remain a valid preliminary plat for the formerly reserved areas for a period of one year, subject to restrictions imposed by this Title.

3. Reservations and Final Plats:

- a. Where practicable, final plats shall not include areas reserved; said final plats should affect only that portion of the subdivider's land which is unrestricted by the reservations.
- b. Where final plats must include areas reserved, such areas shall be clearly identified as reserved in accordance with these Subdivision Regulations and shall not contain any proposals of the developer.
- c. Final plats may be submitted for reserved land unacquired by the public at the close of the one year period. Such plats will be considered additional units of the subdivisions for which initial final plats were recorded.

4. Reversion:

If the appropriate public agency having jurisdiction has not, within one year of the approval of the preliminary plat, acquired the site reserved for a public use, the subdivider shall regain full and unencumbered title to the same, and may use it in any way, and for any purpose, permitted by the applicable regulations then in effect.

D. Right of Refusal:

The number, size, and location of dedications and easements shall be subject to approval, and the Plan Commission shall ascertain that the proposed sites are suitable for the proposed uses. The public retains the right to refuse any and all dedications.

E. Vacations:

1. Procedure:

In all cases, the vacation of any plat, or part thereof, or any public right of way, easement, or part thereof, shall follow the procedure for the review of plats established in these Subdivision Regulations except that:

- a. Final action shall be taken by the Village Board.
- b. The Plat Officer shall recommend to the Village Board a sum to be paid by the owner(s) of abutting properties in consideration of any public property involved in the vacation.

2. Standards:

The Plat Officer and the other administrative officers shall recommend disapproval of any petition for vacation which fails to meet the following standards:

- a. No vacation shall be approved which creates a condition which would not be permitted under the standards of design set forth in these Subdivision Regulations, unless such vacation will at the same time correct a more serious condition which exists contrary to the standards of these Subdivision Regulations.
- b. No vacation shall be approved which will result in a conflict with the Official Comprehensive Plan of the Village.
- c. No vacation shall be approved which will result in a violation of the Zoning Ordinance or other applicable ordinances or regulations, unless such vacation will at the same time correct a more serious condition which exists contrary to such ordinances or regulations.

3. Petition Form and Content:

The sketch and preliminary plat of vacation shall be accompanied by a certified statement of the assessed valuation of all properties surrounding any public right of way to be vacated. Final petitions for vacation shall include the following items:

- a. Three (3) copies of the original plat certified by the recorder to be a true copy of same, on which is shown the portion to be vacated outlined in a heavy line and hatched;
- b. The following deeds, petitions, and certificates, all drafted from models obtainable from the Plat Officer:
 - (1) Deed of vacation.
 - (2) Petition - three (3) copies.
 - (3) County Clerk's certificate.
 - (4) Resolution.
 - (5) Assessor's certificate.
- c. The petition as it is presented to the Village Board to be accompanied by a recommendation from the Plat Officer.

4. Easements:

The vacation of any plat, or part thereof, or right of way, easement, or part thereof, shall not be deemed to be a vacation of the rights of any public utility where said public utility has installed its facilities therein. All such vacations shall be made upon the express condition that the abutting property owner(s) grants to all public utilities, their successors and assigns, the right of way or easement to operate, maintain, renew, and reconstruct their facilities, over, or under the public right of way or easement vacated and such condition shall be noted on the deed or plat of vacation and in the ordinance or resolution of vacation.

5. Bonds:

The Village may require the petitioner to furnish bond in an amount sufficient to protect the Village, indemnifying it for any suit which may be filed for damages sustained as a result of such vacation.

6. Limitation:

Nothing contained herein, nor any required certificate, shall be deemed in any way to limit the right and authority of the Village to vacate any plat or part thereof, or any right of way or easement or part thereof where it finds that such vacation will serve the public interest.

7. Resubdivision in Lieu of Vacation:

It shall not be necessary to vacate a plat or part thereof in order to proceed with a resubdivision of said plat or part thereof. Resubdivision according to the procedures and standards for subdivision required by these Subdivision Regulations shall automatically constitute vacation of a prior plat or part thereof, provided that monetary remuneration shall be paid to the Village in consideration of any excess public property vacated over that dedicated in the subdivision.

F. Open Space, Special Provisions:

If the proposed subdivision or development will include open space, woodlands, wetlands, or other common areas, which the Village Board reasonably determines will require periodic inspections or land management techniques to comply with applicable laws, such as lands covered by a U.S. Army Corps of Engineers permit, or any other such lands, which the Village Board determines will or may need such periodic inspections or land management techniques, such as, but not limited to, mowing and landscape maintenance, periodic burning, replanting of native plant species, or preservation of animal habitats, the following shall be provided, except as expressly waived by the Village Board, as a condition precedent to final plat approval:

1. A cash escrow shall be deposited with the Village in an amount deemed sufficient by the Village Board to assure the necessary funds to do all necessary or desirable inspections and land management techniques for a period of seven (7) years subsequent to final plat approval.
2. Through covenants or such other instrument as may be approved by the Village Board and Village Attorney, the developer shall consent to the immediate or deferred creation of a special service district, and waive any right, on behalf of itself, and all successor owners, to contest the creation of the district, the issuance of bonds, and the levy of taxes, to provide sufficient funds to do all required or reasonably necessary inspections and land management techniques, after the escrow funds are depleted. The district shall be created by the Village at such time as it determines it is necessary or desirable to provide the necessary funds. It is the intention of this provision that the district will be created at such a time so that the tax revenue generated thereby will be available before the escrow funds are completely depleted. If the board is satisfied with the land management techniques and periodic inspections provided by the homeowners' association, it may, in its discretion, postpone indefinitely the creation of the district.
3. The developer may also be required, when deemed reasonably necessary by the Village Board, to improve or enhance the common areas, consistent with sound land management techniques and prudent environmental practices, prior to final plat approval, or such later time as approved by the Village Board.

RESIDENTIAL DESIGN STANDARDS

11-1-19: VARIATIONS IN DESIGN; ANTI-MONOTONY STANDARD:

All residences and dwelling units erected in any subdivision or development subject to this Title, whether within the Village or in any unincorporated area over which the Village has jurisdiction, shall comply with the Residential Design Standards of the Lake Villa Zoning Ordinance (Article Eight, Section I), as they may be amended from time to time.

11-1-20: PREFABRICATED HOUSING:

No prefabricated completed housing constructed will be allowed in Lake Villa where both the interior and/or exterior walls are completed prior to erection.

ADDITIONAL REQUIREMENTS

11-1-21: LETTERS OF CREDIT OR CASH DEPOSITS; MAINTENANCE GUARANTEE:

A. Agreements and Guarantee of Improvements:

The requirements of this Section shall be complied with prior to the approval and recording of a final plat of subdivision.

1. Action By Subdivider:

Prior to the filing of an application for a final plat, the subdivider shall submit the following to the Village Clerk:

a. Statement of Agreement: A Statement of Agreement that:

- (1) The land improvements required by this title shall be completed by the owner or subdivider in accordance with the plans and specifications approved by the Village Engineer.
- (2) Four (4) sets plus one reproducible set on Mylar of as-built plans shall be submitted by the subdivider.
- (3) All improvements and the as-built plans of said improvement, shall be completed by the owner or subdivider within two (2) years or less following approval of the final plat by the Mayor and Board of Trustees.
- (4) No home fronting on a newly constructed street in any subdivision shall be occupied until the binder course has been applied to the roadway. The final wearing surface shall not be applied until the elapse of one winter season. The roadways remain the responsibility (including maintenance and snowplowing) of the developer until accepted by the Village Board.
- (5) The subdivider shall pay to the Village a fine of one hundred dollars (\$100.00) per day for every day beyond the two (2) year period required for installation of public improvements that the public improvements have not been completed and received the approval of the Village, unless an extension of time is granted by the Village, upon written application of the subdivider and the recommendation of the Village Engineer.

- (6) The subdivider, individually and on behalf of his heirs, assigns, and successors in interest, hereby agrees to pay when due all fees, deposits, and payments required by this Code, including, but not limited to, all fees, deposits, and payments required by Sections 1-8-1 through 1-8-8 of this Code.

2. Guarantee:

- a. General: In order to provide for the orderly growth of the Village and to further provide for the orderly development of land and the installation of all required improvements in newly developed areas, no plat of a proposed subdivision shall be given final approval until the requirements of this Section have been satisfied.
- b. Approval: Before approval of a final plat, the Village Engineer must certify that all required improvements have been installed in accordance with the approved plans and specifications, the provisions of this title, and all other applicable ordinances of the Village; provided, however, that a final plat may be approved upon the depositing of a letter of credit acceptable to the Village as provided hereunder:
 - (1) The letter of credit must be issued by an institution which the Village finds to be financially sound and reputable.
 - (2) The letter of credit must conform with the format approved by the Village Attorney from time to time.
 - (3) The amount of the letter of credit shall be equal to one hundred twenty five percent (125%) of the estimated cost of construction and maintenance of the required improvements as determined by the Village Engineer.
 - (4) The letter of credit shall have an expiration date not less than twenty four (24) months subsequent to final plat approval by the Village Board.
 - (5) Letters of credit shall be permitted by phase of development and shall be subject to partial reductions in the face amount as distinct phases of each improvement are completed, and shall be released upon satisfactory completion of the improvements, provided, however, that ten percent (10%) of the improvement cost shall be retained in the letter of credit for a twenty-four (24) month guarantee period after approval by the Village Engineer of the installation and completion of all improvements as described in this Section. This ten percent (10%) will then be released at the end of the twenty-four (24) month guarantee period after final inspection and approval by the Village Engineer, or shall be used by the Village for the maintenance and repair of the improvements if the subdivider fails to do so.
- c. Completion: All public improvements within each phase of the subdivision shall be completed within two (2) years of final plat approval for that phase.
- d. Other Guarantees: In lieu of the letter of credit, the subdivider, at his election, may deposit cash or a certified check with the Village Clerk in the amount of one hundred twenty five percent (125%) of the estimated cost of construction and maintenance of the required improvements as determined by the Village Engineer.
- e. Completion Prior To Approval: In the event that the subdivider elects to complete the required improvements prior to final plat approval, then in that event, the subdivider shall deposit a letter of credit to guarantee restoration of the site in the event that the improvements are not completed within two (2) years of the commencement of

construction in an amount equal to one hundred twenty five percent (125%) of the estimated cost to restore the site as determined by the Village Engineer. This letter of credit shall conform with the requirements set forth in this Section.

- f. Improvements Not Completed: If the improvements are not completed within the required time, the Village may use the letter of credit funds or cash bond or any portion thereof to complete construction of the improvements and/or for the maintenance and repair thereof.

3. Action By Village Clerk:

The Village Clerk shall not certify the approval of the Mayor and Board of Trustees on the final plat until the requirements of this Section have been completed.

4. Guarantee Of Completed Improvements:

Upon completion of the improvements, the subdivider shall notify the Village Engineer in writing and request inspection of the completed improvements. The subdivider shall submit, with the request for inspection, as built plans covering the improvements to be accepted. Such as-built plans shall be submitted to the Village in both paper and electronic form. The electronic form of such as built plans shall be portable document format (PDF) or in a format that is technologically current and readable by Village personnel at the time of submission as well as in CADD format coordinated with the Village to be incorporated in the Village's GPS/GIS system. After the improvements have been inspected by the Village and found to be complete, but before acceptance by the Village Board, the subdivider shall furnish a written guarantee, guaranteeing the improvements against faulty workmanship and/or materials for a period of two years after acceptance.

- B. Construction of Required Improvements:

1. Preconstruction Meeting:

Before any construction activity, including, but not limited to, site grading, removal of vegetation, or disturbing the site in any manner, occurs on a site that is subdivided or is to be subdivided, the subdivider shall request a preconstruction meeting with the necessary village and county personnel, which shall include the Village Engineer, planner, director of public works, and a representative from the storm water management commission. The preconstruction meeting is intended to provide the subdivider with the necessary information and direction to ensure that the subdivision construction and improvements are installed in accordance with all applicable laws, regulations, and ordinances, including, but not limited to, adequate protection of natural resources. No such construction shall occur or be permitted on the site until the preconstruction meeting is held and the final plat is approved and recorded. All such construction shall be accomplished in accordance with the directions furnished at the preconstruction meeting.

2. Installation Required:

After approval of the preliminary plat by the Village Board, and after approval of the plans and specifications for required improvements by the Village Engineer and Board of Trustees, the subdivider shall install street and utility improvements and other improvements indicated on the plans in accordance with specifications hereinafter provided. If such improvements are

not installed as required at the time the final plat is submitted for approval, the subdivider shall, before the recording of his plat, enter into a contract with the Village agreeing to install the required improvements. Such contract shall be in such form as required by this Section.

In any event, all public improvements shall be fully installed and receive approval from the Village within two (2) years of the date of final plat approval.

Any subdivider who fails to install, within the two (2) year period, all public improvements and receive approval from the Village, shall be subject to a one hundred dollar (\$100.00) per day fine until said improvements are completed and have received the approval of the Village Engineer and Village Board.

The Village Board may, at the written request of a subdivider, if recommended by the Village Engineer, extend the period for completion of public improvements beyond the twenty four (24) month period; provided, that the subdivider post suitable additional security to ensure the balance of the improvements in a form satisfactory to the Village Board.

3. Deeding of Improvements:

All underground public improvements up to the property line shall be deeded over to the Village and become the property of the Village after approval by the Village Engineer and when accepted by resolution of the board. All labor and material for installing underground public improvements shall be furnished by the subdivider. All testing required for acceptance shall be done by the subdivider under the supervision of the Village Engineer.

C. Inspection of Improvements:

1. Required:

All required land improvements to be installed under the provisions of these Subdivision Regulations shall be inspected by the Village at the subdivider's expense.

2. Notification:

Before starting the construction of any improvements, the subdivider shall ascertain from the Village Building Commissioner what inspections are required and the amount of notification desired in each case, and shall comply with all their rules, regulations, and instructions pertaining to such required inspections.

3. Reports:

Any inspection which requires that the health officer be present shall be made by that official or his agent and reported in written form; one copy shall be furnished to the engineer or other agent of the subdivider and one copy to the Village.

4. Subdivider's Responsibility:

Regardless of contracts, agreements, or inspections performed, final responsibility for the installation of all improvements, in accordance with the applicable standards, shall rest with the subdivider.

5. Approval and Acceptance:

- a. When water, sewer, street, and drainage improvements and all appurtenances thereto, based on approved plans, have been constructed or installed and passed all inspections, the corporate authorities shall provide the developer with a letter of approval, completion, and acceptance by the Village of Lake Villa.
- b. When individual sewage disposal systems, based on approved plans, have been constructed or installed and have passed all inspections, the health officer shall provide the developer with a letter of approval and completion.
- c. When any required sewer or water improvement is not intended for public ownership, the appropriate inspecting agency shall provide the developer and the Village with a letter of approval and completion. Such letter shall not constitute acceptance by the public but shall permit the owner to operate and maintain the facility.

6. Fees:

The subdivider shall pay to the Village such reasonable fees as may be prescribed by the inspecting agency or the corporate authorities to defray the cost of inspections and whatever engineering services may be required relative to installation of the improvements.

For the normal and customary subdivision improvements, such as sewer, water, curb and gutters, drainage structures and roads, the subdivider shall pay for the Village's engineering costs incurred on a flat fee basis, based on the Village Engineer's estimate of the cost of such improvements, according to the following:

- a. For improvements, which are estimated to cost \$500,000.00 or less, the flat fee shall be 3.5% of the estimated cost.
- b. For improvements, which are estimated to cost between \$500,001.00 and \$1,000,000.00, the flat fee shall be \$17,500.00 plus 3.0% of the estimated cost exceeding \$500,000.00.
- c. For improvements, which are estimated to cost \$1,000,001.00 or greater, the flat fee shall be \$32,500.00 plus 2.5% of the estimated cost exceeding \$1,000,000.00.

D. More Stringent Provision Applies:

In the event of a conflict between the definitions and/or standards contained in Title 5 of this Code with the definitions and/or provisions contained in Title 11, the more stringent definition and/or standard shall govern and apply.

11-1-22: INSPECTION AT DEVELOPER'S EXPENSE:

All required public improvements proposed to be made under the provisions of this Title shall be inspected during the course of construction by the Enforcement Officer or a duly designated deputy. All fees and costs incurred relative to such inspection and in reviewing the plans and specifications for such required public improvements shall be paid by or reimbursed to the Village by the developer.

11-1-23: BUILDING PERMIT(S):

No building permit shall be issued by the Village for the construction of any building, structure or improvement to the land or any lot within a development until all requirements of this Title have been fully complied with.

11-1-24: OCCUPANCY PERMIT:

No occupancy permit shall be granted by the Village for the use of any structure within any subdivision or other development until all required public improvements have been constructed, installed, completed, and made ready to serve the development, provided, however, the final surface course of all streets and roadways providing access to the development shall be completed only after occupancy permits have been issued for at least 90% of the development or such earlier time as recommended by the Village Engineer or his designee, and approved by the Village Board.

11-1-25: ACCEPTANCE; AS BUILT DRAWINGS:

Upon the completion of construction of all required public improvements required by this Title, a detailed inspection of such improvements shall be made by a representative of the Village, the Enforcement Officer, and a representative of the developer. After certification by the Enforcement Officer that all construction has been completed in accordance with the Plans and Specifications previously approved by the Village, the Corporate Authorities will formally accept the required public improvements which are to be dedicated to the Village. Prior to such acceptance, however, the engineer representing the developer shall prepare and submit to the Village two complete sets of As-Built Drawings of all installed improvements on which also are shown or indicated any changes in the original construction drawings that were made during the construction period, as well as at least one copy of those same as-built drawings in such digital format as required by the Village Engineer.

APPENDICES

Appendix A Engineering Details

Appendix B Watershed Development Ordinance

Appendix C Plat Signature Blocks

Appendix D Easement Language

APPENDIX A

ENGINEERING DETAILS

Chapter 1, “Streets and Sidewalks”; Chapter 3, “Public Improvements; Design and Construction”, and Chapter 4, “Combined Waterworks and Sewer System Regulations”, of Title 5, “Public Properties and Utilities”, of this Village Code are each hereby incorporated by reference as fully as if set forth herein in their entirety.

APPENDIX B

WATERSHED DEVELOPMENT ORDINANCE

The provisions of Section 4-6-1, “Stormwater Management Regulations, Adoption of Lake County Watershed Development Ordinance”, Chapter 6 of Title 4 of this Village Code, “Public Health and Safety”, also referred to as the “Watershed Development Ordinance”, as same may be amended from time to time, are hereby incorporated by reference and thereby made a part of these Development Regulations to the same extent as if fully set forth herein.

APPENDIX C

PLAT SIGNATURE BLOCKS

- A. The following signature blocks shall be required for a Plat of Subdivision, a Plat of Resubdivision, and/or a Plat of Consolidation:
1. Surveyor's Certificate
 2. Owners Certificate
 3. Plan Commission
 4. Village Clerk
 5. Village Treasurer
 6. Village Engineer
 7. Mayor, on behalf of the Mayor and Board of Trustees
 8. County Clerk
 9. Additional signature blocks
 10. It shall be the responsibility of the party preparing the plat to determine if any additional signature blocks are required by the County or by a party granted an easement.
- B. The following signature blocks shall be required for a Plat of Easement and/or a Plat of Abrogation:
1. Surveyor's Certificate
 2. Owner's Certificate
 3. Village Clerk
 4. Village Treasurer
 5. Village Engineer
 6. Mayor, on behalf of the Mayor and Board of Trustees
 7. Party or Parties being granted or abrogating an easement or right-of-way.
 8. It shall be the responsibility of the party preparing the plat to determine if any additional signature blocks are required by the County or by a party granted an easement.
- C. The following signature blocks shall be required for a Plat of Vacation:
1. Surveyor's Certificate
 2. Owner's Certificate
 3. New Owner's Certificate
 4. Village Clerk
 5. Mayor, on behalf of the Mayor and Board of Trustees
 6. Village Engineer
 7. It shall be the responsibility of the party preparing the plat to determine if any additional signature blocks are required by the County or by a party granted an easement.

To entitle a final plat to be entered in the proper record books in the Office of the County Recorder of Deeds, the following properly executed certificates shall accompany it. These certificates shall be lettered or printed legibly with durable ink, or typed on the face of the plat.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)

COUNTY OF _____)ss

I, _____, a Professional Land Surveyor in the State and County aforesaid hereby certify that a Plat of _____ has been made under my supervision of the following described property:

INSERT LEGAL DESCRIPTION

I further certify that iron stakes have been set at all lot corners. Dimensions are given in feet and decimal parts thereof.

I further certify that no part of said property is situated within a flood hazard area as identified by the Federal Emergency Management Agency on the Flood Insurance Rate Map No. _____, effective date of _____.

I further certify that the foregoing property falls within the corporate limits of Village of Lake Villa which has adopted an official comprehensive plan and is exercising the special powers authorized by the State of Illinois according to 65 ILCS 5/11-2-6.

Dated at _____, Illinois, this _____ day of _____, A.D., 20__.

Surveyor

My License Expires: _____

VILLAGE CLERK'S CERTIFICATE

STATE OF ILLINOIS)

COUNTY OF LAKE) ss

I, _____, Village Clerk of the Village of Lake Villa, Illinois, hereby certify that this plat was presented to, and by resolution, only approved by the Board of Trustees of said Village at its meeting held on _____, 20__ and that the required bond or other guarantee has been posted for the completion of the improvements required by the regulations of said Village.

In witness whereof I have hereto set my hand and seal of the Village of Lake Villa:

Dated this ____ day of _____ A.D., 20__.

Village Clerk

VILLAGE CERTIFICATE

STATE OF ILLINOIS)

COUNTY OF LAKE) ss

Approved by the Mayor and Board of Trustees of the Village of Lake Villa, Lake County, Illinois.

This ____ day of _____, A.D., 20__.

BY: Mayor

Attest: Village Clerk

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)

COUNTY OF LAKE) ss

I, _____ County Clerk of Lake County, Illinois do hereby certify that there are no delinquent general taxes, no unpaid forfeited taxes, and no redeemable tax sales against any of the land described on this plat.

Given under my hand and seal at _____, Illinois this ____ day of _____ A.D. 20__.

By: County Clerk

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS)

COUNTY OF LAKE) ss

Approved by the Plan Commission of the Village of Lake Villa, Lake County, Illinois.

This ____ day of _____ A.D., 20__.

By: Chairman

Attest: Secretary

VILLAGE TREASURER'S CERTIFICATE

STATE OF ILLINOIS)

COUNTY OF LAKE) ss

Approved by the Village Treasurer of the Village of Lake Villa, Lake County, Illinois.

Dated this ____ day of _____ A.D., 20__.

Village Treasurer

VILLAGE ENGINEER'S CERTIFICATE

STATE OF ILLINOIS)

COUNTY OF LAKE) ss

Approved by the Village Engineer of the Village of Lake Villa, Lake County, Illinois.

Dated this ____ day of _____ A.D., 20__.

Village Engineer

OWNER'S CERTIFICATE

STATE OF ILLINOIS)

COUNTY OF _____)ss

This is to certify that _____ and _____ are owners of the property described hereon, and have caused the same to be surveyed and platted as indicated hereon for the uses and purposes therein set forth, and does hereby acknowledge and adopt the same under the style and title thereon indicated.

Dated this _____ day of _____ A.D., 20__.

Owner

Owner

NOTARY PUBLIC

STATE OF ILLINOIS)

COUNTY OF _____)ss

I, _____, a Notary Public in and for said county do hereby certify that _____ (insert owner(s) name(s)) _____ and _____ is personally known to me to be the same persons whose names are subscribed to the foregoing certificate as such owner, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this _____ day of _____ A.D., 20__.

Notary Public

My Commission Expires: _____

APPENDIX D

EASEMENT LANGUAGE

VILLAGE EASEMENT:

A PERMANENT, NON-EXCLUSIVE EASEMENT (THE "VILLAGE EASEMENT(S)") IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF LAKE VILLA ("THE VILLAGE") AND TO ITS SUCCESSORS AND ASSIGNS, IN, ON, UPON, ACROSS, OVER, UNDER, AND THROUGH THE VILLAGE EASEMENTS SHOWN ON THE PLAT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, INSPECTING, OPERATING, REPLACING, RENEWING, ALTERING, ENLARGING, REMOVING, REPAIRING, CLEANING AND MAINTAINING WATER MAINS, SANITARY SEWERS, STORM SEWERS, STORM DRAINS, DITCHES, SWALES AND OTHER DRAINAGE IMPROVEMENTS, AND ANY AND ALL MANHOLES, HYDRANTS, PIPES, CONNECTIONS, CATCH BASINS, BUFFALO BOXES, AND WITHOUT LIMITATION, SUCH OTHER INSTALLATIONS AS MAY BE REQUIRED TO FURNISH WATER, SANITARY SEWER, STORM SEWER SERVICE, AND DRAINAGE TO THE PROPERTY WHICH IS THE SUBJECT OF THIS PLAT AND/OR TO ANY OTHER PROPERTY IN THE VICINITY, AND SUCH APPURTENANCES AND ADDITIONS THERETO AS THE VILLAGE MAY DEEM NECESSARY, TOGETHER WITH THE RIGHT OF ACCESS ACROSS SAID VILLAGE EASEMENTS FOR THE NECESSARY PERSONNEL AND EQUIPMENT OF THE VILLAGE AND ITS EMPLOYEES, CONTRACTORS, SUBCONTRACTORS, AND AGENTS TO DO ANY OR ALL OF THE ABOVE WORK, AND THE RIGHT, BUT NOT THE OBLIGATION, IS ALSO HEREBY GRANTED TO THE VILLAGE TO DO ANY OR ALL OF THE ABOVE WORK.

THE RIGHT IS ALSO HEREBY GRANTED TO THE VILLAGE TO CUT DOWN, TRIM, OR REMOVE ANY TREES, SHRUBS, OR OTHER PLANTS THAT INTERFERE WITH THE OPERATION OF OR ACCESS TO ANY VILLAGE FACILITIES AND/OR IMPROVEMENTS IN, ON, UPON, ACROSS, OVER, UNDER, OR THROUGH SAID VILLAGE EASEMENTS. NO PERMANENT BUILDINGS, STRUCTURES, OR IMPROVEMENT OTHER THAN ASPHALT PAVEMENT SHALL BE PLACED ON SAID VILLAGE EASEMENTS, BUT SOME PORTION(S) THEREOF MAY BE USED FOR GRASS AND SUCH LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES AND RIGHTS.

UNLESS OTHERWISE SPECIFICALLY DIRECTED BY THE VILLAGE, THE RESPECTIVE OWNERS OF RECORD FROM TIME TO TIME OF THE PROPERTY UNDERLYING SAID VILLAGE EASEMENTS SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND RESTORATION FROM TIME TO TIME OF THE SURFACE AREA, WHETHER GRASS, LANDSCAPING AND/OR PAVED SURFACE WITHIN THOSE PORTIONS OF SAID VILLAGE EASEMENTS. IN THE EVENT THE OWNER FAILS TO FULFILL SAID RESPONSIBILITIES, THE VILLAGE MAY, BUT SHALL NOT BE OBLIGATED, TO FULFILL SAID RESPONSIBILITIES. THE VILLAGE MAY BRING AN ACTION AT LAW AGAINST THE DELINQUENT OWNER OR OWNERS OF RECORD OF SAID PROPERTY TO COLLECT SUCH COSTS, INCLUDING BUT NOT LIMITED TO, ATTORNEY'S FEES AND OTHER COSTS OF COLLECTION.

ANY CONFLICTS IN THE USE OF SUCH VILLAGE EASEMENT(S) SHALL BE RESOLVED BY A FINAL DETERMINATION BY THE VILLAGE ADMINISTRATOR, OR HIS DESIGNEE.

COMBINED VILLAGE AND PUBLIC UTILITY EASEMENT:

A PERMANENT, NON-EXCLUSIVE EASEMENT (THE "PUBLIC UTILITY EASEMENT(S)") IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF LAKE VILLA ("THE VILLAGE") AND PUBLIC UTILITY COMPANIES (INCLUDING BUT NOT LIMITED TO FRANCHISED CABLE TV COMPANIES) AND TO THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, IN, ON, UPON, ACROSS, OVER, UNDER, AND THROUGH THE PUBLIC UTILITY EASEMENT(S) AS SHOWN AND SO LABELED ON THE PLAT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, INSPECTING, OPERATING, REPLACING, RENEWING, ALTERING, ENLARGING, REMOVING, REPAIRING, CLEANING AND MAINTAINING PUBLIC UTILITIES AND CABLE TV SERVICE FRANCHISED BY THE VILLAGE, WATER MAINS, SANITARY SEWERS, STORM SEWERS, STORM DRAINS, DITCHES, SWALES, AND OTHER DRAINAGE IMPROVEMENTS, AND ANY AND ALL MANHOLES, HYDRANTS, PIPES, CONNECTIONS, CATCH BASINS, BUFFALO BOXES, AND WITHOUT LIMITATION, SUCH OTHER INSTALLATIONS AS MAY BE REQUIRED TO FURNISH PUBLIC UTILITIES, WATER, SANITARY SEWER AND STORM SEWER SERVICES TO THE PROPERTY WHICH IS THE SUBJECT OF THIS PLAT AND/OR TO ANY OTHER PROPERTY IN THE VICINITY, AND SUCH APPURTENANCES AND ADDITIONS THERETO AS THE VILLAGE MAY DEEM NECESSARY, TOGETHER WITH THE RIGHT OF ACCESS ACROSS SAID PUBLIC UTILITY EASEMENTS FOR THE NECESSARY PERSONNEL AND EQUIPMENT OF THE VILLAGE AND ITS EMPLOYEES, CONTRACTORS, SUBCONTRACTORS, AND AGENTS TO DO ANY OR ALL OF THE ABOVE WORK, AND THE RIGHT, BUT NOT THE OBLIGATION, IS ALSO HEREBY GRANTED TO THE VILLAGE TO DO ANY OR ALL OF THE ABOVE WORK.

THE RIGHT IS ALSO HEREBY GRANTED TO THE VILLAGE TO CUT DOWN, TRIM, OR REMOVE ANY TREES, SHRUBS, OR OTHER PLANTS THAT INTERFERE WITH THE OPERATION OF OR ACCESS TO ANY VILLAGE AND/OR PUBLIC UTILITY FACILITIES IN, ON, UPON, ACROSS, OVER, UNDER, OR THROUGH SAID PUBLIC UTILITY EASEMENTS. NO PERMANENT BUILDINGS, STRUCTURES, OR IMPROVEMENT OTHER THAN ASPHALT PAVEMENT SHALL BE PLACED ON SAID VILLAGE UTILITY EASEMENTS, BUT SOME PORTION(S) THEREOF MAY BE USED FOR GRASS AND SUCH LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES AND RIGHTS.

UNLESS OTHERWISE SPECIFICALLY DIRECTED BY THE VILLAGE, THE RESPECTIVE OWNERS OF RECORD FROM TIME TO TIME OF THE PROPERTY UNDERLYING SAID VILLAGE UTILITY EASEMENTS SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND RESTORATION FROM TIME TO TIME OF THE SURFACE AREA, WHETHER GRASS, LANDSCAPING AND/OR PAVED SURFACE WITHIN THOSE PORTIONS OF SAID PUBLIC UTILITY EASEMENTS. IN THE EVENT THE OWNER FAILS TO FULFILL SAID RESPONSIBILITIES, THE VILLAGE MAY, BUT SHALL NOT BE OBLIGATED, TO FULFILL SAID RESPONSIBILITIES. THE VILLAGE MAY BRING AN ACTION AT LAW AGAINST THE DELINQUENT OWNER OR OWNERS OF RECORD OF SAID PROPERTY TO COLLECT SUCH COSTS, INCLUDING BUT NOT LIMITED TO, ATTORNEY'S FEES AND OTHER COSTS OF COLLECTION.

ANY CONFLICTS IN THE USE OF SUCH EASEMENT(S) SHALL BE RESOLVED BY A FINAL DETERMINATION BY THE VILLAGE ADMINISTRATOR, OR HIS DESIGNEE.

PUBLIC UTILITY EASEMENT:

A PERMANENT, NON-EXCLUSIVE EASEMENT (THE "PUBLIC UTILITY EASEMENT(S)") IS HEREBY RESERVED FOR AND GRANTED TO PUBLIC UTILITY COMPANIES (INCLUDING BUT NOT LIMITED TO FRANCHISED CABLE TV COMPANIES) AND TO THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, IN, ON, UPON, ACROSS, OVER, UNDER, AND THROUGH THE PUBLIC UTILITY EASEMENT(S) AS SHOWN AND SO LABELED ON THE PLAT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, INSPECTING, OPERATING, REPLACING, RENEWING, ALTERING, ENLARGING, REMOVING, REPAIRING, CLEANING AND MAINTAINING PUBLIC UTILITIES AND CABLE TV SERVICE FRANCHISED BY THE VILLAGE OF LAKE VILLA ("THE VILLAGE"), AND WITHOUT LIMITATION, SUCH OTHER INSTALLATIONS AS MAY BE REQUIRED TO FURNISH THEIR RESPECTIVE PUBLIC UTILITY SERVICES TO THE PROPERTY WHICH IS THE SUBJECT OF THIS PLAT AND/OR TO ANY OTHER PROPERTY IN THE VICINITY, AND SUCH APPURTENANCES AND ADDITIONS THERETO AS THE VILLAGE MAY DEEM NECESSARY, TOGETHER WITH THE RIGHT OF ACCESS ACROSS SAID PUBLIC UTILITY EASEMENTS FOR THE NECESSARY PERSONNEL AND EQUIPMENT OF SAID PUBLIC UTILITIES AND THEIR RESPECTIVE EMPLOYEES, CONTRACTORS, SUBCONTRACTORS, AND AGENTS TO DO ANY OR ALL OF THE ABOVE WORK, AND THE RIGHT, BUT NOT THE OBLIGATION, IS ALSO HEREBY GRANTED TO THE VILLAGE TO DO ANY OR ALL OF THE ABOVE WORK.

THE RIGHT IS ALSO HEREBY GRANTED TO THE VILLAGE OR TO THE RESPECTIVE PUBLIC UTILITY COMPANIES TO CUT DOWN, TRIM, OR REMOVE ANY TREES, SHRUBS, OR OTHER PLANTS THAT INTERFERE WITH THE OPERATION OF OR ACCESS TO ANY PUBLIC UTILITY FACILITIES IN, ON, UPON, ACROSS, OVER, UNDER, OR THROUGH SAID PUBLIC UTILITY EASEMENTS. NO PERMANENT BUILDINGS, STRUCTURES, OR IMPROVEMENT OTHER THAN ASPHALT PAVEMENT SHALL BE PLACED ON SAID VILLAGE UTILITY EASEMENTS, BUT SOME PORTION(S) THEREOF MAY BE USED FOR GRASS AND SUCH LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES AND RIGHTS.

UNLESS OTHERWISE SPECIFICALLY DIRECTED BY THE VILLAGE, THE RESPECTIVE OWNERS OF RECORD FROM TIME TO TIME OF THE PROPERTY UNDERLYING SAID PUBLIC UTILITY EASEMENTS SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND RESTORATION FROM TIME TO TIME OF THE SURFACE AREA, WHETHER GRASS, LANDSCAPING AND/OR PAVED SURFACE WITHIN THOSE PORTIONS OF SAID PUBLIC UTILITY EASEMENTS. IN THE EVENT THE OWNER FAILS TO FULFILL SAID RESPONSIBILITIES, THE VILLAGE OR THE RESPECTIVE PUBLIC UTILITY MAY, BUT SHALL NOT BE OBLIGATED, TO FULFILL SAID RESPONSIBILITIES.

ANY CONFLICTS IN THE USE OF SUCH PUBLIC UTILITY EASEMENT(S) SHALL BE RESOLVED BY A FINAL DETERMINATION BY THE VILLAGE ADMINISTRATOR, OR HIS DESIGNEE.

STORMWATER MANAGEMENT EASEMENT:

A PERMANENT, NON-EXCLUSIVE EASEMENT FOR STORMWATER MANAGEMENT (THE "STORMWATER MANAGEMENT EASEMENT(S)") IS HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF LAKE VILLA ("THE VILLAGE") AND ITS SUCCESSORS AND ASSIGNS TO INSTALL, REPAIR, MAINTAIN, CONSTRUCT, RECONSTRUCT, ALTER AND OPERATE STORM SEWERS, STORM DRAINS, DITCHES, AND SWALES, DETENTION AND/OR RETENTION PONDS OR AREAS, OUTLET STRUCTURES OR ANY OTHER STORMWATER MANAGEMENT IMPROVEMENTS AND STRUCTURES (ALL COLLECTIVELY REFERRED TO HEREIN AS "STORMWATER IMPROVEMENTS") IN, INTO, UPON, OVER, ACROSS AND UNDER THE PROPERTY EMBRACED WITHIN THE AREA(S) SO SHOWN AND LABELED ON THE PLAT AND FOR THE PURPOSES OF THE OPERATION AND MAINTENANCE OF SUCH APPURTENANCES AND ADDITIONS THERETO AS THE VILLAGE MAY DEEM NECESSARY, TOGETHER WITH THE RIGHT OF ACCESS ACROSS THIS STORM WATER MANAGEMENT EASEMENT FOR THE NECESSARY PERSONNEL AND EQUIPMENT OF THE VILLAGE AND ITS EMPLOYEES, CONTRACTORS, SUBCONTRACTORS, AND AGENTS TO DO ANY OR ALL OF THE ABOVE WORK, AND THE RIGHT, BUT NOT THE OBLIGATION, IS HEREBY GRANTED TO THE VILLAGE TO DO ANY OF THE ABOVE WORK. NO PERMANENT BUILDINGS, STRUCTURES, OR TREES SHALL BE PLACED UPON SAID STORMWATER MANAGEMENT EASEMENT, OTHER THAN THOSE STRUCTURES NECESSARY FOR THE MANAGEMENT OF STORMWATER AS APPROVED BY THE VILLAGE. UNLESS OTHERWISE SPECIFICALLY DIRECTED BY THE VILLAGE, THE RESPECTIVE OWNERS OF RECORD FROM TIME TO TIME OF THE PROPERTY UNDERLYING SAID STORMWATER MANAGEMENT EASEMENT SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND RESTORATION FROM TIME TO TIME OF THE STORMWATER MANAGEMENT EASEMENT, WHETHER GRASS, LANDSCAPING, AND/OR PAVED SURFACE WITHIN THOSE PORTIONS OF SAID STORM WATER MANAGEMENT EASEMENT, AND THE COSTS THEREFOR SHALL BE THE RESPONSIBILITY OF THE OWNER(S) OF THE PROPERTY, IN THE EVENT THE OWNER(S) FAIL TO FULFILL SAID RESPONSIBILITIES, THE VILLAGE MAY, BUT SHALL NOT BE OBLIGATED, TO FULFILL SAID RESPONSIBILITIES. THE VILLAGE MAY BRING AN ACTION AT LAW AGAINST THE DELINQUENT OWNER OR OWNERS OF RECORD OF SAID PROPERTY TO COLLECT SUCH COSTS, INCLUDING BUT NOT LIMITED TO ATTORNEY'S FEES AND OTHER COSTS OF LITIGATION.

ANY CONFLICTS IN THE USE OF SUCH STORMWATER MANAGEMENT EASEMENT(S) SHALL BE RESOLVED BY A FINAL DETERMINATION BY THE VILLAGE ADMINISTRATOR, OR HIS DESIGNEE.