

CHAPTER 10

SUBDIVISION AND PLATTING OF LANDS amended in Ordinance 1998-2 dated March 4, 1998

.01 PURPOSE.

That for the purpose of the present and future development of the City of Fairbury, and for the promotion of the public health, and the safety, comfort, and welfare of persons living within the territory governed, the provisions and regulations hereinafter contained which shall govern the subdividing the platting of lands lying within the corporate limits of the City of Fairbury as now or hereafter existing or within the area of jurisdiction of Fairbury as now or hereafter established under the provisions of the Statutes of the State of Illinois, are hereby adopted as part of the Official Plan of the City of Fairbury.

.02 DEFINITION OF TERMS:

For the Purpose of this Chapter, certain words, phrases and terms shall be construed as follows:

ANNEXATION is the process of incorporating certain described property into the City of Fairbury.

BOND shall be in the amount of the Engineers estimate plus 15% engineering and contingencies; of which 10% is to be retained 1 year after acceptance of subdivision. Bonds shall be approved by the City Attorney and City Engineer before acceptance by the City. Attorney and City Engineer fees for review of bonds shall be paid by the subdivider to the City.

CITY is the City of Fairbury, Illinois.

CITY ATTORNEY is the duly appointed attorney for the City of Fairbury.

CITY ENGINEER is a Professional Engineer, employed by the City of Fairbury and licensed to practice in the State of Illinois.

COUNCIL is the City Council of the City of Fairbury, Illinois.

DOCUMENT RECORDINGS are Final Plat, Annexation Ordinance and other documents as determined by the City Attorney to be recorded at the County Seat. All recording and attorney fees shall be paid by the developer.

DRAINAGE EASEMENT shall be those easements recorded for stormwater drainage only.

ENGINEER is a Professional Engineer, employed by the subdivider and licensed to practice in the State of Illinois.

FINAL PLAT is a drawing of a subdivision which has been accurately surveyed and such survey marked on the ground so that streets, alleys, blocks, lots, easements or other divisions thereof can be identified.

FIRE LANE is a twenty (20) foot lane used for fire apparatus.

FLOODPLAIN is that area designated by the Flood Insurance Study compiled by the Federal Emergency Management Agency that is known to be in a flood hazard area.

IRREVOCABLE LETTER OF CREDIT shall be in the amount of the Engineers estimate; plus 15% engineering and contingencies of which 10% is to be a retainer for 1 year; after acceptance of subdivision. It shall be automatically renewable yearly and approved by the City Attorney before acceptance by the City. Attorney and City Engineer fees for review of Letter of Credits shall be paid by the subdivider to the City.

LIFT STATION is an underground appurtenance to pump waste water.

OUTLOT is an area of land that cannot be developed as a lot by City of Fairbury zoning definition.

OWNER is any person or persons, firm association, partnership, private corporation, or combination of

the preceding having any legal, equitable or beneficial interest in the land to be subdivided.

PLANNING COMMISSION is a group of individuals appointed by the City. This commission shall recommend land development and growth for the City of Fairbury.

PRE-ANNEXATION AGREEMENT is an agreement between the CITY and the owner/developer - prior to annexation and or any development.

PRELIMINARY PLAN is a preliminary drawing and supporting data, indicating the proposed layout of the subdivision in sufficient detail to provide adequate basis for review by the City, meeting the requirements of these regulations.

RECORD DRAWINGS are drawings of all utilities, streets, water, sewer, easements, lots, etc. as they were constructed.

RETAINER is 10% of total of the Engineers estimate including engineering and contingencies held for 1 year after acceptance of subdivision. Retainer to be released after 1 year with final approval of subdivision.

SUBDIVIDER is any individual, legal entity or agent thereof which undertakes the subdivision of land.

SUBDIVISION means the configuration of lots of record, outlots, public rights-of-way and public improvements which result from subdividing land in accordance with the procedures, requirements and standards of this Code.

SURVEYOR is a land surveyor registered as such in the State of Illinois as provided in the Illinois Revised Statutes.

UTILITY EASEMENT shall be a minimum of 15'in width easement on designated lots for utilities to use.

ZONING BOARD OF APPEALS is the entity that hears and decides appeals for changes in zoning.

.03 SUITABILITY OF LAND FOR SUBDIVIDING.

Lands subject to flooding, or land in a Flood Plan, and land deemed to be topographically unsuitable should not be subdivided for residential purposes, nor for such other uses as may increase danger to health, life or property, or aggravate erosion or flood hazard.

The Council shall not approve the subdivision of land if upon adequate investigation and the opinion of the City Engineer, it has been determined that in the best interest of the public, the site is not suitable for subdivision and development of the kind proposed.

- (a) Pre-application Conference. Prior to the submission of a Preliminary Plan as required by the Code, the owner or developer of a proposed subdivision or planned unit development shall prepare a sketch plan of such proposed subdivision or planned unit development and consult with the City Superintendent for the purpose of reviewing such sketch plan. It shall be the responsibility of the City Superintendent to contact and invite the City Engineer and the Zoning officer to a pre-application conference with the owner or developer. The purpose of such pre-application conference is to review such sketch plan which is a preliminary concept and which, after such pre-application conference, then be refined by the owner or developer into a preliminary plan as required by Section .04 (a) of this code. Said sketch plan shall be drawn to engineering scale and shall show the conceptual layout of the proposed subdivision including the general layout of streets, drainage, sewage and land uses and the present location of major natural features such as streams and lakes. The City Superintendent, City Engineer, and Zoning Officer shall advise the owner or developer at the pre-application conference whether the sketch plan is consistent with the subdivision principles of planning defined in this Code and with the Official Comprehensive Plan, Zoning Code, this Code and other applicable Codes of the City in order to assist the owner or developer prior to the preparation of the Preliminary Plan required by Section .04 (a) of this Code.

.04 PROCEDURE FOR APPROVAL OF SUBDIVISION.

Prior to consideration, all property to be subdivided shall be annexed or subject to a Pre-annexation Agreement within the corporate limits. No development shall be initiated until the annexation is completed. The steps and proceedings hereinafter set forth are hereby adopted as the procedure to be followed for the approval of subdivision of lands.

- (a) Preliminary Plan. When any owner of land lying within the corporate limits of the City of Fairbury or within the area of jurisdiction of the City desires to subdivide such lands, the owner shall submit to the City Council, a minimum of 45 days in advance of the Council meeting at which presentation is to be made, a reproducible copy and six prints of a preliminary plan, to a scale of not less than 100 feet to the inch, with supporting sheets which shall constitute a part thereof, showing the proposed plan of subdivision and all properties owned by the developer adjacent to said development. Such plat shall show and give the following information insofar as possible:
1. The boundaries of the proposed subdivision and the distances between corners; the total acreage contained therein;
 2. The name of the proposed subdivision; the name, address, phone number, and license number of the engineer who prepared the plat; the name, address, and phone number of the developer and the name, address, and phone number of the owner, if different from developer.
 3. The location of existing corporate boundary lines at or near the proposed subdivision;
 4. The character of the lands immediately adjoining the proposed subdivision, showing the subdivision thereof, if subdivided, and the location and dimensions of public streets, alleys, fire lanes, public utility easements, street pavements, sanitary sewers, storm sewers or drainage ways, water supply mains, if any, adjoining the proposed subdivision;
 5. The existing and proposed Zoning Classification under the applicable Zoning Chapter for the site and the zoning of adjacent property; zoning will be contiguous to adjacent property. A hearing by the Zoning Board of Appeals shall be required if zoning changes are desired or if property is contiguous to two (2) or more different zoning districts.
 6. The location within the proposed subdivision of any existing public streets, alleys, public utility easements, street pavements, sanitary sewers, storm sewers, water supply mains, water courses, bridges, culverts and similar facilities; the location of existing buildings, utilities and major cultural features; dimensions including size of all mains, water or sewer, street width and alleys, dimensions of utility easements and existing field tiles. The City shall require the developer to have a title search company produce an acknowledgment of easements and property description.
 7. The names, location, widths and other dimensions of proposed streets, alleys, easements, parks, playgrounds and other open spaces proposed to be dedicated for public use. NOTE: Established names of streets shall continue when in line with existing streets. Parks, playgrounds and green spaces may or may not be accepted for ownership by the City.
 8. The blocks and lots into which the project is proposed to be subdivided, with the approximate dimensions. Lot numbers shall be approved by City and U.S. Post Office prior to final acceptance.
 9. Contours at vertical intervals of not more than two feet on U.S.G.S. datum;
 10. A general description of the type, kind, character and extent of required improvements proposed to be constructed or installed. Included, shall be an itemized engineer's estimate of proposed improvements plus 15% engineering and contingencies.
 11. Summary of all restrictions intended to be imposed by the Final Plat or by deeds of conveyance as to the use of all property within the subdivision;
 12. A north arrow, scale, legend, date, and legal description of property to be developed.
 13. Such other information or data as the City Superintendent, City Attorney or City Engineer may require for the full and complete consideration of the proposed plan of subdivision. The developer shall comply with the floodplain management requirements as outlined in the National Flood Insurance Study on file with the City where applicable.
 14. The following supporting documents and data, in triplicate, shall be submitted within twelve (12) months after approval of said preliminary plat:

Construction plans prepared by a registered professional engineer licensed to practice in the State of Illinois containing at least the following:

- a. Plan and profiles showing the existing and proposed centerline or top of curb elevations of all

- streets, fire lanes and alleys in the subdivision;
- b. Plan and profiles of all proposed sanitary and storm sewers and storm drainage including ditches, detention ponds, etc. Elevations shall be referred to some permanent benchmark on U.S.G.S. Datum. Whenever practical, profiles shall be drawn to a horizontal scale of 50 feet to one inch and vertical scale of five feet to one inch. Sanitary sewers shall be located in street right-of-ways only.
- c. Location plan of all proposed water mains and appurtenances, and necessary details. Elevations shall be referred to some permanent benchmark on U.S.G.S. Datum. Whenever necessary profiles shall be drawn to a horizontal scale of 50 feet to one inch and vertical scale of five feet to one inch. Water mains shall be located in street right-of-ways only.
- d. Utility easements shall be shown on the front of all lots and as otherwise required; minimum 15' wide for gas, telephone, cable TV, electric, etc. No water or sewer mains shall be allowed in a utility easement.

- (b) City Council Action on Preliminary Plan. The Council shall, by motion, act on the preliminary plan for approval or denial within 60 days after presentation. In the event the City establishes a Planning Commission, all plans shall be submitted to said commission prior to Council approval; subject to modifications or denial.
- (c) Disapproval of Preliminary Plan. If the proposed plan of subdivision as shown by said preliminary plan is disapproved, the original plat shall be returned to the subdivider, with a written statement of the reasons for such disapproval within 10 days of such action.
- (d) Approval of Preliminary Plan. If the proposed preliminary plan of subdivision is approved, the original plat and one print or copy of the plat shall be so endorsed. The original of the preliminary plan, so endorsed, shall remain on file with the Council and the copy of the plat so endorsed shall be returned to the subdivider. This plan shall be valid for 24 months. If an extension is needed, it shall require resubmittal to Council for approval. If approved, the following notices shall be typed or stamped on the Preliminary Plan:

(In the event a Planning Commission is established, the following signature block shall apply.)

RECOMMENDATION OF PRELIMINARY PLAN APPROVAL BY THE PLANNING COMMISSION OF FAIRBURY, ILLINOIS:

“Notice is hereby given that this Preliminary Plan of the subdivision or planned unit development shown hereon is recommended by the Planning Commission of Fairbury, Illinois, for City Council approval with the modifications contained in Appendix A (if any), which is attached hereto.”

The Planning Commission of Fairbury, Illinois

Date _____, 20_____.

By _____, Chairman

By _____, Exec. Secretary

NOTICE OF APPROVAL OF PRELIMINARY PLAN BY THE CITY COUNCIL OF FAIRBURY, ILLINOIS:

“The Preliminary Plan of the subdivision shown hereon has received approval by the City Council of Fairbury, Illinois, subject to the modifications contained in Appendix A which is attached hereto.”

The City Council of Fairbury, Illinois

Date _____, 20_____.

By _____, Mayor

Attest:

_____, City Clerk

- (e) Waiver of Preliminary Plan Requirement. For subdivision developments of less than 2 acres, the Council may accept the construction plans for review in lieu of the preliminary plan. Final Plat may be accepted when the subdivision is completed and approved by City Engineers. Justification for a waiver must be proven, and submitted 30 days prior to Council action in writing. Notification of approval or denial shall be given within 30 days of Council decision. In the event the City establishes a Planning Commission, all plans shall be submitted to said commission prior to City approval, for review and comment.
- (f) Final Plat. After approval of the preliminary plan, the subdivider shall, within twenty-four (24) months thereafter, submit to the Council an original reproducible copy of the final plat of the subdivision in final form for recording, which shall be in substantial accordance with the preliminary plan, as approved including modifications, together with 6 prints thereof. If the developer prefers to develop the subdivision in stages, the final plat shall constitute only that portion of the approved preliminary plan which he proposes to record and develop at that time, and provided further, that such portion conforms in all respects to all matters and things included in the preliminary plan insofar as they pertain to the portion of the entire subdivision which is desired to be developed at that time. There shall be twelve (12) print reductions, 8 ½"x11", of Final Plat and supporting documents furnished to Council. The owner submitting a Final Plat shall provide all information required by this Section in the form specified. Failure of an owner to provide this information in the form specified herein shall be sufficient grounds for the City to refuse to accept the filing of a Final Plat or to reject a Final Plat in any stage of the review and approval process.

Said final plat shall be drawn in black ink on a stable plastic film to a scale of not more than 100 feet to one inch. It shall specifically show the following:

1. The name of the subdivision (no duplications shall be allowed), and the name(s), address, and phone number of the owner and/or subdivider of said subdivision.
2. The name, address, phone number and Illinois certification/license number of the registered land surveyor who prepared the plat and the date thereof.
3. The legal description of the property subdivided and acreage contained therein; easements, alleys, fire lanes and restrictions shall be included.
4. Boundary of the plat, based on accurate traverse with an error of closure not larger than 1/5000 with angular and linear dimensions;
5. Location of all permanent survey monuments;
6. All other measurements, dimensions, data and certificate required by Chapter 109 Plats, of the Revised Statutes of the State of Illinois, and all amendments thereof.
 - a. Angular error shall not exceed plus or minus twenty (20) seconds;
 - b. Lot line dimensions shall be shown in feet and hundredths of a foot;
 - c. Angles occurring in any lot line between lot corners shall be shown in degrees, minutes, and seconds;
 - d. The radii, arcs, or chords, points of tangency, and central angles for all curvilinear streets and radii for rounded corners;
 - e. Field references
 - 1) The nearest established street lines and official monuments which shall be accurately described in the plat by location, size, and elevation;
 - 2) Township and section lines, if the same, are within the boundary of the Final Plat or

within one hundred (100) feet therefrom, referenced accurately to the lines of the subdivision or planned unit development by distances and angles;

7. On any such plat showing a tract or tracts dedicated for park, playground or similar public use, if such tract or tracts are not located within the corporate limits of Fairbury, the certificate of dedication shall provide that the future official act of annexation of such tract or tracts to the City of Fairbury shall constitute an option to transfer the title to such tract or tracts upon approval of the Council for such public use. The City may or may not accept transfer with clear and free title to the City.
8. An EPA approved erosion control document shall be submitted for said plat.

(g) Supporting Documents with Final Plat. The following supporting documents and data, in triplicate, shall be submitted with said final plat:

1. Construction plans prepared by a registered professional engineer licensed to practice in the State of Illinois containing at least the following:
 - a. Plan and profiles showing the existing and proposed centerline elevations of all streets and alleys in the subdivision;
 - b. Plan and profiles of all proposed sanitary and storm sewers and storm drainage, detention ponds, etc. Elevations shall be referred to some permanent benchmark on U.S.G.S. Datum. Whenever practical, profiles shall be drawn to a horizontal scale of 50 feet to one inch and vertical scale of five feet to one inch. Sanitary sewers shall be located in street right-of-way only. (2001-16)
 - c. Location plan of all proposed water mains and appurtenances, and necessary details. Elevations shall be referred to some permanent benchmark on U.S.G.S. Datum. Whenever necessary, profiles shall be drawn to a horizontal scale of 50 feet to one inch and vertical scale of five feet to one inch. Water mains shall be located in street right-of-ways only.
 - d. Utility easements shall be shown on the front of all lots and as otherwise required; minimum 15' wide. No water or sewer mains shall be allowed in a utility easement.
2. A detailed statement by the subdivider setting forth the nature, kind, character and extent of all the improvements that will be constructed in the subdivision, including specifications clearly describing the same with agreement to construct the same in accordance therewith, at his own expense, within the time limit fixed by the Council. The time limit shall be 1 year from notice to proceed with construction.
3. A statement by a Professional Engineer giving an itemized estimate of the total cost of the construction or installation of all such improvements, plus a 15% engineering and contingency shall be included and the cost of engineering and inspection incurred by the City.
4. A certificate by the City Engineer certifying that the improvements described in the subdivider's statement and as shown by the plans, profiles and specifications, meet the minimum requirements of this Chapter, and that the estimate of cost of construction and installation in his opinion is substantially correct.
5. A duly executed completion bond by the subdivider, with corporate surety, to be approved by the City Council, to be filed with the City Clerk of the City of Fairbury in an amount equal to the estimate of the costs of construction plus a 15% engineering and contingency of all said improvements, certified by the City Attorney of the City, as good, valid and enforceable by the City, securing the satisfactory completion of all said improvements in accordance with the description, plans, profiles and specifications submitted by the subdivider and approved by the City Council. Upon completion and acceptance, there shall be required a 10% retainer for 1 year for a warranty period to be used to repair or replace any defects.
6. An Irrevocable Letter of Credit shall be allowed until final acceptance of subdivision and 10% retainer for 1 year thereafter of a completion bond. It shall be automatically renewed every year. It shall be approved by the City Attorney prior to City Council acceptance. It shall be for the amount of the engineer estimate plus 15% engineering and contingency of all said improvements, certified by the City Attorney of the City, as good, valid and enforceable by the City, securing the

satisfactory completion of all said improvements in accordance with the description, plans, profiles and specifications submitted by the subdivider and approved by the City Council. Upon completion and acceptance, there shall be required a 10% retainer for 1 year. This, a warranty period to be used to repair or replace any defects.

- (h) Approval of Final Plat by City Council. Within sixty (60) days of submittal of final plat, the City Council is required to approve or deny said plat. If the City Council approves the final plat with all proposed improvements, conditions and documents pertaining to the subdivision, the Council shall, by ordinance, approve the said plat and authorize and direct the Mayor and City Clerk to sign the plat and in the name of the City of Fairbury and attach thereto the Corporate Seal.
1. In the event the Final Plat is approved prior to construction, all property pins shall be replaced and pinned prior to final approval and any building allowed. The City will require Record drawing plans of all works. Record drawings will be required of all utilities prior to final acceptance.
 2. In the event the Council allows the subdivision construction first, the final plat approval is implied. The Final Plat process would follow with all property pins being installed prior to submittal of Final Plat. The City will require Record drawing plans of all works. Record drawings will be required of all utilities prior to final acceptance.
- (i) Recording of Final Plant. The City Clerk shall retain such final plat so approved, and upon payment by the subdivider to the Clerk of the estimated cost of recording and attorney fees. The City Attorney shall record the plat in the Office of the Recorder of Deeds, Livingston County, Illinois. The support documents transmitted with said final plat to the City Council shall be filed in the Office of the City Clerk. Said final plat, after recording, shall remain on file in the Office of the City Clerk. The print or copy of the final plat, with copy of the approval thereof by the City Council, and one copy of all supporting documents shall be delivered to the subdivider.

.05 PLAT INVALID WITHOUT APPROVAL.

After the passing of this Chapter, no plat of any subdivision shall be valid nor entitled to record unless and until the same has been approved by the Council of the City of Fairbury, Illinois in accordance with the procedure as provided in this chapter, and no plat of a subdivision shall be approved without compliance with the standards of design and improvements required as provided in this chapter.

.06 STANDARDS OF DESIGN AND REQUIRED IMPROVEMENTS.

The following requirements are hereby adopted as the minimum standards of design of a subdivision and of improvements required to be constructed or installed therein.

(a) Design Standards - Streets.

1. A public street or streets shall be provided to afford convenient access to all property within the subdivision. No private street, thoroughfare, or access by easement or fire lane shall be permitted. All lots shall front on a public street.
2. The proposed street system shall extend existing adjoining streets unless the extension thereof would not be practical. Any deviation shall require a written request and supporting documentation prior to approval.
3. Where, in the opinion of the Council, it is desirable to provide for street access to adjoining property, the proposed streets shall be extended, dedicated, and constructed to the boundary of such property.
4. Street Widths - The minimum width of right-of-way of streets, measured at right angles between the lines of property abutting upon the right-of-way, shall not be less than the following:
 - a. Major streets, a high average daily traffic; a high potential for the location of significant community facilitators as well as retail, commercial, and industrial facilities; 80 feet;
 - b. Residential streets, 60 feet shall be required. (2015-5)
 - c. Cul-de-sacs, which are permanent dead end streets, shall not be over 500 feet in length and

- have a permanent turn-around having an inside diameter of not less than 100 feet with curb & gutter. (2015-5)
- d. Alleys, to serve business, commercial, industrial and multiple family areas, 20 feet and shall be of 8" gravel base minimum.
 - e. All dead end streets shall require the developer to place permanent reflective barricades and signs warning of dead-end streets.
 - f. Industrial streets; 70 feet width with curb and gutter, cul-de-sac inside diameter 140 feet.
5. In the case of the extension of an existing adjoining street right-of-way having a width less than the minimum requirement, the Council may approve the extension thereof at the same width.
 6. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the right-of-way.
 7. When the subdivision is located on only one side of an existing right-of-way, which is less than the required width, the subdivider shall dedicate additional right-of-way to meet the requirement, but not exceeding one-half of the total required width.
 8. In cases where topography or other conditions make the dedication of a street or part thereof of the required minimum width impractical, the Council may modify the above requirements.
 9. Street intersections shall be as near to the perpendicular as possible, but in no instance more than $5^{\circ} \pm$ from perpendicular.
 10. Street Grades - Grades of major streets shall not exceed 7 percent. Grades of other streets shall not exceed 10 percent. Minimum grade to be 0.40 percent.
 11. Curves in Streets - Horizontal and vertical curves in streets shall not be sharper than that specified by the Illinois Department of Transportation Design Manual as reasonably safe for traffic at the particular location of the curve.
 12. Street Jogs - Street jogs with centerline offsets of less than 125 feet shall not be permitted if the same can be reasonably avoided.
 13. Street Names - Proposed streets which are obviously in alignment or a continuation of existing streets already named, shall bear the name of such existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of the suffix street, avenue, road, boulevard, way, drive, place or court or an abbreviation thereof.
 14. Blocks.
 - a. Blocks shall not be less than 250 feet nor more than 1000 feet in length, except as the Council considers necessary to secure efficient use of land or desired features of the street pattern.
 - b. In blocks 600 feet or more in length, the Council may require a public easement for pedestrian travel, of not less than 10 feet in width, with a four (4) foot sidewalk to extend entirely across the block at the location deemed necessary.
 - c. Blocks shall be wide enough to allow two tiers of lots, except where fronting on major streets or prevented by topographical conditions or size of the property, in which case the Council will approve a single tier of lots.
 15. Lots.
 - a. Side lot lines shall be at right angles to straight street lines or radial on curved street lines.
 - b. The size of lots laid out and intended for business or multi-family use shall be adequate to provide for off-street service and parking facilities required by the type of use and development contemplated. See: Zoning Ordinance
 - c. The size and width of lots shall be in no case less than the minimum requirements of the applicable zoning ordinance.
 - d. No out-lot shall be allowed without the Council and City Engineer approval. Out-lots must be reviewed and substantial evidence provided for their need of existence. Out-lots may not be used to restrict extensions of planned streets or utilities to areas beyond the subdivision.

16. Easements.

- a. Easements shall be at least fifteen (15) feet width for utilities (other than water, sewer, or storm sewer). Fifteen (15) feet wide easements (7.5 feet on each side of the lot line) shall be dedicated along the side lot lines where necessary. The easements shall be so laid out that a proper continuity may be had for such utilities from lot to lot and from block to block. No buildings shall be constructed upon the easements.

17. Fire Lane - Fire Lanes may be required having a width of twenty (20) feet provided at the rear of lots whose intended use is for business, commercial, industrial or multiple family housing. Fire Lanes shall not be provided in a single family residential block except where the subdivider produces evidence satisfactory to Council for the need of fire lanes. Fire Lanes shall be constructed with a minimum of 8" gravel base with 3" Bituminous concrete or 8" concrete.

18. Public Utilities - Telephone, cable television, electric service lines, and any other transmission lines shall be placed underground entirely throughout a subdivided area. Said conduits or cables shall be placed within easements only; in a manner which will not conflict with other underground service.

19. Dead End Streets - All dead end streets shall require the developer to place permanent reflective barricades and signs warning of dead-end streets.

(b) Construction Standards - Streets.

1. The latest edition of the Standard Specifications for Road and Bridge Construction as adopted by the Illinois Department of Transportation shall govern the construction of streets.
2. Streets shall be graded and furnished with a base course of compacted crushed stone or gravel to an eight (8) inch thickness, bituminous concrete surface of 1 ½" thickness and 1 ½" bituminous concrete binder course; minimum three (3) inch, compacted in place in accordance with the State of Illinois specification or bituminous sub-class A-3. Concrete can be used; minimum six (6) inch total thickness, eight (8) inch total thickness for industrial. Minimum width shall be 30 feet back of curb to back of curb. Additional width may be required by the City at the subdivider's expense if traffic projections and City planning indicate a need. The base course of compacted stone shall winter (1) one year prior to acceptance and final coats applied. A-3 shall have (2) two coats of oil and chips applied the first year and the third coat of same applied the following year prior to acceptance by the City. (2015-5)
3. All Cul-de-sac turn-a-rounds shall have a minimum front of curb radius of fifty (50) feet (one-hundred (100) feet diameter), industrial areas-radius is sixty (60) feet (one-hundred twenty (120) feet diameter). All street intersections shall have a minimum radius of thirty (30) feet. All curbs shall be concrete with the approval of the City Engineer/Street Superintendent. (2015-5)
4. After grading of the streets is completed and approved, and before the base course of the roadway pavement is laid, all of the underground work, such as sewer, water and gas mains, building service connections, and any underground conduits for electric and telephone lines, etc., shall be completely installed in place and approved. It shall be test rolled and approved by the City Engineer prior to base course being applied.
5. The surface course of the roadway pavement shall not be laid until the backfilling of all trenches dug for the installation of the aforementioned utility services have completely settled, or compacted to the satisfaction of the City Engineer. All back fill through and in road ways shall be granular fill approved by the City of Fairbury Street Commissioner and City Engineer. It shall be jetted or mechanically compacted in six (6) inch lifts. The base course shall be test rolled and approved by the City Engineer prior to surface course being applied.
6. Before the surface course of the roadway pavement is laid, all depressions in the base course shall be properly filled and brought to the required grade so as to create a level surface. The base course shall be test rolled and approved by the City Engineer prior to surface course being applied.
7. Signs - The subdivider shall provide signs at each intersection of a type approved by the Council, giving the name of each street.
8. Street Drainage – Storm drainage see (e) Construction Standards – Storm Drainage (2015-5)

9. Trees - If any trees are proposed to be planted on any part of the subdivision devoted to public use, the species of trees and the location thereof shall be subject to the approval and direction of the Council.
10. Permits - No construction shall begin without necessary State and/or Federal permits, where applicable.
11. Inspection - All public improvements to be made under the provisions of this Chapter shall be inspected during the course of construction by the City Engineer or other competent person appointed by the City Council. No construction shall begin without approved construction plans, shop drawings, and specifications. The subdivider shall notify the City a minimum of two (2) days in advance of commencing construction of sanitary sewers, water mains, storm sewers and streets, etc. **The compensation for such inspection and other costs incurred in connection with such inspection shall be paid by the subdivider to the City of Fairbury.** The final completion of all such improvements shall be subject to the approval thereof by the City Engineer and the Council.
12. Main Thoroughfare - There shall be two (2) entrances and/or exits to a main thoroughfare. The main thoroughfare and/or street, highway, shall be designated by the City Engineer and approved by the Council.
13. Street Lights - All developments shall include plans designed so that street lights are provided at such locations in a manner as to accomplish the following:
 - a. Provide a street light at every cross intersection or T-intersection and at the end of every cul-de-sac.
 - b. Provide such additional street lights as may be necessary so that lights are not more than two hundred fifty (250) feet apart when the distance between street intersections exceeds three hundred fifty (350) feet; for developments. Commercial / Industrial: two hundred fifty (250) feet spacing intensity shall be 250 watt, metal halide.
 - c. Provide an average illumination of 1.0 foot candles on the street surface in commercial or industrial areas and along all major or collector streets;
 - d. Street Lights in all subdivisions shall be affixed to wood, concrete, or metal poles and shall meet or exceed the following height and illumination standards:

Metal Halide - Along minor streets, ten thousand three hundred five (10,305) lumen, one hundred seventy-five (175) watt lamps shall be mounted with an eight (8) foot upsweep arm on a pole in such a way as to allow for a height of twenty-five (25) feet above street surface. Along major or collector streets, seventeen thousand five hundred (17,500) lumen, two hundred fifty (250) watt lamps shall be mounted with an eight (8) foot upsweep arm on a pole in such a way to allow for a height of thirty (30) feet above street surface.

Construction and Installation - All street lights shall meet or exceed all applicable City of Fairbury, Illinois Commerce Commission or accepted industrial standards for metal halide lights, whichever imposes the more demanding requirement for the protection and preservation of the public health, safety and welfare.

(c) Construction Standards - Sanitary Sewers.

1. When located within the area of the City sanitary sewerage systems, sanitary sewer mains shall be constructed throughout the entire subdivision in such manner as to serve adequately all lots and tracts with connection to such public system.
2. The latest edition of the Standard Specifications for Water and Sewer Main Construction in Illinois shall govern the construction of sanitary sewers and/or City of Fairbury/City Engineer standard practices.
3. Main sewer size shall be eight (8) inches minimum and larger if required by the Council to serve future areas. Service sewers shall be a minimum of six (6) inches.
4. Pipe may be extra strength vitrified clay pipe ASTM C-700 with flexible gasket, eight (8) inch SDR 26 min. pipe, ASTM D3034 with min. SDR 26 (no ABS composite) -epoxy lined ductile and flexible joints. All pipe gasketed for services; no solvent weld. Six (6) inch SDR 26 minimum for

service lines. Pipes shall require sand backfill when in or crossing roads; to surface with top eight (8) inch of road gravel. All ditches shall be jetted or mechanically compacted in six (6) inch lifts. All sewers six (6) feet in depth or less shall require marking tape or be color coded: green designates sewer. All fittings, castings, and pipe shall be manufactured in the United States.

5. Manholes shall be provided with 400 feet maximum spacing. Manhole minimum: four (4) foot on straight run, five (5) foot on corner. A junction manhole (more than two sewers and one manhole) shall be sized by the City Superintendent and the City Engineer and approved by the City Council. Manholes shall be cement sealed at all joints and seams. Pipe inlets shall be cemented smooth with interior manhole wall. Manholes shall require permanent steel markers when not in the subdivision and/or lids placed below grade. They shall be tied in at property lines. Manholes shall have no more than eight (8) inch of adjusting rings.
6. Minimum grades for eight (8) inch sewer shall be 0.40 percent; for six (6) inch service sewer, 1.0 percent.
7. If pumping station is required, it shall meet the requirements as set by the City Engineer and approved by the City Superintendent. The City shall be provided with four (4) operation and maintenance manuals, spare parts and start up service as specified by the City Superintendent. All pump stations shall require emergency back-up power.
8. Any over sizing of pipe required by the City; the City shall pay for cost differences in size of pipe only up to twelve (12) inches. All other over twelve (12) inches shall be negotiated prior to any construction and approval by Council.
9. Three (3) sets of record drawings and one (1) set Mylar shall be required and supplied by the developer to the City. Drawings will be reviewed and approved by the City Engineer and the City Superintendent prior to acceptance of said subdivision.
10. The City Superintendent and the City Engineer shall review all specifications and shop drawings of materials prior to approval of construction. The City will be supplied three (3) three sets of shop drawings.
11. Sewer mains shall be placed in City right-of-ways, if practical; not under street pavements.
12. All field tile shall be located and replaced when broken or cut by all contractors and utilities. Replacement and costs are the responsibility of the developer.
13. Proof of all EPA permits shall be required prior to construction; water, sewer, storm drainage, etc. Letters of other state and local agencies required for sign off shall be provided to the City prior to construction.
14. Sewer services shall be stubbed beyond the utility easement and at an elevation to eliminate basement hook-ups. Sewers shall be marked with 2"x4" boards, painted green, extending four (4) feet above ground level and four (4) feet below with a four (4) foot steel post wired one foot below grade.
15. There shall be a minimum water/sewer tap-on inspection fee per lot as established by City ordinance.
16. All sewers shall be televised and recorded on tape. TV shall be color with rotating lens and head of 180 degree minimum. Tapes shall be given to the City Superintendent. The tape is not in lieu of pressure test, mandrel, lamping or any other requirement as set forth in construction standards. The City Superintendent and/or City Engineer shall be present during televising.
17. No ground water will be allowed to enter the City sewer system during construction. All newly constructed sewers shall be cleaned prior to acceptance. In the event water was let into existing sewers, the City Engineer and/or City Superintendent may require the city sewer to be televised and cleaned.
18. All contractors and sub-contractors will submit to the City their name, address, phone number, along with copies of all insurance, bonds, etc. required by the Developer.
19. The property owner is responsible for said building sewer line in its entirety, from building to city main, including tap into city main and all cleanouts. Any maintenance or repair costs are at the expense of property owner. (2017-13)
20. The city does not maintain, repair or replace any described building sewer. (2017-13)

(d) Construction Standards - Water Supply.

1. When located within the service area of the City water supply system, water mains shall be

constructed throughout the entire subdivision in such a manner as to serve adequately all lots and tracts with connection to such system.

2. The latest edition of the Standard Specifications for Water and Sewer Construction in Illinois shall govern the construction of water mains and/or City of Fairbury/City Engineer standard practices.
3. Water mains shall be not less than eight (8) inch main lines as specified by the City and six (6) inch branch lines. If the Council determines that a larger size is necessary in order to adequately serve the area, the subdivider shall provide such larger size main at his expense.
4. Water mains may be constructed of Ductile Iron ANSI A21.51, C1 50 or PVC ASTM 2241, SDR 21 minimum. All pipe gasketed for services; no solvent weld. They shall be laid at Five (5) foot minimum cover. Pipe shall have mechanical or single-gasket type joints, ductile pipe shall be cement lined and seal coated. Non-metallic pipe, color coded by blue marking tape or pipe solid blue in color shall be provided with adequate tracer-line from all mains and service line curb stops. All pipe, valves, fittings, and hydrants shall be manufactured in the United States.
5. Three-way fire hydrants shall be provided spaced at intervals not exceeding four-hundred (400) feet, three hundred (300) foot intervals for industrial areas. They shall conform to AWWA Specifications with National STD thread. Hydrants shall be Mueller, Super Centurion 250, or Clow Medallion; three way. There shall be an anchor tee with valve placed on main stub pipe to hydrant. In the event the hydrants are not available, the City Superintendent and/or City Engineer shall specify type.
6. Resilient seat gate valves and boxes shall be provided with a maximum spacing of 900 feet or where specified by the City Superintendent. Valves shall be provided at each street and/or main intersection to isolate each block. They shall conform to AWWA Specifications.
7. Water services shall be a minimum of one (1) inch copper tubing and shall have compressions joints. Each service shall be provided with bronze curb stop and a telescopic box of cast iron or first grade steel with hex nut lid. All services one (1) inch through two (2) inch shall be K copper. Service shall be marked with 2"x4" boards, painted blue, extending a minimum of four (4) feet above ground level
8. Any over sizing of pipe required by the City, the City shall pay for cost differences in size of pipe only up to twelve (12) inches. All other over 12" shall be negotiated prior to any construction and approval by Council.
9. Three (3) sets of shop drawings shall be required and supplied by the developer to the City. The drawings will be reviewed and approved by the City Engineer and City Superintendent prior to construction of subdivision and/or acceptance of said subdivision.
10. The City Superintendent and City Engineer shall review all specifications and shop drawings of materials prior to approval of construction. The City shall be furnished three (3) sets.
11. Water mains shall be placed in City right-of-ways (if practical); not under street pavements. Approved granular back-fill shall be required where mains cross streets or are in streets to surface with top eight (8) inches of road gravel. All ditches shall be jetted or mechanically compacted in six (6) inch lifts.
12. All field tile shall be located and replaced when broken or cut by all contractors and utilities. Replacement and costs are the responsibility of the developer.
13. Proof of all EPA permits shall be required prior to construction; water, sewer, storm drainage, etc. Letters of other state and local agencies required for sign off shall be provided to the City prior to construction.
14. Water services shall be stubbed to the property line and at five (5) feet below grade to eliminate freeze-up. A five (5) foot cover shall be required in all ditches and ditch crossings. They shall be marked with 2"x4" boards, painted blue, extending a minimum of four (4) feet above ground level.
15. There shall be a minimum water/sewer tap-on inspection fee per lot as established by City ordinance.
16. Water mains shall be pressured tested at 2 times normal operating pressure of the City. Zero leakage-a tight system-shall be required. Mains shall be tested after service connections and services are installed to the property line. Mains shall be tested in the presence of the City Engineer and/or City Superintendent.
17. Water mains encased shall require centering devices and end caps as per City Superintendent specs.
18. Retainer glands may be used. Blocking shall be required with or without retainer glands on all

Tees, valves, fittings, hydrants, etc., as specified by the City Engineer and/or City Superintendent.

(e) Construction Standards - Storm Drainage.

An adequate system of storm water drainage shall be constructed and installed, consisting of pipes, culverts, tiles, manholes, inlets and other necessary facilities, that will adequately drain the subdivisions and protect roadway pavements and will prevent the accumulation of storm water at any place under normal conditions. Open drainage ditches are prohibited. Storm sewer system design shall be based on a five (5) year storm frequency. The maximum distance between storm sewer manholes shall be 400 feet. The minimum pipe size shall be twelve (12) inch I.D. The latest edition of the Standard Specifications of Water and Sewer Main Construction in Illinois shall govern the construction of storm sewers. Such drainage system shall be subject to the approval of the City Engineer. Proof of storm drainage permit and applications shall be furnished from IEPA. Any future storm water drainage for new development shall be documented with plans. (2001-16)

Photos of all drainage current and future and all easement agreements shall be provided. All storm detention basin shall be approved by the City Engineer. The City will not take ownership of said basins. Detention basin easement and maintenance is the responsibility of the property owner(s).

Drainage of Surface Water - The owner shall provide an evaluation by a registered professional engineer of the drainage characteristics of the territory included within the proposed subdivision together with a description of the proposed storm water runoff system, structures and other facilities which will control drainage from the subdivision. The evaluation shall include computations of the drainage area, the area of the subdivision, the percent of the total drainage basin area occupied by the subdivision and the basis of the internal drainage system including detention and/or retention facilities. Plans and profiles showing the proposed drainage system drawn to a convenient scale and adequately dimensioned shall be submitted along with the calculations used by the engineer in preparing such documentation. In general, the proposed drainage system shall be designed to channel the flow of storm waters in the natural drainage way by gravity and shall, in addition, be designed to prevent increases in velocity of water discharged onto adjoining lands or decrease in time of concentration on the property being subdivided. In particular, detention of storm waters must be provided as necessary to satisfy the following:

1. Storm waters which enter the City's drainage system from developed property must not exceed that which would naturally enter from the natural tributary area during and immediately after the maximum storm event which can be expected to occur once every five (5) years and also immediately after the maximum storm event which can be expected to occur once every twenty-five (25) years. Runoff co-efficient and time of concentration factors shall be those approved by the City Engineer.
2. Owner's proposed facilities must be designed and constructed to prevent the overtaxing or otherwise damaging of the City's drainage system.
3. When any part of the storm waters to be discharged by any of the owner's facilities into the City's drainage system constitutes a diversion, the owner must provide detention facilities of sufficient capacity to limit the flow reaching the drainage system to the rate of flow which would have occurred previously from that portion of the area to be drained which is naturally tributary. Overflow in the course of natural drainage for the diverted flow must be provided.
4. Connections to the City's storm sewers must be at the manhole or catch basin nearest the owner's property. If no such structure exists, the owner must build a structure at the point of connection conforming to the Standard Specifications for Road and Bridge Construction published from time to time by the Illinois Department of Transportation.
5. Connections to the City's drainage system must prevent sedimentation from occurring. Proper staging or the use of siltation basins must be provided to show that sedimentation will not occur.
6. Connections to roadside ditches must have adequate protection features to prevent erosion and washing of the ditch bottom and banks.
7. If in the reasonable opinion of the City Engineer, the proposed storm water runoff system inappropriately diverts water from its natural drainage way, increases the velocity of storm waters discharged onto adjoining lands or decreases the time of concentration on the property being

subdivided, then the Planning Commission shall not recommend and the City Council shall not approve any subdivision until the owner of the property submits a plan for a storm water runoff system which does comply with the requirements of this Section.

- (f) Construction Standards - Building Services. Building services shall be constructed to connect with the utility service mains constructed within any street or thoroughfare, to serve each adjoining lot, tract, or building site; such house services shall extend from the main to a point at least two (2) feet past utility easement or seventeen (17) feet into all lots and at least two (2) feet beyond the outside lines of the proposed alley or easement.

All such building services connected with utility mains constructed within any street or thoroughfare, shall be located at the approximate center of each lot for water, 1/3 road point for sanitary sewer, and no deviation shall be made from these requirements except upon prior approval of the City Engineer and/or City Superintendent.

Sanitary service shall be brought up to a grade/elevation which shall prevent basement hook ups and be recorded in the covenant as such. No ground water or surface water shall be allowed to enter a sanitary service. All service lines water or sewer shall be located with 2 x 4 boards extended to bottom of service and four (4) feet above ground painted green for sewer or blue for water. Sewer services shall have a metal post four (4) feet long (minimum) embedded by service for future location one (1) foot below grade with the 2 x 4 board.

Upon completion of the construction in place of all such building service connections with utility mains, 3 accurate maps showing the exact locations of all such mains, together with manholes, shut-off valves and other similar facilities being a part thereof, by distance in feet from street lines, and all of such house service connections in distances in feet from the side lot lines approved by the City Engineer, shall be filed in the Office of the City Clerk.

.07 VARIANCE IN STANDARDS.

Where topographical conditions peculiar to the site or surrounding area would make the site unable to be developed (for reasons other than monetary profit) under a strict application of this Chapter 10, the owner may request a variance from the strict application of this Chapter 10. Said request for a variance shall be in writing and state the variance requested and the reason therefor. The City Engineer shall review the request for variance and make a recommendation thereon to the City Council. If, in the opinion of the City Council, such variance is necessary in order for the property to be developed and such variance may be made without destroying the intent of the provisions of this Chapter 10, then the City Council may grant the variance as requested or as modified by the City Council and subject to such conditions and restrictions as the City Council may deem appropriate. The City Council shall state in its minutes the reasoning for either denying or granting the variance and any modifications, conditions, or restrictions required for any variance which is granted. (2001-16)

.08 ACCEPTANCE OF STREETS, ETC. BY THE CITY.

If any plat of subdivision contains public streets or thoroughfares which are therein dedicated as such, whether located within the corporate limits of Fairbury or outside thereof, or contains existing streets outside of said corporate limits, the approval of the plat by the City Council, or the subsequent annexation of the property to the City, shall not constitute an acceptance by the City of such streets or thoroughfares, nor of the improvements constructed or installed thereon or therein, irrespective of any act or acts by any officer, agent or employee of the City with respect to such streets or improvements. The acceptance of such streets or thoroughfares shall be made only by the adoption of a Resolution by the City Council after approval by the City Attorney, and after there has been filed with the City Clerk a certificate by the City Engineer certifying that all improvements required to be constructed or installed in or upon such streets or thoroughfares in connection with the approval of the plat of subdivision by the City Council, have been fully completed and the construction or installation has been approved by him.

No permanent connection shall have made or maintained with the sanitary or storm sewer or water supply systems of the City to serve property within the subdivision until the systems have been properly

tested and the certificate by the Engineer of the City as hereinabove provided has been filed, and not until any money owing to the City for permit fees for the connections with said systems or any of them have been paid.

.09 DIVISION OF LANDS WITHOUT PLATTING UNLAWFUL.

From and after the effective date of this Chapter, no lot or tract of land located within the City or within the area of jurisdiction of Fairbury, and which contains an area of more than one-half acre, shall be divided or re-divided in any manner into two or more lesser tracts for building site purposes, without subdividing or re-subdividing and platting such tract in the manner provided by the Statutes of the State of Illinois.

.10 CITY COUNCIL APPROVAL OF SUBDIVISION OF SMALL TRACTS.

When there is presented to the City Council for approval a plat of subdivision of re-subdivision of a small tract of land, if the Council, after consideration thereof, is of the opinion that the intent and purpose of the provisions of this Chapter are not violated by such plat, and the construction of the improvements herein required cannot be reasonably enforced, the Council may waive the application or enforcement of the provisions of this Chapter and approve such a plat. This will require a hearing (in the event one is established) of the Planning Commission and approval prior to acceptance.

.11 ENFORCEMENT OF CHAPTER.

The Council of the City of Fairbury, by Resolution, shall appoint the enforcing officer of this Chapter, and it shall be his duty to enforce the provisions hereof. The enforcing officer may call upon any department or official of the City of Fairbury to furnish him with such information and assistance as he may deem necessary for the observance or enforcement of this Chapter, and it shall be the duty of such department or officer to furnish such information and assistance whenever required. In the event an enforcing officer is not appointed, the City Superintendent shall assume this responsibility.

.12 PENALTY.

Any person convicted of violating any of the provisions of this Chapter shall be deemed guilty of a Class C Misdemeanor as provided in Illinois Compiled Statutes, and penalized accordingly.

.13 PLANNING COMMISSION.

In the event a Planning Commission is established, written approval prior to annexation and final plat approval for any subdivision of land or plats in the City of Fairbury will be required of said commission.