

Montgomery County Subdivision Ordinance

June 12, 2012

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Section 1 – Scope and Purpose

Section 1.01 Title

This Ordinance shall be known and may be cited and referred to as the Subdivision Regulations for the County of Montgomery, Illinois, 2012.

Section 1.02 Scope and Legal Authority

For the purpose of controlling future development of the County of Montgomery and for the promotion of the public health, safety, comfort, and welfare of persons living within the territory governed, the provisions and regulations hereinafter contained shall govern the subdividing and platting of lands lying within the area of jurisdiction of the County of Montgomery.

The rules and regulation governing plats and subdivision of land contained herein shall apply within the county as permitted by State Statutes. In the event of overlapping jurisdiction within the project area, the extent of jurisdiction shall be determined and agreed upon between the county and the municipality or municipalities concerned. If the subdivision lies within one and one-half (1 ½) miles of the corporate limits of any municipality that has adopted subdivision regulations or an official plan, the subdivider shall also submit the preliminary plat to the Appointed Authority of such municipality for determining its conformity with the subdivision regulations or other applicable requirements of the official plan of such municipality. This Ordinance does not intend to repeal, annul or in any way impair or interfere with existing provisions of other laws or ordinances except to those specifically repealed by, or in conflict with this Ordinance. This Ordinance is not intended to abrogate any easement, covenant, deed restriction, or any other private agreement or restriction, provided that where the provisions of this ordinance are more restrictive or impose higher standards or regulations, than such easement, covenant, deed restriction, or other private agreement or restriction, the provisions of this ordinance shall govern.

Section 1.03 Application / Exception of Ordinance

From and after the passage of this Ordinance, no plat of any subdivision that falls under the jurisdiction of this ordinance shall be valid nor entitled to be recorded unless and until same has been approved by the Montgomery County Board, in accordance with the procedure hereinafter provided; and no plat of any subdivision shall be approved without compliance with the standards of design and improvements required as hereinafter set forth.

The exercise of plat approval power by the County Board is subject to exception where a municipality with an adopted subdivision ordinance and operating under a Comprehensive Plan shall approve all subdivision plats within one and one half miles of the corporate limits. Until approved by the corporate authorities no subdivision plat shall be recorded in Montgomery County or have any validity. No lot in a subdivision, as defined herein, may be conveyed unless a Final Plat of the property has been approved according to the requirements and provisions of this Ordinance, and recorded in the office of the Montgomery County Recorder of Deeds.

Section 1.04 Intent and Purpose

This Ordinance is adopted for the following purposes:

1. To provide one of several means for carrying out the intent of the evolving comprehensive plan and thus ensure sound, harmonious development and county growth.
2. To provide a procedure for attaining sound working relationship between the County and developer and to safeguard the interests of the homeowner, the subdivider, the investor and the County.
3. To ensure that the cost of design and installation of improvements in a new platted subdivision be borne by the developer.
4. To secure the rights of the public with respect to public land and waters.
5. To improve land records by establishing standards for surveys and plats.

Section 1.05 Interpretation

1. Where the conditions imposed by any provision of this Ordinance upon the use of land are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this Ordinance or of any other official policy, law, ordinance, resolution, rules, or regulation of any kind, the regulations which are more restrictive, or which impose higher standards or requirements, shall govern.
2. If any article, section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 1.06 Administration

This ordinance shall be administered by the Montgomery County Board as defined herein. The County Board shall have the authority to appoint a Subdivision Officer and a Subdivision and Planning Committee to assist in carrying out the provisions of this Ordinance. At the time of implementation of this ordinance, the Subdivision and Planning Committee shall be comprised of current members of the County's Road & Bridge Committee and the Subdivision Officer is the County Engineer.

Section 1.07 Plat Not Required

The provisions of this ordinance do not apply and no subdivision plat is required in any of the following instances:

1. **NOT A DIVISION OF LAND** (parcel already has an existing county real estate tax identification number and no change of parcel boundary lines)
2. **A DIVISION OF LAND** (requiring a change of parcel boundary lines) meeting one of these exceptions (Written Approval By County Plat Act Officer Is Required Below Along with Applicable Fee Prior to Recording):
 - a. The division or subdivision of land into parcel or tracts of five acres or more in size which does not involve any new streets or easements of access;

- b. The division of lots or blocks of less than one acre in any recorded subdivision, which does not involve any new streets or easements of access;
- c. The sale or exchange of parcels of land between owners of adjoining and/or contiguous land;
- d. 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 of access;
- e. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
- f. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments to the vacation of land impressed with a public use;
- g. Conveyances made to correct descriptions in prior conveyances;
- h. The sale or exchange of parcels or tracts of land following the division into no more than two parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access;
- i. The sale of a single lot of less than five acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land.

Section 1.08 Plat Required

The Montgomery County Board will require compliance with the Illinois Plat Act Law when substantial development affecting the public health, welfare and well-being warrants such compliance. Reference is hereby made to Section 1.04 Intent and Purpose. It is highly recommended that when a Plat of Survey is completed, it be recorded with the Montgomery County Recorder.

Whenever the owner of land subdivides it into two or more parts, any of which is less than five acres, he must have it surveyed and a plat thereof made by a Professional Land surveyor. The plat must describe and set forth all public access ways including roads, streets and alleys, and also show public facilities and grounds.

Section 2 – Rules and Definitions

Section 2.01 Rules

The rules and definitions contained in this section shall be observed and applied in the interpretation of all other sections therein, except when the context clearly indicates otherwise.

1. Words used in the present tense shall include the future; and words used in the singular number shall include the plural number, and the plural the singular.

2. The word "shall" is mandatory and not discretionary.
3. The word "may" is permissive.

Section 2.02 Definitions

Alley

A public right-of-way which affords a secondary means of vehicular access to the side or rear of premises that front on a nearby street.

Building Setback Line

1. A line outside the right-of-way, established by public authority or recorded plat, on the highway side of which the erection of buildings or other permanent improvement is controlled.
2. A line established by law, deed restrictions, county ordinances or resolutions, fixing the minimum distance of the exterior face of the building, walls and any other construction from a street or highway right-of-way.

County

Whenever the word "County" is used in this Ordinance, it shall be deemed to refer to the County of Montgomery, Illinois.

County Engineer

"County Engineer" shall mean the County Engineer of Montgomery County Highway Department.

Crosswalks

Crosswalks shall mean a strip of land dedicated to public use, and which is reserved across a block to provide pedestrian access to adjacent areas.

Cul-de-sac

A dead-end street which widens sufficiently at the end to permit an automobile to make a "U" turn.

Easement

An interest in land owned by another person, consisting of the right to use or control the land, or an area above or below it, for a specific limited purpose.

Highway

A general term denoting a public way for purposes of vehicular travel, including the entire area within the right-of-way.

Improvement Plans

The engineering plans showing types of materials and construction details for the physical structures and facilities to be installed in, or in conjunction with, the subdivision.

Intersection

The general area where two or more highways or streets join or cross within which are included the roadway and roadside facilities for traffic.

Lot

A plot of land, generally in a subdivision of a city, town, or village block, or some other distinct tract, represented and identified by a recorded plat.

Parcel

Generally refers to a piece of land that cannot be designated by lot number because it is not contained within a recorded subdivision.

Plat

A diagram drawn to scale showing all essential data pertaining to the boundaries and subdivisions of a tract of land, as determined by survey or protraction. A plat should show all data required for a complete and accurate description of the land which it delineates, including the bearings and lengths of the boundaries of each subdivision.

Plat Act Officer

“Plat Act Officer” shall mean a person designated by the Chairman of the County Board to review all deeds and determine whether the subdivision process is required under Illinois law.

Plat, Final

A formal, detailed drawing completed and certified by a Licensed Professional Land Surveyor. It must conform substantially to the preliminary plat which has been approved by the County Board. The Final Plat legally establishes the individual lots and streets. It is submitted to the County Recorder of Deeds for recording after approval by the County Board.

Plat, Preliminary

A conceptual drawing completed by a Licensed Professional Land Surveyor, showing general information on proposed and existing street right-of-ways, easements, lot size and configuration and the location of proposed and existing utilities, and typical road cross-sections. Preliminary Plats are not intended to address and answer all design issues; the purpose of a Preliminary Plat is to inform county officials of those items which need to be addressed in the Improvement Plans.

Right-of-Way

Any strip or area of land granted by deed, easement, or subdivision plat for the construction and maintenance of streets and other roads.

Roadway

The paved part of a highway, including shoulders, for vehicular use, and not the right-of-way width.

Street or Road

A right-of-way, other than an alley, dedicated or otherwise legally established for the public use, usually affording the principal means of access to abutting property. A street may be designated as a highway, thoroughfare, parkway, boulevard, road, avenue, drive, and any other appropriate name.

Principal Arterial Street

A street which carries or is proposed to carry intermediate ($ADT > 750$) volumes of traffic from local streets to arterial streets or area service highways.

Local Street

A street serving limited ($ADT \leq 750$) amounts of residential traffic, and used for access to abutting property.

Marginal Access Street

A minor street roughly paralleling an arterial street or highway used for access to abutting lots.

Subdivision, Major

The division of land in two or more lots for the purpose, whether immediate or future, of transfer of ownership or building development, including all public streets, alleys, easements for public service facilities, parks, playgrounds, school grounds or other public grounds.

Subdivision, Minor

The division of land in two but not more than four lots, all of which front upon an existing road and not involving any new right-of-ways, easements or other provision for public areas and facilities.

Subdivision Officer

At the time of implementation of this ordinance, the Subdivision Officer is the County Engineer who shall consider and approve or disapprove the plats required herein.

Subdivision and Planning Committee

At the time of implementation of this ordinance, the Subdivision and Planning Committee shall be comprised of current members of the County's Road & Bridge Committee who shall advise the Subdivision Officer regarding the approval or disapproval of plats.

Section 3 – Procedure for Submission and Approval of Plats and Improvement Plans

Section 3.01 Pre-Application Conference

Before submitting a preliminary plat the applicant is encouraged to confer with the County Engineer to obtain information and guidance before entering into binding commitments or incurring substantial expense in the preparation of detailed plats, surveys and other data. The applicant is further encouraged to consult with city officials, county officials, public utility companies, school districts, fire districts, levee districts, road districts and other agencies or districts concerning the availability of services and facilities in the area proposed to be subdivided.

The applicant is urged to consult with the County Engineer regarding engineering specifications and requirements for road construction.

Section 3.02 Preliminary Plat Procedures

A subdivider desiring to subdivide a parcel of land shall file an application with the County Engineer sixty (60) calendar days prior to the Subdivision and Planning Committee meeting in which the subdivider wishes their application to be heard. Such application shall include the following:

1. Minimum of fifteen (15) copies of the Application for Preliminary Plat Approval, located in Section 6.03, and proposed Protective Covenants and Restrictions, if any.
2. Minimum of fifteen (15) copies of the Preliminary Plat and other necessary documentation in accordance with the requirements of Section 3.03.

3. The appropriate submittal fees, as defined in Section 3.23.

The County Engineer shall review the application to determine whether or not it contains the required items. If the application is found to be incomplete, the County Engineer shall return it to the applicant with an explanation of what items are missing. Upon receipt of a complete application, the County Engineer shall forward one copy to the Plat Act Officer, one copy to the Township Highway(Road) Commissioner, one copy to the County Soil and Water Conservation District, one copy to the County Health Department, one copy to the County Clerk, one copy to E911, and eight (8) copies to the Chairman of the Subdivision and Planning Committee. The County Engineer shall retain all remaining copies.

Section 3.03 Preliminary Plat Requirements

The preliminary plat to be provided by the subdivider shall meet and include the following information:

1. Name under which the proposed subdivision is to be recorded.
2. Names and addresses of the owner, subdivider, and the Professional Land Surveyor who prepared the Preliminary Plat with current Parcel Identification Number (PIN), general physical address, and legal description.
3. Existing and proposed streets, alleys and rights-of-way on and adjoining the site of proposed subdivision, showing the names and right-of-way widths, location of pavement, curbs, sidewalks, crosswalks, planting strips and other pertinent data.
4. Existing boundary lines, showing their lengths and directions.
5. All lot lines adjacent to and abutting the subdivision, and identification of adjoining lots.
6. Layout of proposed lots, showing their approximate dimensions, number of lots and their approximate area and identifying lot number.
7. Areas of land proposed to be dedicated or reserved for schools, playgrounds or other public, semi-public or community purposes.
8. Location of existing and proposed public utility easements and drainage ways or facilities within or adjoining the proposed subdivision, including proposed sanitary and storm sewers.
9. Easements, existing and proposed, showing location, widths and purposes.
10. The gross and net area of the proposed subdivision, the area of street right-of-way, and the area of any parcels reserved for the common use of the property owners within the subdivision or for public use.
11. For land that slopes less than one-half percent, show contours at one foot intervals; for land that slopes more than one-half percent, show contours at two foot intervals.

12. Location of major water courses, ponding areas, natural drainage ways and flood hazard areas and high water line if applicable.
13. Preliminary Plat shall be drawn to a scale no smaller than one hundred feet to an inch.
14. North arrow and date.
15. Whenever a large tract is intended to be developed in stages, and only a part of that tract is to be submitted for Final Plat approval, a Preliminary Plat for subdivision of the entire tract shall be submitted with notation made of the part to be next submitted for final approval.
16. When private sewage disposal systems are required, a soils report prepared by a Licensed Soil Classifier shall be submitted with the Preliminary Plat.
17. When private sewage disposal systems are required, a statement of the type of proposed private sewage disposal system to be installed for each lot shall be noted on the Preliminary Plat.
18. The minimum lot size shall have an area of not less than six thousand (6,000) square feet and a minimum width of fifty (50) feet at the building line, except as provided in Section 5.05.
19. All proposed deed restrictions and covenants.
20. Certificates required. The following certificates shall be shown on the Preliminary Plat:
 - (a) A Subdivision and Planning Committee certificate in the following form:
 Subdivision and Planning Certificate

 I, _____, Chairperson of the Subdivision and Planning Committee of Montgomery County, hereby certify that this Preliminary Plat meets the requirements of the Montgomery County Subdivision Ordinance, and was recommended by the Subdivision and Planning Committee on _____, 20__.
 - (b) A Montgomery County Board certificate in the following form:
 Montgomery County Board Certificate

 I, _____, Chairperson of the Montgomery County Board, hereby certify that this Preliminary Plat meets the requirements of the Montgomery County Subdivision Ordinance, and was approved by the Montgomery County Board on _____, 20__.

Section 3.04 County Engineer's Review (Preliminary Plat)

The County Engineer shall review the submitted Preliminary Plat and associated documents within forty-five (45) calendar days of receipt.

Section 3.05 County Soil and Water Conservation District Review (Preliminary Plat)

The County Soil and Water Conservation District shall review the Preliminary Plat and associated documents submitted to them by the County Engineer and shall return a copy of the application to the County Engineer along with any comments in writing within thirty (30) calendar days of receipt. A fee may be required by the Soil and Water Conservation District.

Section 3.06 County Health Department Review (Preliminary Plat)

The County Health Department shall review the Preliminary Plat and associated documents submitted to them by the County Engineer and shall return a copy of the application to the County Engineer along with any comments in writing within fifteen (15) calendar days of receipt.

Section 3.07 County Clerk Review (Preliminary Plat)

The County Clerk shall review the Preliminary Plat and associated documents submitted to him/her by the County Engineer for the purpose of locating unpaid taxes and shall return a copy of the application to the County Engineer along with a statement in writing to the effect that there are no unpaid taxes found for the parcel shown on the Preliminary Plat. Said statement and application shall be returned within fifteen (15) calendar days of receipt.

Section 3.08 Subdivision and Planning Committee Review (Preliminary Plat)

The County Engineer shall, upon receipt, forward to the Chairperson of the Subdivision and Planning Committee the following:

1. Eight (8) copies of the application and the Preliminary Plat and associated documents.
2. Eight (8) copies of comments from the County Engineer under Section 3.04.
3. Eight (8) copies of comments submitted to him/her by the County Soil and Water Conservation District under Section 3.05.
4. Eight (8) copies of comments submitted to him/her by the County Health Department under Section 3.06.
5. Eight (8) copies of comments submitted to him/her by the County Clerk under Section 3.07.

The Chairperson of the Subdivision and Planning Committee, upon receipt shall submit one copy each of the five foregoing documents to the members of the Subdivision and Planning Committee and place the Proposed Subdivision on the agenda for the next regularly scheduled Subdivision and Planning Committee meeting.

The members of the Subdivision and Planning Committee upon receipt shall review the foregoing documents submitted to them by the Chairperson of the Subdivision and Planning Committee, and have ready comments in writing to be submitted and discussed at the next regularly scheduled Subdivision and Planning Committee meeting.

The Subdivision and Planning Committee shall at the next regularly scheduled Subdivision and Planning Committee meeting discuss the Proposed Subdivision and determine whether the

Preliminary Plat shall be recommended as submitted, shall be recommended subject to certain conditions or modifications, or shall not be recommended.

If the Preliminary Plat is NOT RECOMMENDED, the Subdivision and Planning Committee shall furnish within thirty (30) calendar days a written statement to the applicant specifying the reasons for disapproval.

If the Preliminary Plat is RECOMMENDED CONDITIONALLY, the Subdivision and Planning Committee shall submit one copy of the endorsed Preliminary Plat recommending to the County Board, at the next regularly scheduled meeting, that the Preliminary Plat be approved by the County Board contingent upon the conditions set forth by the Subdivision and Planning Committee. Said conditions shall be disposed of by the subdivider prior to submission of the Final Plat.

If the Preliminary Plat is RECOMMENDED, the Subdivision and Planning Committee shall submit one copy of the endorsed Preliminary Plat recommending to the County Board, at the next regularly scheduled meeting, that the Preliminary Plat be approved by the County Board.

Section 3.09 County Board Review and Action (Preliminary Plat)

The County Board shall at the next regularly scheduled Board meeting review the Proposed Subdivision and determine whether the Preliminary Plat, along with the recommendation from the Subdivision and Planning Committee, shall be approved as submitted, shall be approved subject to certain conditions or modifications, or shall be disapproved.

If the Preliminary Plat is DISAPPROVED, the County Board shall furnish within thirty (30) calendar days a written statement to the applicant specifying the reasons for disapproval and the corrective action needed to be taken to obtain approval.

If the Preliminary Plat is APPROVED CONDITIONALLY, the County Board shall furnish one copy of the endorsed Preliminary Plat and a written statement within thirty (30) calendar days, outlining the conditions which need to be disposed of prior to submittal of the Final Plat, to the applicant.

If the Preliminary Plat is APPROVED, the County Board shall furnish one copy of the endorsed Preliminary Plat within thirty (30) calendar days to the applicant.

Section 3.10 Improvement Plan Procedures

After the preliminary plat is approved, Improvement Plans shall be approved by the County Engineer. No subdivider shall proceed with any construction work in the project area before obtaining the final plat approval. In Minor subdivisions, if in the opinion of the County Engineer this requirement is unnecessary, the County Engineer may waive the Improvement Plan requirements.

A subdivider desiring to secure formal action on the Improvements Plans must submit the following:

1. Four (4) sets of Improvement Plans, endorsed by a Licensed Professional Engineer.
2. Four (4) copies of the Engineer's estimate of the cost to construct the improvements.
3. Four (4) copies of Time Schedule and Sequence of Construction. See section 5.01-5.

Section 3.11 Improvement Plan Requirements

Improvement Plans shall be prepared on sheets not to exceed twenty four inches (24") by thirty six inches (36") and shall contain the following information:

1. Title page, which shall include a vicinity map.
2. North arrow and scale.
3. Title block showing name and address of the subdivider and engineering firm, as well as the Licensed Professional Engineer's seal.
4. One or more benchmarks, in or near the subdivision, to which the subdivision is referenced.
5. List of the standards and specifications followed, citing volume, section page or other references.
6. Grading plans showing finished grades.
7. Plans and profiles shall be drawn at a scale not less than one inch (1") equals one hundred feet (100') horizontal; and one inch (1") equals ten feet (10') vertical. All dimensions shall be to the nearest one hundredth of a foot and angles to the nearest second.
8. Plans, profiles and cross section of streets showing right-of-way and surface widths, elevation, paving details, grades, names, curb and gutter, catch basins, sidewalks and any other improvements to be constructed or placed within the street right-of-way.
9. Plan of any water supply system, serving more than one property, showing location, pipe sizes, pump stations (size, capacity and type), hydrant and valve location. If a private water supply system, serving more than one property, is proposed, then all information required either by the Illinois Environmental Protection Agency for supplies with fifteen (15) or more connections or by the County Health Department for supplies with less than fifteen (15) connections shall be submitted with the improvements plans.
10. Plan of any sewage disposal system serving more than one property, showing pipe locations, sizes, force mains, invert elevations, slope, manhole locations, lift stations (size, capacity and type) and points of discharge. If area is subject to flooding or inundation, any additional provisions shall be shown (i.e., anchoring, special pipe, ground water information, etc.). If a private sewage system is proposed that serves more than one property, then all information required by the Illinois Environmental Protection Agency or local health agency shall be submitted with the Improvement Plans (i.e., treatment proposed, size, type, capacity, locations, outfall points, etc.).
11. Plan of drainage systems, including watershed outlines with drainage computations, retention basins showing drainage areas, locations of storm sewers, corrugated metal pipe type culverts (sizes and type), drainage channels, swales, indicating slopes, pipe sizes, invert elevations, underground drains, outlet locations and velocity reduction techniques.
12. Clearances from all applicable Federal and State agencies, i.e. Corp of Engineers, Environmental Protection Agency, etc.

Section 3.12 County Engineer's Review (Improvement Plan)

The County Engineer shall review the proposed improvements plans and notify the Subdivision and Planning Committee, in writing, of his/her approval, conditional approval or disapproval. The County Engineer shall also notify the applicant, in writing, of his/her approval, conditional approval or disapproval and the corrective action needed for approval.

1. APPROVAL means that the applicant is now authorized to proceed with the physical improvements in the subdivision subject to final plat approval and the submission of surety and maintenance securities as set forth in Section 3.23.
2. CONDITIONAL APPROVAL means that the applicant may proceed as outlined in the preceding paragraph, but only after he/she has submitted three copies of the corrected Improvement Plans to the County Engineer.
3. DISAPPROVAL means that for further consideration, the applicant must rework his/her plans to conform to the requirements, and then resubmit the reworked plans to the County Engineer as though they were a completely new set of plans.

Section 3.13 Final Plat Procedures

A subdivider who has successfully received Preliminary Plat approval and Improvement Plan approval or who is submitting a Minor Subdivision per Section 3.20 shall file an application with the County Engineer sixty (60) calendar days prior to the Subdivision and Planning Committee meeting in which the subdivider wishes his/her application to be heard. Such application shall include the following:

1. Minimum of thirteen (13) copies [Minimum of fifteen (15) copies for Minor Subdivisions] of the Application for Final Plat Approval, located in Section 6.05 and Final Protective Covenants and Restrictions, if any.
2. Minimum of thirteen (13) copies [Minimum of fifteen (15) copies for Minor Subdivisions] of the Final Plat prepared in accordance with the requirements of Section 3.14.
3. Minimum of thirteen (13) copies [Minimum of fifteen (15) copies for Minor Subdivisions], if required of an agreement executed by the owner and/or subdivider to make and install the improvements in accordance with the Improvement Plans approved by the County Engineer.
4. The appropriate submittal fees, as defined in Section 3.23.

The County Engineer shall review the application to determine whether or not it contains the required items. If the application is found to be incomplete, the County Engineer shall return it to the applicant with an explanation of what items are missing. Upon receipt of a complete application, the County Engineer shall forward one copy to the Plat Act Officer, one copy to the Township Highway(Road) Commissioner, one copy to the County Soil and Water Conservation District, one copy to the County Health Department and eight (8) copies to the Chairman of the Subdivision and Planning Committee. For Minor Subdivisions, the County Engineer shall also forward one copy to the County Clerk and one copy to E911. The County Engineer shall retain all remaining copies.

Section 3.14 Final Plat Requirements

The Final Plat shall be drawn and signed in black ink on a suitable medium on sheets twenty-four inches (24") wide by thirty-six inches (36") long and shall be at an original scale no smaller than one hundred feet (100') to one inch (1"). Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. For large subdivisions, Final Plats may be submitted for approval in stages. The Subdivision and Planning Committee may require the developer to submit a development schedule describing each stage and its proposed dates of construction. The Final Plat shall show the following:

1. Firm name, address and registration number.
2. Professional land surveyor seal, signature, date of signing, and license expiration date. Rubber-stamp signatures, computer generated signatures or other reproduced signatures are prohibited.
3. Name of subdivision.
4. Client's name.
5. North arrow.
6. Scale-written or graphic.
7. Date of completion of field work.
8. Location by Parcel Identification Number (PIN), general physical address, and township, section, town and range, and accompanied legal description.
9. Legend for all symbols and abbreviations used on the plat.
10. Monuments or witness corners, whether set or found, intended to represent or reference corners of the survey, shall be shown and described as to size, shape and material, and their positions noted in relation to the survey corners.
11. Sufficient angles, bearings or azimuths, linear dimensions and curve data must be shown on the plat to provide a mathematically closed figure for the exterior of the survey. Where record angular dimensions, bearings or azimuths, linear dimensions or curve data exist, such data shall be shown on the plat and distinguished from measured dimensions or data. Area of the survey is to be shown on the face of the plat unless otherwise requested by the client.
12. Exact location, width, and name of all streets within and adjoining the plat, and the exact location and widths of all crosswalks. Streets that are obviously in alignment with others already existing and named shall bear the names of existing streets.
13. True angles and distances to the nearest established street lines or official monuments (no less than three), which shall be accurately described in the plat.
14. Municipal, township, county, or section lines accurately tied to the lines of the subdivision by distances and angles.

15. Where bearing, azimuth or coordinate systems are used, the basis or proper names of the system shall be noted on the plat.
16. All block and lot numbers and lines, with accurate dimensions in feet and hundredths.
17. The minimum lot size shall have an area of not less than six thousand (6,000) square feet and a minimum width of fifty (50) feet at the building line, except as provided in Section 5.05.
18. If the survey is a parcel in a recorded subdivision, any adjacent rights of way or easements and setback lines shown on the recorded plat that affect the subject parcel are to be shown and dimensioned.
19. Visible physical evidence of possession or occupation either way from the exterior lines of the survey shall be shown and dimensioned.
20. Show visible evidence of improvements, rights of way, easements, or use when requested by the client.
21. Location, dimensions, and purpose for all easements.
22. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use with the purposes indicated thereon, and of any area to be reserved by deed covenant for common use of all property owners.
23. Building setback lines accurately shown by dimension.
24. Location of major water courses, ponding areas, natural drainage ways, flood hazard areas and high water line if applicable.
25. Protective covenants which meet with the approval of the Subdivision and Planning Committee shall be lettered on the Final Plat or attached thereto.
26. Exculpatory statements that attempt to restrict the uses of boundary surveys shall not be affixed to any plat.
27. Certificates required. The following certificates shall be shown on the Final Plat:

(a) A Montgomery County Board Certificate in the following form:

Montgomery County Board Certificate

I, _____, Chairperson of the Montgomery County Board, hereby certify that this Final Plat meets the requirements of the Montgomery County Subdivision Ordinance, and was approved by the Montgomery County Board on _____, 20__.

(b) A Subdivision and Planning Committee Certificate in the following form:

Subdivision and Planning Committee Certificate

I, _____, Chairperson of the Subdivision and Planning Committee, hereby certify that this Final Plat meets the requirements of the Montgomery County Subdivision Ordinance, and was approved by the Montgomery County Board on _____, 20__.

(c) An Owner's Certificate in the following form:

Owner's Certificate

I, _____, the owner of a tract of land, located in part of the _____ Quarter of Section _____, Township _____, Range _____ of the Third Principal Meridian, Montgomery County, Illinois, more particularly described as follows:

--(Insert Legal Description & Parent Parcel ID No.) --

Have caused the said tract to be surveyed and subdivided in the manner shown. All streets must be dedicated for public use. Utility easements are dedicated for the specific use as indicated on the above plat. Said subdivision is to be hereinafter known as _____. Said subdivision is located within the _____ Community Unit School District No. ____.

In witness whereof, I have set my hand and seal this ___ day of _____, 20__.

Signature Date

(d) A Notary Certificate in the following form:

Notary Certificate

State of Illinois)
County of Montgomery)

Before me, the undersigned notary public, in and for the county and state, personally appeared _____ and acknowledged the execution of the foregoing instrument as his or her voluntary act and deed, for the purposes therein expressed.

Witness my hand and notarial seal this ___ day of _____, 20__.

Notary Public

(e) A County Clerk's Certificate in the following form:

County Clerk's Certificate

State of Illinois)
County of Montgomery)

I, _____, County Clerk, do hereby certify that I find no unpaid or forfeited taxes against the tract of land as shown on the foregoing plat.

Dated this ___ day of _____, 20__.

County Clerk

(f) A Surveyor's Certificate in the following form:

Surveyor's Certificate

I, _____, a licensed Illinois Professional Land Surveyor, hereby certify that this plat is a correct representation of a survey made under my direct supervision at the request of _____ for the purposes of subdividing the tract into lots as shown. The land is located within Corporate limits of _____, Montgomery County, Illinois.

Moreover, I hereby certify that no part of this plat to be recorded is situated within a special flood hazard area as identified by the Federal Emergency Management Agency, and shown on flood insurance rate map No. _____ Dated _____, as Zone ____.

This professional service conforms to the current Illinois Minimum Standards for Boundary Surveys.

(Surveyor's Name)- P.L.S. No. _____ Date _____
License Renewal Date:

Design Firm No.: _____
License Renewal Date: _____

(g) 911 Administrator Certificate in the following form:

911 Administrator Certificate

I, _____, 911 Administrator of Montgomery County, Illinois, hereby certify that this plat has been reviewed for 911 emergency service and that proper common addresses have been assigned.

911 Administrator _____ Date _____

(h) County Health Department Certificate in the following form:

County Health Department Certificate

No public sewer system exists to serve this subdivision. This plat is approved with respect to on site sewage disposal and the acreage involved has been reviewed in accordance with established soil suitability evaluation procedures.

County Health Department _____ Date _____

Would not be required if lots are provided with public water and sewer.

Section 3.15 County Engineer's Review (Final Plat)

The County Engineer shall review the Final Plat and associated documents submitted within forty-five (45) calendar days of receipt.

Section 3.16 County Soil and Water Conservation District Review (Final Plat)

The County Soil and Water Conservation District shall review the Final Plat and associated documents submitted to the County Engineer and shall return the application to the County Engineer along with any written comments within thirty (30) calendar days of receipt.

Section 3.17 County Health Department Review (Final Plat)

The County Health Department shall review the Final Plat and associated documents submitted by the County Engineer and shall return the application to the County Engineer along with any written comments within fifteen (15) calendar days of receipt.

Section 3.18 Subdivision and Planning Committee Review (Final Plat)

The County Engineer shall, upon receipt, forward to the Chairperson of the Subdivision and Planning Committee the following:

1. Eight (8) copies of the application and the Final Plat and associated documents.
2. Eight (8) copies of comments submitted by the County Engineer under Section 3.15.
3. Eight (8) copies of comments submitted by the County Soil and Water Conservation District under Section 3.16.
4. Eight (8) copies of comments submitted by the County Health Department under Section 3.17.
5. Eight (8) copies of updated comments submitted by the County Clerk under Section 3.07.

The Chairperson of the Subdivision and Planning Committee upon receipt shall submit one copy each of the foregoing documents to the members of the Subdivision and Planning Committee and place the Proposed Subdivision on the agenda for the next regularly scheduled Subdivision and Planning Committee meeting.

The members of the Subdivision and Planning Committee upon receipt shall review the foregoing documents submitted to them by the Chairperson of the Subdivision and Planning Committee, and have ready written comments to be submitted and discussed at the next regularly scheduled Subdivision and Planning Committee meeting.

The Subdivision and Planning Committee shall at the next regularly scheduled Subdivision and Planning Committee meeting discuss the Proposed Subdivision and determine whether the Final Plat shall be recommended as submitted, shall be recommended subject to certain conditions or modifications, or shall not be recommended.

If the Final Plat is NOT RECOMMENDED, the Subdivision and Planning Committee shall furnish within thirty (30) calendar days a written statement to the applicant specifying the reasons for disapproval.

If the Final Plat is RECOMMENDED CONDITIONALLY, the Subdivision and Planning Committee shall submit one copy of the endorsed Final Plat recommending to the County Board, at the next regularly scheduled meeting, that the Final Plat be approved by the County Board contingent upon the conditions set forth by the Subdivision and Planning Committee. The subdivider shall submit one original Final Plat, reflecting the changes set forth by the Subdivision and Planning Committee, on the appropriate medium as defined in Section 3.14 to the County Clerk's office prior to the next regularly scheduled County Board meeting for their approval.

If the Final Plat is RECOMMENDED, the Subdivision and Planning Committee shall submit one copy of the endorsed Final Plat recommending to the County Board, at the next regularly scheduled meeting, that the Final Plat be approved by the County Board. The subdivider shall submit one original Final Plat on the appropriate medium as defined in Section 3.14 to the County Clerk's office prior to the next regularly scheduled County Board meeting for their approval.

Section 3.19 County Board Review and Action (Final Plat)

The County Board shall at the next regularly scheduled Board meeting review the Proposed Subdivision and determine whether the Final Plat along with the recommendation from the Subdivision and Planning Committee shall be approved as submitted, shall be approved subject to certain conditions or modifications, or shall be disapproved.

If the Final Plat is DISAPPROVED, the County Board shall furnish within thirty (30) calendar days a written statement to the applicant specifying the reasons for disapproval.

If the Final Plat is APPROVED CONDITIONALLY, the County Board shall furnish one copy of the endorsed Final Plat and a written statement within thirty (30) calendar days, outlining the conditions which need to be disposed of prior to recording of the original Final Plat, to the applicant. Upon receipt the applicant shall correct the conditions outlined by the County Board and shall submit a revised original Final Plat to the County Engineer. Upon receipt of the revised original Final Plat, the County Engineer shall secure endorsement from the County Board Chairperson, County Clerk, and the 911 Administrator and shall in writing notify the applicant that the Final Plat meets the requirements of this ordinance and has been approved for recording in the Office of the Recorder of Deeds.

If the Final Plat is APPROVED, the County Board Chairperson, County Clerk, County Engineer, and the 911 Administrator shall endorse the original Final Plat. Upon endorsement of the original Final Plat the County Engineer shall in writing notify the applicant that the Final Plat meets the requirements of this ordinance and has been approved for recording in the Office of the Recorder of Deeds.

Section 3.20 Minor Subdivisions

Minor subdivisions are required to follow the same procedures and adhere to the requirements of this ordinance, with the following exceptions:

1. Preliminary Plat procedures as defined in Section 3.02 are not required.
2. Improvement Plan procedures may be waived by the County Engineer as defined in Section 3.10.
3. Minimum of fifteen (15) copies of the Final Plat documents, as defined in Section 3.13, must be submitted.

Section 3.21 Recording

No subdivision plat shall be filed for record or recorded in the Office of the Recorder of Deeds, unless and until the approval of the County Board or appropriate corporate official of a municipality with jurisdiction is endorsed thereon and is accompanied with a letter from the County Engineer stating that he/she has reviewed the Plat and that the Plat has been duly approved and meets the requirements of this ordinance. No lot shall be sold from such subdivision plat until it has been approved and recorded in the Office of the Recorder of Deeds, as herein provided.

Section 3.22 Illegal Plats and Subdivisions and Penalties

It shall be unlawful for the County Recorder to accept for recording any plat of a subdivision within the unincorporated area of Montgomery County until the plat has been approved as required herein and such approval has been endorsed in writing on the plat or as otherwise provided herein.

A. Unlawful to Record Unapproved Plats. The Recorder of Deeds shall not record the final plat of any subdivision under the jurisdiction of this ordinance until it has been approved as provided herein.

B. Unlawful to Convey Lots Without Recorded Plat. As set forth herein it shall be unlawful for any person to sell, offer for sale, or lease any lot in a subdivision unless the final plat thereof is recorded in the office of the Recorder of Deeds.

C. Unlawful to Record Illegally Conveyed Lots. The Recorder of Deeds shall not record any deed or lease involving a lot in a subdivision unless the final plat of said subdivision has been approved as provided herein.

D. Whenever it shall come to the knowledge of the Recorder of Deeds, the Supervisor of Assessments, the County Engineer, or the Montgomery County Health Department that any of the provisions of this ordinance have been violated, it shall be his/her duty to file a written complaint against the person or parties offending, and the State's Attorney shall prosecute the same to final judgment.

PENALTIES

1. Any person, firm or corporation who constructs any improvements or portion thereof in violation of the provisions of this ordinance shall be, upon conviction, fined not less than \$100 nor more than \$500 for each offense, and each day of the continued violation shall constitute a separate additional violation.

2. Any person who shall sell or offer for sale, lease or offer for lease, while this ordinance is in effect, any lot or block or blocks, within the area of jurisdiction of the county, or any re-subdivision of any block or lot therein, before all of the requirements of this Ordinance have been complied with, shall be fined not less than \$100 nor more than \$500 for each lot, block or part thereof so sold, offered for sale, leased or offered for lease.

The County of Montgomery shall have all other rights and remedies as provided by the statutes of the State of Illinois including, but not limited to, injunctive relief. Any violations of this Ordinance shall be referred to the Montgomery County State's Attorney office for prosecution.

Section 3.23 Fees and Securities

1. Fee Schedule

All fees collected by the County Engineer shall be deposited into the general corporate fund of Montgomery County. All fees collected by the Plat Act Officer shall be deposited into the GIS fund. All fees collected by the Montgomery County Health Department shall be deposited into the Public Health fund. The following fees shall apply:

- a. The review fee for Plat Act Compliance shall be twenty-five dollars (\$25.00).
- b. The County Engineer review fee for Preliminary Plats shall be four hundred dollars (\$400.00) plus twenty-five dollars (\$25.00) per lot. The County Engineer review fee for Minor Subdivision Plat shall be two hundred dollars (\$200.00) plus twenty-five dollars (\$25.00) per lot.
- c. The Montgomery County Health Department review fee for Preliminary Plats and Minor Subdivision Plat shall be one hundred dollars (\$100.00) plus twenty-five dollars (\$25.00) per lot.
- d. The County Engineer review fee for Final Plats shall be three hundred dollars (\$300.00) and no charge for lots.
- e. The Plat Act Officer division fee for GIS mapping shall be twenty-five dollars (\$25.00) per lot.
- f. If a request for a meeting other than the regular meeting of the Subdivision and Planning Committee as established by Board Rules, the applicant shall reimburse the County for the expenses of the Committee meeting at the current per diem rate. The meeting must comply with the Open Meetings Act.

2. Security Requirements

a. General

In order to insure that the work will be completed, letters of credit, cash or certificates of deposit with a federally insured bank must cover all engineering improvements which are proposed in conjunction with a new subdivision. In addition, the same types of security will be required to insure that the roads in a new subdivision will be maintained until the County Engineer has accepted them. If a letter of credit is submitted as security, it must be substantially in the form that is set forth in Appendix 6.07 and must be clean, non-declining, and irrevocable and issued by a federally insured bank.

At the time letters of credit are submitted, the owners/developer shall notify the County Engineer in writing as to the name and address of the Professional Engineer who will establish lines and grades and exercise general supervision as construction progresses.

b. Amount of Security

The subdivider shall post good and sufficient security with the County Clerk, copies of the same to the County Engineer and Subdivision and Planning Committee, in the

amount of one hundred fifty percent (150%) of the engineer's estimate of cost to insure completion of the improvements. In addition, the maintenance security shall be in the amount of fifteen percent (15%) of the amount posted for construction.

c. Release of Security

No portion of either the construction or maintenance security will be released as the work progresses, but the entire amount deposited must be retained until all work covered by the security is satisfactorily completed.

Prior to the release of construction security of subdivision improvement, the engineer in charge of construction of such improvements will be required to certify that all improvements have been completed in accordance with the approved engineering plans and specifications on file.

Such certification shall cover all engineering aspects of the development, including but not limited to, road, detention/retention, grading, filling, and any topographic changes. Certification shall be in writing, submitted to and approved by the County Engineer prior to release of securities.

The maintenance security shall be held by the County for a period of eighteen (18) months after the final completion of subdivision improvements as a guarantee against any defect in the material or workmanship furnished in connection with such improvement latent in character and not discernable at the time of certification of completion of such improvement, and to guarantee against any damage to such improvements by reason of settling of the ground base, or foundations, thereof. After the termination of such eighteen (18) month period, such deposit shall be refunded to the depositor, if no defects have developed. If defects have developed, then the balance of such deposit after reimbursement to the county for any amounts expended by it in the curing of such defects shall be paid to the depositor. A certificate from the County Clerk must be obtained specifying that there are no general delinquent taxes that remain unpaid and that all special assessments constituting a lien on the whole or any part of the land subdivided has been paid.

When letters of credit are used to meet the requirements of the ordinance, the form in Appendices 6.07 shall be used.

Section 4 – Subdivision Design and Layout

Section 4.01 General Requirements

1. Interpretations

In order to promote the best possible development and use of land, the County Engineer shall interpret the standards, provisions, and specifications contained in this ordinance liberally and in favor of the County's interest. Exceptions from these standards, provisions, and specifications may be granted when shown conclusively and to the satisfaction of the engineer that such exceptions will bring about a more logical and desirable result than would be obtained by strict compliance. When in doubt as to the wisdom of granting such an exception, the engineer shall request a decision from the Subdivision and Planning Committee and the County Board.

2. Land Subject to Inundation

Land subject to flooding and land deemed by the reviewing authorities to be uninhabitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life, or property, or aggravate the flood hazard, but such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation, or shall not produce unsatisfactory living conditions.

3. Public Sites and Open Spaces

All proposed plats submitted for approval under the provisions of this ordinance may allocate adequate areas for park, school, recreational, and other public and semipublic sites. The location, shape, extent and orientation of such areas shall be consistent with existing and proposed topographical and other conditions, including but not limited to, the park, school, recreational and other public and semipublic needs of said proposed subdivision.

Section 4.02 Streets and Alleys

1. Continuation of Existing Streets

Proposed streets shall, as near as practicable, provide for the continuation, connection, or projection of streets in surrounding areas, or may conform to a plan as may have been approved by the County Engineer.

2. Private Streets

Private streets shall be prohibited. All streets within a platted subdivision must be dedicated to public use.

3. Circulation

The street pattern shall provide ease of circulation within the subdivision, but the local streets therein shall be so laid out that their use by through traffic will be discouraged. Insofar as practical, the street arrangement should provide proper access to schools, playgrounds, transportation, and other community features. New street openings shall generally be prohibited within six hundred feet (600') of any major intersection or crossing such as those formed by a railroad and a highway, two (2) or more highways, or from the head of any major bridge, grade separation structure, or like facilities, as measured along the centerline from the intersection or from such structures.

4. Topographical and Cultural Features

In sloping terrain, streets shall generally run parallel to the contour of the land or preferably cross at a slight angle therewith. The general objectives are to avoid steep roadway grades, heavy concentrations of storm surface runoff, abnormal differentials in building elevations at opposite sides of the street, and excessive grading operations.

5. Portion of Tract

Where the plat to be submitted includes only a part of the tract owned by the subdivider, the County requires topography and a sketch layout of the future street system on the un-subdivided tract at a later date.

5. Intersections

The angle of intersection between minor streets and major streets should not vary by more than ten (10) degrees from a right angle. All other roads should intersect each other as near to a right angle as possible, and no intersection of roads at angles of less than seventy (70) degrees shall be permitted.

6. Street Jogs

Street jogs shall be avoided whenever possible. However, where permitted, the minimum centerline offset distance between roads entering a common right-of-way from opposite sides will be one hundred fifty feet (150').

a. Half Street

Half streets shall be prohibited.

b. Reserve Strips

Reserve strips controlling access to roads and streets shall not be permitted.

c. Dead-End Streets

Dead-end or stub-end streets are prohibited. However, where it is necessary to provide circulation to undeveloped property adjacent to the boundaries of the proposed subdivision, a temporary cul-de-sac with not less than an eighty foot (80') turnaround easement with not less than a sixty foot (60') turnaround pavement with not less than six inch (6") base course gravel with A-2 treatment shall be provided within the subdivision and adjacent to its limit for what would otherwise be a stub-end street. Provision will be made by the subdivider that when the right-of-way is extended into the adjacent property, that portion of the turnaround in excess of the right-of-way width will revert to the adjacent property owner or owners, and curbs and gutters will be provided.

d. Cul-de-sac

A cul-de-sac, designed to be so permanently, shall not be longer than five hundred feet (500') and shall be provided at the closed end with a turnaround having an outside roadway diameter of at least one-hundred feet (100') and a street property line diameter of at least one-hundred twenty feet (120'). No cul-de-sac may intersect with another cul-de-sac.

e. Alleys

Alleys in residential developments shall be prohibited. Service roads shall be required in commercial and industrial developments, except where other provisions for suitable access and off-roadway loading and unloading are assured. Alleys may be provided at the rear of all lots or tracts intended for multiple-family building use; however, they will not be encouraged.

f. Right-of-way

In the case of the extension of an existing adjoining right-of-way, having a width less than the minimum requirement, the Subdivision and Planning Committee may approve the extension thereof at the same width.

Section 4.03 Dimensional Standards

1. Typical Street Standards

Minimum dimensional standards of all rights-of-way, pavements, sidewalks, and other public improvements shall be determined by the County Engineer.

- a. Streets within one and one-half (1 1/2) miles of a corporate limit shall be considered urban.
- b. Principal Arterial Street (Urban)
The following definitions apply: sixty feet (60') right-of-way; with sufficient width for all necessary cuts and cross section; thirty-six feet (36') pavement, including curb and gutters.
- c. Principal Arterial Street (Rural)
The following definitions apply: sixty feet (60') right-of-way; twenty-four feet (24') pavement with four feet (4') shoulders without curb and gutters or twenty-seven feet (27') pavement with curb and gutters.
- d. Local Street (Urban)
The following definitions apply: sixty feet (60') right-of-way; twenty-seven feet (27') pavement, including curb and gutter; four feet (4') sidewalks near property line.
- e. Local Street (Rural)
The following definitions apply: sixty feet (60') right-of-way; twenty-four feet (24') pavement, without curb and gutters, provided suitable storm drainage facilities are installed. In cases where lots are one hundred feet (100') or more in width and not situated along a major street, sidewalks may not be provided unless required by the County Board.
- f. Cul-de-sac
The following definitions apply: sixty feet (60') right-of-way; twenty-four feet (24') pavement.
- g. Marginal Access Streets Abutting a Major Road or Street
The following definitions apply: fifty foot (50') right-of-way; twenty-four foot (24') pavement without curb and gutters or twenty-seven foot (27') pavement with four foot (4') space for utilities.
- h. Crosswalks
The following definitions apply: Ten foot (10') right-of-way; at least four foot (4') paved walkway along centerline.

2. Street Grades

No street grade shall be less than one-half (1/2) of one percent (1%) and shall not exceed the following with the allowances for reasonable vertical curves:

Principal Arterial Street	6%
Local Streets	8%
Streets shorter than 500 feet (500') and cul-de-sacs	10%

3. Street Alignment

Horizontal and vertical alignment shall conform to Chapter 32 of the Illinois Dept. of Transportation's Bureau of Local Streets Manual, unless otherwise specified. Design speed shall be 30 miles per hour.

4. Intersections

The radii on both pavement edge and right-of-way is to be thirty feet (30') minimum at all points of intersection and sixty feet (60') for industrial or major street or highway intersections.

5. Blocks

- a. The lengths, widths, and shapes of blocks shall be determined with due regard to:

Provision of adequate building sites suitable to the special needs of the type of use contemplated.

Needs for convenient access, circulation, control, and safety of traffic.

Limitations and opportunities of topography.

- b. No block shall be longer than one thousand four hundred feet (1,400') except in unusual circumstances. Where a subdivision adjoins a major highway, the greater dimension on the block shall front along such major highway to minimize the number of points of ingress or egress.
- c. Where blocks are over seven hundred fifty feet (750') in length, a crosswalk easement not less than ten feet (10') in width may be required, if necessary, to provide proper access to schools, playgrounds, shopping centers, and other facilities.
- d. The depth and width of properties laid out or reserved for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use and development contemplated. The permanent reservation of suitable buffer and easement areas may be required, where deemed essential. Such areas shall normally be made a part of abutting lots or building sites.

6. Lots

a. Size, Shape, and Orientation

The lot size, width, depth, shape, orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and type of development and use contemplated. A depth and width ratio of approximately 2-1/2 to 1 is desirable. Lot depth in relation to width shall normally not exceed a ratio of 3 to 1.

b. Dimensions

Lot dimensions and area shall not be less than the requirements of this Ordinance. In subdivisions not providing full community sewer and water facilities, increased area will be required in instances where such need is indicated by the Soil and Water Conservation District's investigations and by the Montgomery County Health Department. (See Section 5.05)

c. Corner Lots

No corner lot shall have a width at the building line of less than fifty feet (50'). Either of the two sides of a corner lot fronting on a street may be designated the front of a lot, provided the rear yard shall always be opposite the frontage so designated.

All corner lots, be they at the intersection of the rights-of-way of two (2) streets or of an alley and a street, shall have a curve with a minimum radius of thirty feet (30') joining the two (2) sidelines of said rights-of-way.

d. Lot Lines

Side lot lines shall be at right angles or radial to the street center line or substantially so, and along curvilinear street center lines, side lot lines so formed shall form a lot having not less than twenty feet (20') of width at either the front lot line or the rear lot line.

e. Double Frontage Lots

All lots shall abut an improved public street. Double frontage and reverse frontage lots may be required where they are desirable to provide separation of development from traffic arteries or to overcome other disadvantages of topography or situation.

f. Building Sites

Every lot shall contain a suitable building site. Lots containing rock foundations, water courses, or other adverse conditions shall have an additional depth or width as required. Lots without a public sewer system but with a public water system shall be no less than one acre (43,560 square feet). Where a private individual well and private sewage disposal system is proposed, lots shall be no less than one (1) acre. However, a greater area may be required for such lots if, in the opinion of the Soil and Water Conservation District and/or Montgomery County Health Department, there are factors or drainage, soil conditions, or other conditions which cause potential health problems.

7. Street Names

Names of new streets shall not duplicate the names of existing street or roads of record. New streets which are extensions of, or in alignment with, existing streets may bear the name of the existing streets. All names shall meet with approval of the 911 Board and final approval of a proposed subdivision by the Montgomery County Board will be withheld until the developer complies with Section 3 (a) of the 911 ordinance.

8. Easements

a. Easements shall be provided, where necessary, for any surface, underground, or overhead utility service and sewage effluent discharge, including storm water drainage. They shall have a width of ten feet (10') and shall be established along rear lot lines and along such other lot lines as are required to provide continuity of alignment throughout the area served.

b. When a subdivision is traversed or bounded by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water course; and such further width or construction, or both, as will be adequate for the purpose. It shall include an

additional area of at least fifteen feet (15') adjoining both edges of the established flood plain area as certified by the subdivider or his engineer. Minimum floor elevations for structures may be required in areas which are or may be flooded.

9. Resubdivision and Replatting

The Subdivision and Planning Committee shall, in the performance of its plat-approving function, be vigilant for opportunities to encourage and facilitate the replatting of prematurely and inexpertly subdivided areas, which are now in sharp contrast to current standards of acceptability. Rehabilitation of these areas shall be implemented through proper design considerations when adjacent and unsubdivided land is proposed for development.

10. Business and Industrial Subdivision

Business and industrial areas shall be subdivided into lots of such size, shape, and arrangement as to meet business or industrial needs. Properties reserved or laid out for business or industrial purposes shall be large enough to provide for the setback, yard, private sewage disposal system and off-street parking and loading facilities required by the type of development contemplated.

Section 5 – Required Improvements

Section 5.01 General Requirements

1. Unless otherwise indicated, the developer, through his engineer, shall prepare and furnish all plans, specifications, costs estimates, and other essential documents necessary for the construction and installation of the required improvements. Further, the subdivider shall agree at his own cost and expense to do all the work and furnish all the materials and labor necessary to construct and complete the required improvement in a good and substantial manner to the satisfaction of the County Engineer.
2. Unless otherwise specified, all construction shall be in accordance with the provisions of the current issue of the Standard Specification for Road and Bridge Construction by the Illinois Department of Transportation, as the same is amended from time to time, and hereinafter referred to as the Standard Specification.
3. Specifications, Supervision and Inspection

The specifications adopted by the County shall in all respects govern all construction work. The subdivider shall employ a Professional Engineer who shall be responsible for establishing the proper lines and grades for all earthwork and drainage and shall exercise general supervision as construction progresses. For the purpose of this section, general supervision shall mean sufficient overseeing of the project to assure that construction of the engineering improvement is accomplished in accordance with the approval plans and specifications.

The work shall be done under County inspection. The County Engineer shall not in any way be a substitute for the subdivider's Professional Engineer and Inspector. It shall be completed within the time fixed or agreed upon by the County Engineer.

4. Inspection Costs

The cost of inspection shall be paid by the subdivider. An amount of money estimated by the County Engineer for such purpose shall be deposited in advance with the County Treasurer and credited to the County Highway Department.

5. Time Schedule and Sequence of Construction

The subdivider shall submit a statement setting forth a scheduled time not to exceed one year (except in the case of an asphalt construction, where the maximum shall be two (2) years), from the date of approval of the Final Plat, within which the improvements required by these regulations will be completed.

6. Extension of Time

All construction items shall be completed within one year of the recording of the Final Plat; where bituminous construction is required, a maximum of two (2) years shall be allowed. The County Engineer shall be authorized to grant one extension for a period not to exceed twelve (12) months.

7. Default

If the improvements are not completed within the specified time, the County Board may use the Performance Bond or any portion thereof necessary to complete same.

Section 5.02 Streets

1. All grading, paving, surfacing, drainage structures, or other improvements required or involved in the opening, widening, or expansion of any street, road, or public way shall be of such size, width, thickness, character, and type deemed by the County Engineer to be suitable and appropriate to the intended use and development; and consistent with the standards and specifications set forth in these rules and regulations.

2. Curbs and Gutters

- a. The requirements of curbs and gutters shall vary in accordance with the character of the area and the density of development involved. In urban areas, curbs are necessary to control storm water runoff and to clearly define driving and parking areas.
- b. Curbs shall be required on all streets and roads where the proposed net residential density of the subdivision exceeds four (4) families per acre.
- c. Where residential lot frontages are less than eighty-five feet (85') in commercial developments or where other similar intensive urban uses exist or are anticipated, curbs shall be required. The installation of curbs may be required on major, principal arterial and local streets, if such construction is deemed necessary for public safety.
- d. Where curbs exist on abutting properties, their extension shall ordinarily be required throughout the proposed subdivision.

- e. Where curbs are not required, adequate gutters shall be graded and protected by seeding, or a hard surface may be required where the grade is such as may be deemed necessary by the County Engineer.
- f. Concrete curb and gutter, conforming to Illinois Department of Transportation Specifications, shall be required.

3. Pavement

Roadway pavement surfaces and base courses shall meet the requirements as outlined in the following table, "Minimum Pavement Requirements," for the various acceptable road types.

4. Sidewalks

If the property subdivided is located adjacent to the corporate limits of a community, the Subdivision and Planning Committee may require sidewalks if the subdivision is near a school or a commercial area, where pedestrian traffic would be high or when an official plan element intends sidewalks in a given area. In residential districts, sidewalks shall be constructed when required with the near edge of the sidewalk one foot (1') from the property line. In industrial districts, sidewalks shall be constructed when required next to the curb. All commercial areas shall include spaces for pedestrian circulation. Sidewalks shall be constructed as follows:

- a. Residential, Commercial and Industrial Districts
Minimum width, four feet (4'); minimum thickness, four inches (4") except access driveway areas where minimum thickness shall be five inches (5").
- b. Shopping Districts
Minimum width, four (4) feet; minimum thickness, five (5) inches.

All sidewalks shall be constructed in accordance with the standard specifications of the Americans with Disabilities Act.

MINIMUM PAVEMENT REQUIREMENTS
BY ROAD CLASSIFICATION

TYPE

All pavement types regulated by the Illinois Department of Transportation's Bureau of Local Roads and Streets Manual and constructed in accordance with the Standard Specification for Road and Bridge Construction.

- A Three (3) inch bituminous (1-1/2" binder, 1-1/2" surface Class I) over eight (8) inches aggregate base course, or its equivalent.
- B Bituminous surface treatment (Class A-3) with eight (8) inch base course of compacted gravel or crushed stone base, for roadways without curb and gutters and eight (8) inch base course of compacted gravel or crushed stone base, for roadways with curb and gutters.

ROAD CLASSIFICATION

Principal Arterial Street (Urban)

PAVEMENT TYPE

By Pavement Design*

Principal Arterial Street (Rural)	By Pavement Design*
Local Street (Urban)	A
Local Street (Rural)	A, B
Marginal Access Road	A, B
Business District	By Pavement Design
Industrial District	By Pavement Design

*Minimum pavement shall not be less than Type "A".

5. Alley Pavement

All alleys, where permitted, shall be improved with a roadway consisting of not less than eight inches (8") of aggregate base course Type A or B when thoroughly compacted, and bituminous surface treatment Class A-2.

- a. Through apartment district blocks, no less than twenty feet (20').
- b. Through business and industrial blocks, not less than twenty-four feet (24').

Section 5.03 Monuments

1. Permanent monuments shall be placed at all corners and at points of tangency of curve lines along the boundary of the subdivision. Permanent monuments shall be made of concrete with minimum dimensions of four inches (4") by four inches (4") at top, six inches (6") by six inches (6") at bottom, and thirty-six inches (36") long, with iron dowel three-eighths inch (3/8") in diameter, at least two and one-half inches (2 1/2") in length, embedded so that the top of the dowel shall be flush with the surface and at the center of the monument.
2. All lot corners not marked by concrete monuments shall be marked by galvanized or wrought iron pipe or iron or steel bars at least thirty (30) inches in length and not less than one-half (1/2) inch in diameter. The top of the pipe or bar is to be set level with the established grade of the ground.
3. In addition, a minimum of one permanent bench mark shall be established for each twenty (20) acres or fraction thereof, subdivided and at a location designated by the County Engineer. This monument shall be made of concrete with a minimum of four inches (4") by four inches (4") at top, six inches (6") by six inches (6") at bottom, and thirty-six inches (36") long, with iron dowel three-eighths inch (3/8") in diameter, at least two and one-half inches (2 1/2") in length embedded so that the top of the dowel shall be flush with the surface and the center of the monument.

Section 5.04 Storm Drains

1. An adequate system of storm water drainage designed for a fifteen (15) year maximum rain shall be constructed and installed consisting of pipes, tiles, manholes, inlets, catch basins, or other necessary facilities which shall, under normal conditions, adequately drain the subdivision, and protect roadway pavements, and prevent the accumulation of

storm water at any place. Such drainage system shall be subject to approval by the County Engineer.

Storm drainage, including drain tile around basements, shall not be permitted to empty into any sanitary sewer. Where a public storm water sewer is reasonably accessible, as determined by the County Engineer, the subdivider shall connect with such storm drainage system and shall do such grading and provide such drainage structures, including lateral connections, as may be required by the County Engineer. Where a public storm water system is not reasonably accessible as determined by the County Engineer, but where the plans for the storm water drainage system of the district in which the subdivision is located have been prepared and officially approved, the subdivider shall install drainage facilities as may be required by the County Engineer.

If the subdivision is in an area where public storm water system is not available, the subdivider shall do such grading and provide such drainage structures as may be required by the County Engineer. No diversion of storm water shall be permitted.

2. Backyard swales may be permitted, subject to the following regulations.
 - a. Maximum and minimum slopes and general design criteria of the Federal Housing Administration's "Minimum Property Requirements" shall be acceptable, except as herein modified.
 - b. No continuous swale shall have a length exceeding six hundred (600) feet.
 - c. Minimum grade of the flow line shall be four-tenths percent (4/10%).
 - d. At no point in the swale shall the flow line be more than three (3) feet below the finished grade of the topsoil at the foundation of the house opposite the swale.
 - e. No change in alignment of a backyard swale shall exceed forty-five (45) degrees.

Section 5.05 Sewage Disposal

1. Sanitary Sewers

If a subdivision can be reasonably served by the extension of an existing public sanitary sewer, as determined by the County, the developer shall provide a system of sanitary sewer mains and shall provide lateral connections for each lot or potential building site. Where a public sanitary sewer is not reasonably accessible:

- a. The County Board may, after obtaining and considering reports from the local Soil and Water Conservation District, refuse to permit the area to be developed for any purpose deemed detrimental to the health and general welfare of the immediate and surrounding area.
- b. Or, the County Board may approve the subdivision plat provided appropriate provisions or arrangements have been made for the installation of private sewage disposal systems for each lot or building site and provided, further, that such arrangements are made in accordance with Illinois Department of Health requirements and Montgomery County Sewer Ordinance and are approved by the Montgomery County Health Department.

- c. A private sewage disposal system shall not be permitted on any lot less than five acres (217,800 square feet) unless approved by the Montgomery County Health Department.
- d. A Soil Investigation shall be made for each acre of ground to be subdivided in order to show the area to be suitable for a private sewage system. A written report of such tests made by licensed professional engineer or licensed soil classifier shall be submitted with the Preliminary Plat. In the area of the Private Disposal System all traffic shall be kept off the site to prevent compaction or excavation.
- e. If, after a private sewage disposal system has been in use in any subdivision, a sewer main is installed capable of serving the subdivision and the lots therein, it shall thereafter be unlawful to utilize a private sewage disposal system for the disposal of sewage. All properties utilizing private sewage disposal systems shall discontinue their use and make connection to the sanitary sewer for disposal of sewage.

2. Private Sewage Disposal Systems

In the event the installation of individual disposal systems shall be considered, it shall be the responsibility of the developer to furnish the topographical map and other information and data; to obtain or perform all tests in accordance with the requirements of the State Department of Health and Montgomery County Health Department Sewage Ordinance. The private sewage disposal system shall conform to the requirements of the Illinois Department of Health and Montgomery County Health Department Sewage Ordinance, and any applicable Illinois Environmental Protection Agency requirements.

- a. All private sewage that is eventually routed to a private sewage disposal system shall not discharge in any manner into open ditches, lakes, streams, or any other body of water, so as to create a nuisance on or off the property.

Section 5.06 Water Supply

1. Public Water Supply

Where public water supply is within reasonable distance, as determined by the Illinois E.P.A., the developer is encouraged to construct a system of water mains and fire hydrants and connect with such public water supply and provide a connection for each lot or potential building site.

Where a public water supply is not available, the developer shall provide suitable supply of drinking water for each lot in the subdivision.

2. Public Water Distribution Systems

Public wells and other public water distribution systems shall meet the requirements of the Illinois Department of Public Health and Illinois Environmental Protection Agency Regulations.

Section 5.07 Street Signs

The developer shall place on deposit or arrange as a part of the bond agreement, sufficient funds to cover the cost of purchases, delivery, and installation of all required street name signs. Such signs shall conform to standards adopted by the County and Montgomery County Emergency Telephone System Board.

Section 5.08 Inspection

As applicable, public improvements to be made under the provisions of this chapter shall be inspected during the course of construction by the County Engineer or County Health Department. The subdivider shall pay the compensation for such inspection and other costs incurred in connection with such inspection to the County in the amount of one hundred dollars (\$100.00) per inspection. The County Engineer will not in any way be a substitute for the subdivider's resident engineer and inspector.

Section 5.09 Permits

No structural improvement/building permit, including a private sewage permit and/or private well permit, shall be issued providing for the improvement of any lot in a subdivision until the plat of subdivision and the plans and specifications for the public improvements have been approved by the County Board. Any violation of this section shall be prosecuted as outlined in Section 3.22 of this Ordinance.

Section 5.10 When Effective

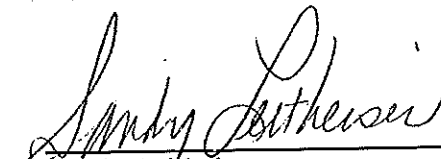
This Ordinance shall be in full force and effect from and after its passage and approval, as provided by law. All ordinances or parts of ordinances in conflict herewith, are to the extent of such conflict repealed.

Passed and approved this 12th day of June, 2012.



Mike Plunkett
Montgomery County Board Chairman

ATTEST



Sandy Leitheiser
Montgomery County Clerk/Recorder

Section 6 – APPENDICES

6.01 – SUBDIVIDER’S CHECKLIST – MAJOR SUBDIVISION

6.02 – SUBDIVIDER’S CHECKLIST – MINOR SUBDIVISION

6.03 – APPLICATION FOR PRELIMINARY PLAT APPROVAL

6.04 – TYPICAL PRELIMINARY PLAT APPROVAL

6.05 – APPLICATION FOR FINAL PLAT APPROVAL

6.06 – TYPICAL FINAL PLAT

6.07 – LETTERS OF CREDIT

- a. Letter of Credit for Construction**
- b. Letter of Credit for Maintenance**

APPENDIX 6.01

SUBDIVIDER'S CHECKLIST

MAJOR SUBDIVISION

**MAJOR SUBDIVISION
SUBDIVIDERS CHECKLIST**

The Subdivider's Checklist is intended to provide the subdivider with a general outline of the process of subdivision approval in Montgomery County, Illinois. Specific requirements can be found in the amended subdivision ordinance. Copies of the ordinance are available from the Montgomery County Engineer.
Phone: (217) 532-6109

Subdivision Name: _____

Township/General Location: _____

School District: _____

Name of Subdivider: _____ Telephone: _____

Name of Landowner: _____ Telephone: _____

1. Subdivider retains a duly licensed engineer or surveyor to draw up the plat.

Name of licensed engineer/surveyor

2. Subdivider meets with the County Engineer for pre-application conference (Section 3.01):
 - a. County Engineer answers questions about the approval process.
 - b. Subdivider gives County Engineer a general overview of project.
 - c. Subdivider is encouraged to provide a rough freehand sketch of subdivision on topographic map.

Date of Meeting

3. Subdivider submits to the County Engineer a minimum of fifteen (15) copies of the Preliminary documents and the preliminary plat fee for the subdivision (Section 3.02).

Date of Submission

4. County Engineer distributes copies of the preliminary subdivision plat along with the Application for Preliminary Plat Approval and proposed protective covenants and restrictions to the following offices for review (Section 3.02):
 - a. County Health Officer
(217) 532-2001
 - b. Soil & Water Conservation District
(217) 532-3361

- c. County Clerk (verify taxes)
(217) 532-9530
- d. County Engineer
(217) 532-6109
- e. Emergency Telephone System (E911)
(217) 532-9563 or (217) 532-9650
- f. Plat Act Officer
(217) 532-9580
- g. Appropriate Township Highway(Road) Commissioner(s)

The County Engineer, upon receipt, forwards copies of review comments of the above offices to the Chairman of the Subdivision and Planning Committee.

5. The Chairman of the Subdivision and Planning Committee places proposed subdivision on agenda of the next regularly scheduled Subdivision and Planning Committee meeting for consideration. It is recommended that the subdivider and engineer/surveyor attend the meeting of the Subdivision and Planning Committee. The Committee either recommends or does not recommend approval of preliminary plat by the County Board (Section 3.08).

Date of Subdivision and Planning Meeting

Result: Recommended
 Recommended Conditionally
 Not Recommended

6. Preliminary plats recommended for approval by the Subdivision and Planning Committee are placed on the agenda of the next regularly scheduled Board meeting for consideration (Section 3.09).

Date of County Board Meeting

Result: Approved
 Approved Conditionally
 Disapproved

7. After a preliminary plat is approved, improvement plans, engineer's cost estimate, time schedule and sequence of construction shall be prepared and four (4) copies of each submitted to the County Engineer for approval (Section 3.10 – 3.12).

Date of Improvement Plan Submittal

Result: Approved
 Approved Conditionally
 Disapproved

Date of Improvement Plan Approval

8. After preliminary plat and improvement plan approval, subdivider submits to the County Engineer a minimum of thirteen (13) copies of the final plat documents and the final plat fee for the subdivision (Section 3.13).

Date of Submission

9. County Engineer distributes copies of the final subdivision plat along with the Application for Final Plat Approval, the final protective covenants and an agreement executed by the subdivider to construct improvements in accordance to

the improvement plans for the subdivision to the following offices for review (Section 3.13):

- a. County Health Officer
(217) 532-2001
- b. Soil & Water Conservation District
(217) 532-3361
- d. County Engineer
(217) 532-6109
- e. Plat Act Officer
(217) 532-9580
- g. Appropriate Township Highway(Road) Commissioner(s)

The County Engineer, upon receipt, forwards copies of review comments of the above offices to the Chairman of the Subdivision and Planning Committee.

10. The Chairman of the Subdivision and Planning Committee places proposed subdivision on agenda of the next regularly scheduled Subdivision and Planning Committee meeting for consideration. It is recommended that the subdivider and engineer/surveyor attend the meeting of the Subdivision and Planning Committee. The Committee either recommends or does not recommend approval of the final plat by the County Board (Section 3.18).

Date of Subdivision and Planning Meeting

- Result: Recommended
 Recommended Conditionally
 Not Recommended

11. Final plats recommend for approval by the Subdivision and Planning Committee are placed on the agenda of the next regularly scheduled Board meeting for consideration (Section 3.19).

Date of County Board Meeting

- Result: Approved
 Approved Conditionally
 Disapproved

12. Upon approval by the County Board, signatures of Final Plat Certification of Approval are made and the final plat is submitted to the County Engineer. County Engineer notifies subdivider in writing that final plat has been approved for recording in the Office of the Recorder of Deeds (Section 3.19).

13. Subdivider shall tender 3 original Plats to the Office of the Recorder of Deeds with the appropriate recording fee in accordance with Section 3.21. One original Plat shall be recorded by the Recorder of Deeds. After recording, one original Plat shall be tendered to the County Engineer. After recording, one original Plat shall be tendered to the Plat Act Officer.

Date of Final Plat Recording

APPENDIX 6.02

SUBDIVIDER'S CHECKLIST

MINOR SUBDIVISION

**MINOR SUBDIVISION
SUBDIVIDERS CHECKLIST**

The Subdivider's Checklist is intended to provide the subdivider with a general outline of the process of subdivision approval in Montgomery County, Illinois. Specific requirements can be found in the amended subdivision ordinance. Copies of the ordinance are available from the Montgomery County Engineer.
Phone: (217) 532-6109

Subdivision Name: _____

Township/General Location: _____

School District: _____

Name of Subdivider: _____ Telephone: _____

Name of Landowner: _____ Telephone: _____

1. Subdivider retains a duly licensed engineer or surveyor to draw up the plat.

Name of licensed engineer/surveyor

2. Subdivider meets with the County Engineer for pre-application conference (Section 3.01):

- a. County Engineer answers questions about the approval process.
- b. Subdivider gives County Engineer a general overview of project.
- c. Subdivider is encouraged to provide a rough freehand sketch of subdivision on topographic map.

Date of Meeting

3. Improvement plans, engineer's cost estimate, time schedule and sequence of construction shall be prepared and four (4) copies of each submitted to the County Engineer for approval (Section 3.10 - 3.12) unless improvement plan procedures are waived by the County Engineer (Section 3.20).

Improvement Plan Procedures waived: Yes _____ No _____
If no:

Date of Improvement Plan Submittal

- Result: Approved
 Approved Conditionally
 Disapproved

Date of Improvement Plan Approval

4. After improvement plan approval or waiver, subdivider submits to the County Engineer a minimum of fifteen (15) copies of the final plat documents and the final plat fee for the subdivision (Section 3.13 and Section 3.20).

Date of Submission

5. County Engineer distributes copies of the final subdivision plat along with the Application for Final Plat Approval, the final protective covenants and an agreement, if necessary, executed by the subdivider to construct improvements in accordance to the improvement plans for the subdivision to the following offices for review (Section 3.13):

- a. County Health Officer
(217) 532-2001
- b. Soil & Water Conservation District
(217) 532-3361
- c. County Clerk (verify taxes)
(217) 532-9530
- d. County Engineer
(217) 532-6109
- e. Emergency Telephone System (E911)
(217) 532-9563 or (217) 532-9650
- f. Plat Act Officer
(217) 532-9580
- g. Appropriate Township Highway(Road) Commissioner(s)

The County Engineer, upon receipt, forwards copies of review comments of the above offices to the Chairman of the Subdivision and Planning Committee.

6. The Chairman of the Subdivision and Planning Committee places proposed subdivision on agenda of the next regularly scheduled Subdivision and Planning Committee meeting for consideration. It is recommended that the subdivider and engineer/surveyor attend the meeting of the Subdivision and Planning Committee. The Committee either recommends or does not recommend approval of final plat by the County Board (Section 3.18).

7. Final plats recommended for approval by the Subdivision and Planning Committee are placed on the agenda of the next regularly scheduled Board meeting for consideration (Section 3.19).

Date of County Board Meeting

Result: Approved
 Approved Conditionally
 Disapproved

8. Upon approval by the County Board, signatures of Final Plat Certification of Approval are made and the final plat is submitted to the County Engineer. County Engineer notifies subdivider in writing that final plat has been approved for recording in the Office of the Recorder of Deeds (Section 3.19).

9. Subdivider shall tender 3 original Plats to the Office of the Recorder of Deeds with the appropriate recording fee in accordance with Section 3.21. One original Plat shall be recorded by the Recorder of Deeds. After recording, one original Plat shall be tendered to the County Engineer. After recording, one original Plat shall be tendered to the Plat Act Officer.

Date of Final Plat Recording

APPENDIX 6.03

APPLICATION FOR PRELIMINARY PLAT APPROVAL

APPLICATION FOR PRELIMINARY PLAT APPROVAL

County of Montgomery, Illinois

Name of Subdivision _____

Location _____

Name of Subdivider _____

Address of Subdivider _____

Phone No. where subdivider can be reached _____

Application is hereby made for approval of the Preliminary Plat. The following documents are made a part of this application:

- a. Minimum of (15) copies of the Preliminary Plat.
- b. Minimum of (15) copies of Protective Covenants and Restrictions.
- c. Preliminary Plat fees. Refer to Section 3.23 for applicable fees.
- d. Certificate of zoning compliance from the effected city, if applicable.
- e. Any other data the County Engineer deems necessary.

Action by the Subdivision and Planning Committee should be sent to:

Name _____

Address _____

Respectfully submitted this _____ day of _____, 20 ____

Signed _____

Number of lots _____.

County Department Review:

County Health Officer
(217) 532-2001

Date Reviewed/Initials: _____

Soil & Water Conservation District
(217) 532-3361

Date Reviewed/Initials: _____

County Clerk (verify taxes)
(217) 532-9530

Date Reviewed/Initials: _____

County Engineer
(217) 532-6109

Date Reviewed/Initials: _____

Emergency Telephone System (E911)
(217) 532-9563 or (217) 532-9650

Date Reviewed/Initials: _____

Plat Act Officer
(217) 532-9580

Date Reviewed/Initials: _____

Township Highway(Road) Commissioner Review: Date Reviewed/Initials: _____

_____ Road District
_____ Signed

Subdivision and Planning Committee Action:

Recommend _____ Recommend Conditionally _____
Not Recommend _____

COMMENTS _____

Date _____

CHAIRMAN,
SUBDIVISION AND PLANNING COMMITTEE

APPENDIX 6.04

TYPICAL PRELIMINARY PLAT

APPENDIX 6.05

APPLICATION FOR FINAL PLAT APPROVAL

APPLICATION FOR FINAL PLAT APPROVAL

County of Montgomery, Illinois

Name of Subdivision _____

Location _____

Name of Subdivider _____

Phone No. where subdivider can be reached _____

Application is hereby made for approval of the final plat. The following documents are made a part of this application:

For Major Subdivisions:

- a. Minimum of thirteen (13) copies of Final Plat.
- b. Minimum of thirteen (13) copies of Protective Covenants and Restrictions.
- c. Minimum of thirteen (13) copies of an agreement, executed by the subdivider to construct improvements in accordance to the improvement plans.
- d. One (1) copy of financial guarantees as required in Section 3.23-2.
- e. Final Plat fees. Refer to Section 3.23 for applicable fees.

For Minor Subdivisions:

- a. Minimum of fifteen (15) copies of Final Plat.
- b. Minimum of fifteen (15) copies of Protective Covenants and Restrictions.
- c. Minimum of fifteen (15) copies of an agreement, if necessary, executed by the subdivider to construct improvements in accordance to the improvement plans.
- d. One (1) copy of financial guarantees as required in Section 3.23-2.
- e. Final Plat fees. Refer to Section 3.23 for applicable fees.

Action by the Subdivision and Planning Committee should be sent to:

Name _____

Address _____

Respectfully submitted this _____ day of _____, 20____

Signed _____

Final Plat Fee _____

County Department Review for Major and Minor Subdivisions:

County Health Officer
(217) 532-2001

Date Reviewed/Initials: _____

Soil & Water Conservation District
(217) 532-3361

Date Reviewed/Initials: _____

County Engineer
(217) 532-6109

Date Reviewed/Initials: _____

Plat Act Officer
(217) 532-9580

Date Reviewed/Initials: _____

County Department Review for Minor Subdivisions only:

County Clerk (verify taxes)
(217) 532-9530

Date Reviewed/Initials: _____

Emergency Telephone System (E911)
(217) 532-9563 or (217) 532-9650

Date Reviewed/Initials: _____

Township Highway(Road) Commissioner Review: Date Reviewed/Initials: _____

_____ Road District
_____ Signed

Subdivision and Planning Committee Action:

Recommend _____ Recommend Conditionally _____
Not Recommend _____

COMMENTS _____

Date _____

CHAIRMAN,
SUBDIVISION AND PLANNING COMMITTEE

APPENDIX 6.06

TYPICAL FINAL PLAT

APPENDIX 6.07

FORM LETTERS OF CREDIT

APPENDIX 6.07 A
FORM OF LETTERS OF CREDIT

When letters of credit are used to meet the requirements of the ordinance, the following form shall be used:

LETTER OF CREDIT FOR CONSTRUCTION

TO: Montgomery County Board

We hereby issue our irrevocable Letter of Credit in favor of the Montgomery County Board on behalf of _____, in the amount of \$ _____. This Letter of Credit is issued in place of a bond guaranteeing construction and subdivision improvements. The subdivision improvements are set forth in the drawings and specifications attached hereto and made a part thereof.

In the event of the non-performance by the beneficiary to complete these improvements (date), we hereby authorize the Montgomery County Engineer, on behalf of the County of Montgomery, to draw the total amount of this irrevocable Letter of Credit.

This Irrevocable Letter of Credit established by us shall expire only on written release by the Montgomery County Engineer, and the engineer engaged by the owner to supervise construction. This Irrevocable Letter of Credit shall remain in effect without regard to any default in payments owed us by the beneficiary. The consideration of this Letter of Credit is provided by agreements between the financial institution and the beneficiary herein and the approval of the (name of subdivision) plat by the Montgomery County Board.

BY: _____
Name/Title

Notary Certificate

State of Illinois)
County of Montgomery)

Before me, the undersigned notary public, in and for the county and state, personally appeared _____ and acknowledged the execution of the foregoing instrument as his or her voluntary act and deed, for the purposes therein expressed.

Witness my hand and notarial seal this _____ day of _____, 20____.

Notary Public

APPENDIX 6.07 B
FORM OF LETTERS OF CREDIT

When letters of credit are used to meet the requirements of the ordinance, the following form shall be used:

LETTER OF CREDIT FOR MAINTENANCE

TO: Montgomery County Board

We hereby issue our irrevocable Letter of Credit in favor of the Montgomery County Board on behalf of _____, in the amount of \$ _____. This Letter of Credit is issued in place of a bond guaranteeing against any defect in the material or workmanship furnished in connection with (name of subdivision) latent in character and not discernable at the time of the certification of completion of such improvements, and to guarantee against any damage to such improvements by reason of settling of the ground base or foundations. At the end of the 18 month period after the certifications of completion and no defects have been brought to the attention of the (financial institution), or defects have been noted and cured, this Letter of Credit shall become void. The subdivision improvements are set forth in the drawings and specifications as have been filed with Montgomery County.

In the event of such latent defect appearing within such 18 month period and the developer having been notified of the same has not cured said latent defect, we hereby authorize the Montgomery County Engineer, on behalf of the County of Montgomery, to draw up to the total amount of this irrevocable Letter of Credit as necessary to cure the defect.

This Irrevocable Letter of Credit shall remain in effect without regard to any default in payments owed us by the beneficiary. The consideration of this Letter of Credit is provided by agreements between the financial institution and the beneficiary herein and the approval of the (name of subdivision) plat by the Montgomery County Board.

BY: _____
Name/Title

Notary Certificate
State of Illinois)
County of Montgomery)

Before me, the undersigned notary public, in and for the county and state, personally appeared _____ and acknowledged the execution of the foregoing instrument as his or her voluntary act and deed, for the purposes therein expressed.

Witness my hand and notarial seal this _____ day of _____, 20____.

Notary Public