

TITLE 11
SUBDIVISIONS

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CHAPTER 1
IN GENERAL

SECTION:

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11-1-1: **TITLE:** The Title may be known, cited, and referred to as the VILLAGE OF MORTON SUBDIVISION ORDINANCE. (Ord. 80-42, 4-6-81)

11-1-2: **PURPOSE:** This Title, which is part of the Comprehensive Plan of the Village, is adopted to promote and protect the public health, safety, morals, comfort, convenience, and general welfare of the people; to protect the character and maintain the stability of the Village and contiguous unincorporated territory; to assure the orderly development of the Village; and to establish reasonable standards of design and procedure for subdivision, resubdivision, development of land, and the installation of public improvements within the Village and contiguous unincorporated territory. The "Official Map of the Village of Morton" herein referred to and identified by the Title thereon as "Morton, Illinois Official Map", is adopted herein as a part hereof. (Ord. 94-37, 5-1-95; amd. Ord. 00-45,1-2-01; amd. Ord. 06-38, 2-19-07)

11-1-3: **JURISDICTION:** These regulations shall be applicable to all subdivisions, resubdivisions, and development of land within the corporate limits of the Village and contiguous unincorporated territory not more than one and one-half (1 1/2) miles beyond the corporate limits of the Village as shown on the "Official Map of Morton". (Ord. 80-42, 4-6-81; amd. Ord. 00-45, 1-2-01)

For purposes of this Chapter, development includes situations where subdivision may not be required, it being the intent of this Section to include all development within areas lying within one and one-half (1 1/2) miles of the corporate limits whether same is labeled a subdivision or not. (Ord. 00-45, 1-2-01)

11-1-4: **RULES:**

- (A) 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.
- (B) The word "shall" is mandatory and not discretionary.
- (C) The word "may" is permissive.
- (D) The masculine gender includes the feminine and neuter.
- (E) Whenever a word or term defined herein appears in the text of this Title its meaning shall be construed as set forth in the definition thereof and any word appearing in parenthesis directly thereafter shall be construed in the same manner. (Ord. 80-42, 4-6-81)

11-1-5: **DEFINITIONS:**

ALLEY:	A public right of way primarily designed to serve as access to the side or rear of those properties whose principal frontage is on some other street.
BASE FLOOD:	A flood having a one percent (1%) chance of being equaled or exceeded in any given year. This base flood is also known as the 100-year flood.
BLOCK:	A tract of land bounded by streets or a combination of streets, public parks, cemeteries, railroad right of way, waterways, or boundary lines of the corporate limits of the Village.
CLERK:	The Village Clerk of the Village of Morton.
CLUSTER BOX UNIT:	A freestanding, pedestal-mounted outdoor mailbox containing individually locked mailboxes and parcel compartments, as approved by the United State Postal Service, along with associated equipment and infrastructure necessary to site the mailbox. The equipment includes, but is not limited to, a concrete pad or pads, lighting equipment and a shelter or similar overhanging structure.
COLLECTOR STREET:	A street, either residential or commercial/industrial, intended to carry through traffic and to which several minor streets are connected.
COMMISSION:	The Plan Commission of the Village.
COMPREHENSIVE PLAN:	Collectively those documents and Ordinances of the Village relating to zoning, major street planning, and land development.
CONSTRUCTION PLANS:	Plans prepared to show the types, locations, lines, and grades of the proposed streets, storm sewers, sanitary sewers, water mains, etc., in the proposed subdivision and shall include cost estimates.
CUL-DE-SAC:	A street or road with only one outlet and having an appropriate terminal for the safe and convenient reversal of all traffic movement.
EASEMENT:	A grant by a property owner of the use of land for a specific purpose.
FINAL PLAT:	The final drawing of the proposed subdivision which shall be presented to the Plan Commission and Village Board for their respective considerations and, if approved, shall be recorded in the Tazewell County Recorder's office for the purpose of conveying land.
FLOOD HAZARD BOUNDARY MAP:	A map delineating "A" zones as areas that are susceptible to the base flood as prepared by the United States Department of Housing and Urban Development, Federal Insurance Administration.
FLOOD OR FLOODING:	A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters, or the unusual or rapid accumulation of runoff of surface waters from any source.
FRONTAGE:	The length of the front property line of lots, tracts, or parcels fronting on a public street, road, or right of way. The frontage of lots shall be measured along the front building setback line, which for this definition shall not be more than thirty five feet (35') from the property line.
GRADE:	The slope of a road, street, or other public way, specified in percent and shown on street profile plans as required herein.

IMPROVEMENT, PUBLIC:	Any sanitary sewer, storm sewer, drainage ditch, watermain, roadway, parkway, sidewalk, planting strip, off-street parking area, lighting, gas mains, or other facility for which the Village may ultimately assume the responsibility for maintenance and operation.
LOT:	A portion of a subdivision or other parcel of land intended for transfer of ownership or for building development.
LOT, CORNER:	A lot situated at the intersection of two (2) streets.
LOT, THROUGH:	A lot having a pair of opposite lot lines along two (2) substantially parallel public streets and which is not a corner lot.
MORTON SUBDIVISION CONSTRUCTION DETAILS:	The standard detailed drawings of types of streets, curbs, sewer, and water appurtenances, etc., which are to be used in subdivision construction and which are on file in the office of the Plan Director.
OFFICIAL MAP:	Map established herein and on which may be indicated proposed public improvements for the purpose of coordinating the construction of public improvements with future community development.
OWNER:	Any person, group of persons, firm or firms, trust, corporation or corporations, or any other legal entity having legal title to the land sought to be subdivided under this Title.
PARKWAY:	An unpaved strip of land situated within the public right of way of a street.
PEDESTRIAN CROSSWALK OR WAY:	A public right of way within a block, ten feet (10') or more in width, intended primarily for pedestrians but which may include utilities where necessary, and from which motor propelled vehicles are excluded.
PLAN COMMISSION:	The Plan Commission of the Village of Morton.
PLAN DIRECTOR:	The Plan Director of the Village of Morton.
PLAT OFFICER:	The Plat Officer of the Village of Morton.
PRELIMINARY PLAT:	The preliminary drawing indicating the proposed layout of the subdivision to be submitted to the Plan Commission and Village Board for their consideration.
RIGHT OF WAY:	A strip of land occupied or intended to be occupied by a road, sidewalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer, drainage ditch, or for other special uses. The usage of the term "right of way" for land platting purposes shall mean that every right of way hereafter established and shown on a final record plat is to be separate and distinct from the lots or parcels adjoining such right of way, and not included within the dimensions or areas of such lots or parcels. Rights of way intended for streets, sidewalks, water mains, sanitary sewers, storm sewers, or any other uses involving future maintenance by a public agency shall be dedicated to public use by the owner of the land on which such right of way is established.
SIDEWALK:	That portion of a public right of way, paved or otherwise surfaced, intended for pedestrian use only.
STANDARD SPECIFICATIONS:	Published improvement construction standards and specifications as adopted or referred to by the Village.

STREET, MINOR RESIDENTIAL:	A street of limited continuity used primarily for access to abutting properties and local needs of a neighborhood, and on which through traffic is discouraged.
STREET (Roadway):	The paved portion of a public or private right of way which affords primary means of vehicular access to abutting properties, whether designated as a street, avenue, highway, road, boulevard, lane, throughway, or however otherwise designated.
STREET WIDTH:	The shortest distance between the fronts or faces of parallel curbs or outer parallel limits of the paved portion of a street.
SUBDIVIDER (Developer):	Any person or corporation or duly authorized agent of the owner who undertakes the subdivision of land as defined herein or the installation of public improvements. (amd. Ord. 06-38, 2-19-07)
SUBDIVISION:	The division of land into two (2) or more parts, any one of which is less than five (5) acres, for the purpose, either immediate or future, of transfer of ownership or building development, except that the following instances shall not be deemed a subdivision of land: <ul style="list-style-type: none"> (A) The division of land into parcels of five (5) 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 contiguous land. (D) The conveyance of parcels of land for railroads, highways, or other public utilities.
SUBDIVISION DESIGN STANDARDS:	The basic land-planning principles established as guides for the preparation of preliminary plats and are contained in Chapter 4 of this Title.
SUPERINTENDENT OF PUBLIC WORKS:	The Superintendent of Public Works of the Village of Morton.
U.S.G.S.:	United States Geological Survey.
U.S.G.S. QUADRANGLE MAP:	A topographic map as prepared by the U.S.G.S.
VILLAGE BOARD:	The President and Board of Trustees of the Village of Morton.
VILLAGE CLERK:	The Clerk of the Village of Morton.
VILLAGE ENGINEER:	The Engineer of the Village of Morton as may be designated from time to time by resolution of the President and Board of Trustees of the Village of Morton. (Ord. 80-42, 4-6-81; amd. Ord. 94-37, 5-1-95)
ZONING ORDINANCE:	The zoning regulations of the Village as amended, being Title 10 of this Code.

11-1-6: **INTERPRETATION:**

- (A) In their interpretation and application, the provisions of this Title shall be held to be the minimum requirements for the promotion of the public health, safety, morals, and general welfare.
- (B) Where the conditions imposed by any provisions of this Title upon the subdivision of land are either more restrictive or less restrictive than any other applicable law, Ordinance, resolution, rule, or regulation of any kind, the regulations which are more restrictive and impose higher standards or requirements shall govern.
- (C) This Title is not intended to abrogate any easement, covenant, or any other private agreement, provided that where the regulations of this Title are more restrictive or impose higher standards or regulations than such easements, covenants, or other private agreements, the requirements of this Title shall govern.
- (D) No subdivision of land which was not lawfully existing at the time of the adoption of this Title shall become or be made lawful solely by reason of the adoption of this Title, and to the extent and in any manner that said subdivision of land is in conflict with the requirements of this Title, said subdivision of land remains unlawful hereunder.
- (E) Nothing contained in this Title shall be deemed to be a consent, license, or permit to use or subdivide land.
- (F) The provisions of this Title are cumulative and additional limitations upon all other laws and Ordinances heretofore passed or which may be passed hereafter, covering any subject matter in this Title.

11-1-7: **SEPARABILITY:** It is hereby declared to be the intention of the Village that the several provisions in this Title be separable in accordance with the following:

- (A) If any court of competent jurisdiction shall adjudge any provision of this Title to be invalid, such judgment shall not affect any other provision of this Title not specifically included in said judgment.
- (B) If any court of competent jurisdiction shall adjudge invalid the application of any provision of this Title to a particular subdivision of land, such judgment shall not affect the application of said provision to any other subdivision of land not specifically included in said judgment.

11-1-8: **SUITABILITY OF LAND FOR SUBDIVISION:**

- (A) Land subject to flooding and land deemed to be topographically unsuitable shall not be subdivided for residential purposes, nor for such other uses as may increase danger to health, life, or property, or aggravate erosion of flood hazard.
- (B) The Commission shall not recommend the approval of the subdivision of land if, in the opinion of the Superintendent of Public Works or the Village Engineer and upon adequate investigation conducted by the Commission, it is determined that subdivision and development of the site as proposed would be detrimental to the best interests of the public.

11-1-9: **CONNECTION TO VILLAGE UTILITIES:** Storm sewers, sanitary sewers, water mains, and gas mains shall not be connected or tied into Village storm sewer, sanitary sewers, water mains, or gas mains until (1) the subdivision has been annexed to the Village, (2) construction plan approval has been granted by the Village Engineer, (3) all fees and assessments have been paid, (4) all necessary permits for such connections have been granted by the appropriate governing agency, and (5) inspection has been made by an authorized agent for the Village.

11-1-10: **FLOOD HAZARD AREAS:** Any subdivision which contains or is a part of "A" zones as delineated on the Flood Hazard Boundary Map must observe all the rules and regulations outlined in Ordinance 77-15, Flood Regulation Ordinance, as now in force or as may be amended from time to time, which Ordinance regulates the construction, substantial improvement, subdivision of land, placement of mobile homes, or other development in relation to flood hazard areas.

11-1-11: **PUBLIC LANDS:**

- (A) Planned public improvement sites may be indicated on the Official Map or may be required by the Village as part of the approval of the subdivision. Such public improvements may include, but are not limited to, roadways and the widening of existing roadways, school sites, park and recreational area sites, public building sites, storm drainage sites, bikeways, and utility easements.
- (B) Whenever the Official Map or the Village has indicated the necessity to provide public improvements within a proposed subdivision, the Plan Commission and the Village Board shall require that certain lands be designated for such public purpose before granting approval to such plat. Furthermore, such site shall be held for that specific public improvement for a period of one year from the date of final plat approval by the Village Board.
- (C) Whenever a site for public improvements has been indicated on an approved final plat the appropriate public agency shall acquire such land or commence proceedings to acquire such land by condemnation within one year from the date of final plat approval; and if the public agency does not do so within such period of one year, the land so designated may then be used by the owner in any manner consistent with this Title and the zoning provisions of Title 10 of this Code.

11-1-12: **VACATION OF PLATS, STREETS:**

- (A) In cases where an application is made to the Village Board to vacate any subdivision or part thereof, prior to the sale of any lot in the subdivision, the Board may by Ordinance order the vacation of all or part of the said subdivision. When lots have been sold, the plat may be vacated providing all the owners of lots in said plat join in the execution of said application.
- (B) In cases where an application is made to the Village Board to vacate any street, alley, or public place, the Board may in such cases order the street, alley, public place, or part thereof vacated and receive from the owner or owners of property abutting on such street, alley, or public place or part thereof so vacated, compensation in an amount which, in the judgment of such Board shall be equal to the benefits which will accrue to the owner or owners of such abutting property by reason of such vacation; provided, that such order of vacation shall be passed by the affirmative vote of at least two-thirds (2/3) of the members of the Board.
- (C) In all cases where application for vacation of any subdivision, street, alley, public place, or part thereof, is made to said Board, such application shall be referred to the Village Attorney, who shall make an investigation of the premises described in such application. The said Attorney shall make a search to determine whether title is in the applicant's name and determine whether any lots or parcels of ground would be adversely affected by such vacations. (Ord. 80-42, 4-6-81)

CHAPTER 2

ADMINISTRATION AND ENFORCEMENT

SECTION:

- 11-2-1: Administration
- 11-2-2: Enforcement
- 11-2-3: Invalid Plats
- 11-2-4: Unlawful Division
- 11-2-5: Building Within Proposed Street Extensions
- 11-2-6: Engineering And Inspection Fees
- 11-2-7: Variations
- 11-2-8: Amendments
- 11-2-9: Penalties

11-2-1: **ADMINISTRATION:** The following offices of the government of the Village are concerned with the administration of this Title. Specific duties are outlined as follows:

(A) Plan Director: The Plan Director shall be the enforcing officer of this Title, and it shall be his duty to enforce the provisions hereof. The Director may call upon any department or official of the Village to furnish him with such information and assistance as he may deem necessary to effect the proper enforcement of this Title, and it shall be the duty of such department or official to furnish such information and assistance whenever required. In the furtherance of such authority, the Director shall:

1. Maintain permanent and current records of this Title, including amendments thereto;
2. Receive and file all subdivision applications, preliminary plats, and supporting data;
3. Forward copies of the preliminary plat to the Plan Commission for its recommendations and report;
4. Forward copies of the preliminary plat to the Village Board for its consideration;
5. Receive and forward subdivision construction plans and specifications to the Village Engineer for his review;
6. Receive and file all final plats;
7. Forward to the Plan Commission and Village Board all final plats for their approval or disapproval;
8. Collect and keep records of any fees and charges as required by the regulations contained herein;
9. Record in the Tazewell County Recorder's office all approved final plats;
10. Receive and administer performance guarantees; and
11. Make all other determinations required of him by the regulations contained herein. (Ord. 04-53, 3-7-05)

- (B) The Plan Commission: The Plan Commission shall be entrusted with the following responsibilities:
1. Review and recommend approval or disapproval or necessary modifications of all preliminary and final subdivision plats;
 2. Recommend to the Village Board the granting or denial of requests for variations or exceptions subject to the provisions of this Title;
 3. Recommend to the Village Board from time to time such amendments to this Title as the Commission may deem necessary or advisable; and
 4. Make all other determinations required of them by the regulations contained herein.
- (C) The Village Engineer: The Village Engineer is hereby vested with the following responsibilities in regard to subdivision control:
1. Approve or disapprove all engineering plans and specifications relative to subdivision improvements;
 2. Recommend the amount of the guarantee to be provided by the subdivider;
 3. Make periodic and final inspections of subdivision improvements;
 4. Report his findings on all of the above to the Plan Director; and
 5. Make all other determinations required of him by the regulations contained herein.
- (D) The Village Board: The Village Board is vested with the following responsibilities in regard to subdivision control:
1. Approval or disapproval of all preliminary and final plats referred to it by the Plan Commission;
 2. Amend the regulations of this Title when found necessary and desirable as hereinafter provided;
 3. Institute appropriate proceedings to enforce the provisions of this Title;
 4. Approve or disapprove intended dedications or public reservations of land;
 5. Order the vacation of a street, alley, or other public place and fix compensation therefor;
 6. Act upon variance recommendations referred to it by the Plan Commission; and
 7. Make all other determinations required of the Board by the regulations contained herein.
- (E) The Village Attorney: The Village Attorney is vested with the responsibility to review and recommend approval or disapproval of performance guarantees to the Village Board (Ord. 04-53, 3-7-05)
- (F) The Plat Officer: The Plat Officer is hereby vested with the duty and responsibility to review preliminary plats and final plats such that the final plat will be in a form suitable for recordation in the County Recorder's office and that the requirements of this Title and Title 10 of this Code are met. (Ord. 04-53, 3-7-05)

11-2-2: **ENFORCEMENT:**

- (A) No owner or agent of the owner of any parcel of land located in a proposed subdivision shall transfer or sell such parcel before a plat of said subdivision has been approved by the Village Board and filed with the Tazewell County Recorder of Deeds.
- (B) The subdivision of any lot or any parcel of land by the use of metes and bounds description with the intent of evading this title, for the purpose of sale, transfer, or lease shall be subject to all of the requirements and regulations contained in this Title.
- (C) No building permit shall be issued for the construction of any building located on a lot or plot subdivided or sold in violation of the regulations of this Code.
- (D) No preliminary or final plat shall be approved which does not comply with all applicable provisions of this Title.

11-2-3: **INVALID PLATS:** No plat of any subdivision shall be valid or entitled to record unless and until the same has been approved by the Village Board in accordance with the procedure hereinafter provided, and no plat of a subdivision shall be approved without compliance with the standards of design and specifications for improvement required herein.

11-2-4: **UNLAWFUL DIVISION:** From and after the effective date of this Title, no lot or tract of land located within the Village or within the area of jurisdiction of the Village shall be subdivided without complying with this Title and the Illinois Revised Statutes.

It is unlawful for the preparer of a deed and the grantor on the deed to convey property, which violates the Illinois Plat Act as now in force or as may from time to time be amended, or which creates a parcel of land that is non-conforming under the ordinances of the Village of Morton. (amd. Ord. 14-33, 1-19-15)

11-2-5: **BUILDING WITHIN PROPOSED STREET EXTENSIONS:** No permanent building or structure or permanent improvement of any type shall be erected within the extension of street right of way indicated on the Official Map of the Village. Such extensions are for the purpose of regulating the traffic flow within the Village in accordance with the best interests of public health, safety, and general welfare. (Ord. 80-42, 4-6-81)

11-2-6: **ENGINEERING AND INSPECTION FEES:** An hourly engineering fee to be set from time to time by the Village Board shall be paid to the Village to defray the cost of reviewing and approving plans and specifications for public improvement and the on site inspection of construction of said public improvements by the Village Engineer. These fees shall be borne by the subdivider (developer), and shall be paid in the following manner: (amd. Ord. 06-38, 2-19-07)

- (A) After the preliminary plat is approved, the subdivider (developer) shall deposit the sum of one thousand dollars (\$1000.00) with the Village. Said deposit shall be for the review of construction plans. (Ord. 04-53, 3-7-05; amd. Ord. 06-38, 2-19-07)
- (B) At such time as the construction plans have been approved, or are disapproved because the subdivider (developer) has failed to make the necessary corrections to same, the subdivider (developer) shall reimburse the Village for all engineering fees accrued to date. The aforesaid deposit shall be credited to the subdivider (developer) for said fees. (amd. Ord. 06-38, 2-19-07)
- (C) The engineering fees expected to be incurred during the inspection phase shall be paid to the Village prior to or contemporaneous with the acceptance of the final plat. Said inspection fees shall be based on a minimum of three dollars (\$3.00) per center line foot of streets and two dollars (\$2.00) per lineal foot for sewer lines outside of streets. (Ord. 89-4, 6-19-89; amd. Ord. 99-54, 4-17-00; amd. Ord. 02-36, 3-17-03; amd. Ord. 04-53, 3-7-05; amd. Ord. 06-38, 2-19-07)

11-2-7: **VARIATIONS:**

(A) **Hardships:** Where the Plan Commission finds that extraordinary hardships or particular difficulties may result from strict compliance with these regulations, the Commission may deviate from strict compliance with these regulations so that substantial justice may be done and the public interest secured; provided that such variation or exception shall not have the effect of nullifying the intent and purpose of this Title; and further provided the Commission shall not recommend variations or exceptions to the regulations of this Title unless it shall make findings based upon the evidence presented in each specific case that:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result if the strict interpretation of the regulations were carried out;
2. The granting of the variation will not be detrimental to public health, safety, or general welfare or injurious to other property or improvements in the neighborhood in which the property is located.

(B) **Conditions:** In its recommendations on variations and exceptions, the Commission may require conditions that will substantially secure the objectives of this Title.

11-2-8: **AMENDMENTS:** The Plan Commission shall from time to time prepare and recommend in writing to the Village Board such changes or additions to the provisions and regulations herein contained for subdivision control as it may deem necessary or advisable. Such changes or additions shall become effective after their adoption by the Board by the passage of an amendment to this Title.

11-2-9: **PENALTIES:** Any person who shall violate any of the provisions of this Title shall be subject to a fine of not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00) for each violation, and each day such violation is permitted to exist shall constitute a separate offense. (Ord. 80-42, 4-6-81; amd. Ord. 99-37, 12-6-99)

CHAPTER 3
PROCEDURE

SECTION:

11-3-1:	General
11-3-2:	Preapplication
11-3-3:	Preliminary Plat
11-3-4:	Construction Plans
11-3-5:	Final Subdivision Plat
11-3-6:	Guarantee Of Improvement
11-3-7:	Construction And Inspection
11-3-8:	Conditional Acceptance Of Improvements
11-3-9:	Improvement Guarantee
11-3-10:	Final Acceptance
11-3-11:	Summary Of Procedures

11-3-1: **GENERAL:** A subdivider, before proceeding with the formal procedure outlined in this Chapter, is urged to ascertain the problems and requirements affecting the subdivision of his property. This may best be accomplished by a meeting with the Plan Director and the Village Engineer to determine general compliance and understanding of all related Village requirements.

11-3-2: **PREAPPLICATION:** Prior to the filing of a preliminary plat, the subdivider may submit material to the Plan Director relating to the proposed subdivision in order to avail himself of the advice and assistance of the Village staff, without the expense and time of a formal application. It is suggested that for a maximum benefit the material should include as a minimum:

- (A) General subdivision information that describes the existing condition of the site and the proposed development. This information may include data on existing covenants, land characteristics, available community facilities and utilities, information describing the subdivision proposal, such as number of residential lots, typical lot width and depth, proposed protective covenants, utilities, street improvements, existing zoning, surrounding land use, and a general location map showing the subdivision's location to/or in the Village.
- (B) A sketch plan showing in simple form the proposed layout of streets, lots, and other features in relation to existing conditions. The sketch plan does not require formal application, fee, or filing of the plat. (Ord. 80-42, 4-6-81)

11-3-3: **PRELIMINARY PLAT:**

(A) Filing the Preliminary Plat:

1. The subdivider shall file six (6) prints of the preliminary plat of the proposed subdivision with the Plan Director for referral to the Plan Commission and other public officials. A transmittal letter shall be filed with the preliminary plat that states the ownership of the land to be subdivided, the engineer, the availability of utilities, variances requested, and other information pertinent to the Commission's consideration.
2. The horizontal locations and vertical elevations shall be tied to the State Plane Coordinate System, Illinois West Zone, NAD 83 (North American Datum of 1983), 1997 adjustment, and the NAVD 88 (North American Vertical Datum of 1988), using the Village of Morton's existing control monument network. State Plane coordinates shall be shown on the site plan for at least two controlling locations. (amd. Ord. 07-18, 7-2-07)

(B) Special Information Required:

1. If the legal owner desires to appoint a duly authorized agent to act on its behalf, it shall file a written statement designating such agent.
2. Any application wherein the title to land is held in a trust shall be signed by the land trustee, and the land trustee shall also disclose in writing the names and amount of beneficial ownership of all persons with a beneficial interest in the trust. Any changes in the beneficial ownership of the trust during the subdivision process shall be immediately disclosed in writing by the trustee.

(C) Contents of the Preliminary Plat: The preliminary plat shall contain the following information:

1. Description:

- (a) Name of proposed subdivision.
- (b) Area of proposed subdivision.
- (c) Name and address of owner and developer.
- (d) Name and address of engineer.
- (e) Scale and north point.
- (f) Location sketch showing relationship of the subdivision with the surrounding area.
- (g) All plats and revised plats must contain date.

2. Existing Conditions:

- (a) Topography by contours with intervals of two feet (2') or less. Contours with intervals of five feet (5') or ten feet (10') may be used for steep terrain.
- (b) The location of all existing property lines, section lines, streets, buildings, water courses, utilities, and other pertinent features within and adjacent to the proposed subdivision.
- (c) The existing zoning classification of the proposed subdivision.

3. Proposed Conditions:

- (a) Location, width, and name of all streets.
- (b) Location and width of all alleys and walkways.
- (c) Layout, lot numbers, and scaled dimensions of all lots.
- (d) Location and size of any areas to be conveyed or reserved for parks, scenic ways, walkways, playgrounds, schools, public buildings, or other similar semi-public uses.
- (e) Designation of any lots to be used for duplex or multi-family development.
- (f) Location and size of any areas to be reserved for cluster box units.

4. Certificates: Certain certificates must appear on all preliminary plats. The appropriate forms of certificates are on file at the office of the Plan Director, and the subdivider shall consult the Plan Director and provide the appropriate certificates on the preliminary plat. (Ord. 80-42, 4-6-81)

(D) Plan Commission Action:

1. The Plan Director shall submit to the Plan Commission, at least ten (10) days prior to the next regularly scheduled meeting of the Plan Commission, six (6) copies of the preliminary plat, along with written recommendations of the Village Engineer and Zoning Officer. (Ord. 94-37, 5-1-95)
2. The date of the meeting of the Plan Commission wherein the preliminary plat is first presented shall be deemed the formal application date. Within ninety (90) days of the formal application date, the Plan Commission shall approve, approve with recommendations, or disapprove the preliminary plat. The ninety (90) day time limit may be extended by mutual consent of the subdivider and Plan Commission.
3. If the recommendation of the Commission on the proposed plan of subdivision is for disapproval, then within said ninety (90) day period the Plan Commission shall furnish to the subdivider a written statement setting forth the reasons for disapproval and specifying with particularity the aspects in which the proposed plat fails to conform to this Title including the Official Map.
4. If the preliminary plat is approved by the Plan Commission, one copy of the proposed plat, together with a copy of the findings of the Commission upon hearing, shall be filed by the Commission with the Village Clerk.

(E) Village Board Action:

1. Time Requirement: The Village Board shall accept or reject said preliminary plat within thirty (30) days after its next regularly scheduled meeting following the action of the Plan Commission.
2. If Approved: If the preliminary plat is approved, the Village Clerk shall attach a certified copy of the resolution of approval to a copy of the plat.
3. If Disapproved: If the preliminary plat is disapproved, the resolution shall state the reasons for disapproval, specifying with particularity the aspects in which the proposed plat fails to conform to this Title including the Official Map.

(F) Procedure if Preliminary Plat Approved:

1. Approval of the preliminary plat shall not constitute approval of the final plat, nor does it qualify the plat for recording. Said approval shall only be deemed as approval of the layout submitted on the preliminary plat as a guide to the preparation of a final plat.
2. A reproducible preliminary plat with the Clerk's certificate shall remain on file with the Village Clerk, and a copy of the plat so endorsed shall be returned to the subdivider. Additional copies of the preliminary plat shall also be provided by the subdivider for the Village Engineer and Plat Officer.

11-3-4: CONSTRUCTION PLANS:**(A) Construction Plans Submission:**

1. The subdivider shall submit four (4) sets of detailed construction drawings and an estimate of costs to the Plan Director simultaneously or prior to submission of the final plat. The drawings shall be in accordance with all design standards of this Title and applicable local, County, and State design standards.
2. The horizontal locations and vertical elevations shall be tied to the State Plane Coordinate System, Illinois West Zone, NAD 83 (North American Datum of 1983), 1997 adjustment, and the NAVD 88 (North American Vertical Datum of 1988), using the Village of Morton's existing control monument network. State Plane coordinates shall be shown on the site plan for at least two controlling locations. (amd. Ord. 07-18, 7-2-07)

(B) Contents of Construction Drawings:

1. All drawings shall be prepared by or under the direct supervision of an Illinois Registered Professional Engineer and signed and sealed by same.
2. All drawings shall be neatly drawn on reproducible twenty four inch by thirty six inch (24" x 36") sheets at suitable scale and consist of a minimum of:
 - (a) Plan and profile for streets.
 - (b) Cross sections for streets.
 - (c) Plan and profile for sanitary sewers.
 - (d) Plan and profile for storm sewers.
 - (e) Plan for watermains and appurtenances.
 - (f) Plans for street lighting.
 - (g) Construction details.
 - (h) Specifications.
3. All plan views shall include all utilities including sidewalks, where required, to clearly relate the position of each item in relation to the others.
4. Each sheet shall be numbered and contain basic information as to project name, north arrow, scale, and date.
5. All lots shall be clearly numbered and relate exactly to the final plat.
6. The basis of design shall be submitted for all construction including drainage calculations.
7. All construction details including standard details shall be shown with required dimensions and general notes.

(C) Plan Director Action:

1. The Plan Director shall forward four (4) sets of the construction drawings to the Village Engineer. The Village Engineer shall review the drawings and shall either approve the drawings, approve as noted or require resubmittal if the modifications are extensive.

2. When the plans are approved, the four (4) sets of drawings shall be clearly marked and signed on each title sheet as follows:

“Approved for the Village of Morton

By: _____
Village Engineer”

The Plan Director shall retain one approved set and forward one approved set each to the subdivider, the Village Engineer, and the Village Clerk.

3. When the construction plans are approved, the subdivider may submit the final plat to the Plan Commission for its consideration.

11-3-5: **FINAL SUBDIVISION PLAT:**

(A) General Requirements:

1. Time Limit on Subdivider: Application for final approval of a plat shall be made within twelve (12) months after preliminary approval has been granted by the Village Board.
2. Within the aforesaid time period the subdivider shall file the original and six (6) prints of the final plat of the proposed subdivision with the Plan Director, together with a letter of transmittal stating that the final plat substantially conforms to the approved preliminary plat and specifying in what particulars the final plat deviates from the preliminary plat. Said letter of transmittal shall also include a request for consideration of the final plat by the Plan Commission and shall be received by the Plan Director at least twenty-one (21) days before the next regularly scheduled meeting of the Commission. (amd. Ord. 05-10, 7-18-05)
3. The Plan Commission shall have forty five (45) days to review and consider the final plat and shall approve or disapprove same in the same manner and form as preliminary plat.
4. If the Plan Commission has recommended approval of the final plat, then the Village Board shall approve or disapprove the final plat within sixty (60) days after its next regularly scheduled meeting following the action of the Plan Commission.
5. If the Village Board disapproves the final plat, the resolution shall state the reasons for the disapproval, specifying with particularity the aspects in which the proposed plat fails to conform to this Title.
6. If the Village Board approves the final plat, the Village Clerk shall retain the original plat in his office.
7. The Village shall execute the requisite certificate on the final plat only after all fees, financial guarantees, and other required documents have been duly executed and provided to the Village.
8. For all final plats, a digital media copy of such information shall be submitted in an ESRI Shapefile, or other computer readable format compatible with the Village of Morton mapping software, prior to its review by the Village Board. (Ord. 04-53, 3-7-05; amd. Ord. 05-46, 3-6-06)
9. The horizontal locations and vertical elevations shall be tied to the State Plane Coordinate System, Illinois West Zone, NAD 83 (North American Datum of 1983), 1997 adjustment, and the NAVD 88 (North American Vertical Datum of 1988), using the Village of Morton's existing control monument network. State Plane coordinates shall be shown on the site plan for at least two controlling locations. (Ord. 07-18, 7-2-07)

(B) Contents of the Final Plat: The final plat shall be submitted on mylar and shall contain the following information: (amd. Ord. 00-56, 4-2-01)

1. General:

- (a) Name of subdivision.
- (b) General legal description.
- (c) Area of subdivision.
- (d) Scale (1" = 100' or larger) and north point.

2. Existing Conditions:

- (a) The location of all existing section lines, lot lines, and street lines lying within or adjacent to the subdivision.
- (b) The location of survey monuments found and used in determining the boundaries of the subdivision.

3. Proposed Conditions:

- (a) The boundary of the subdivision.
- (b) Location, width, and names of all streets.
- (c) Location and width of all alleys and walkways.
- (d) Layout and lot numbers of all lots.
- (e) All dimensions, both linear and angular, necessary for locating the subdivision boundaries, lots, streets, alleys, walkways, easements, setback lines, and other areas for public or private use. Linear dimensions shall be given to the nearest hundredth of a foot; angular dimensions shall be given to the nearest ten (10) seconds.
- (f) Angular and linear dimensions to the nearest quarter section line and corner.
- (g) Designation of any lots that are to be reserved for parks, playgrounds, schools, or other public uses.
- (h) Designation of any lots to be used for duplex or multi-family use.
- (i) Location of survey monuments.
- (j) Location of a private lot or outlot to be used for the purpose of the construction and placement of equipment and infrastructure associated with a cluster box unit.

4. Certificates: Certain certificates must appear on all final plats. The appropriate forms of certificates are on file at the office of the Plan Director, and the subdivider shall consult the Plan Director and provide the appropriate certificates on the final plat.

11-3-6: **GUARANTEE OF IMPROVEMENT:**

(A) Prior to approval of the final plat, the subdivider shall provide one of the following:

- 1. A corporate surety bond equal to one hundred percent (100%) of the cost of the improvement.
- 2. A cash deposit in the sum of one hundred percent (100%) of the cost of the improvement.

3. An irrevocable letter of credit from a bank or other financial institution in an amount equal to one hundred percent (100%) of the cost of the improvement.
- (B) For purposes of this Section, cost of the improvement is defined as an amount equal to the approved cost estimate of the project, including, but not limited to, reasonable inspection fees to be borne by the subdivider necessary to conform to the requirements established by this Title.
- (C) The Village Attorney must approve, as the case may be, the following:
1. The corporate surety and the terms and conditions, including, but not limited to, the specific language of the bond.
 2. The depository and escrow agreement in the event a cash deposit is made.
 3. The bank, or other financial institution, and terms and conditions of the irrevocable letter of credit.
- (D) Whichever manner of providing guarantee is chosen by the subdivider, the exact terms and conditions of same will be drafted and executed to accomplish the following:
1. The Village will have sole authority to determine if the construction of the improvements is being accomplished in conformity with the requirements of this Title.
 2. In the event the construction of the improvements is not being accomplished in conformity with the requirements of this Title, all or such part of the bond, cash deposit, or letter of credit, as the Village deems appropriate, may be immediately forfeited and paid to the Village.
 3. If the subdivider disputes the decision of the Village as to forfeiture, its sole remedy shall be to institute litigation as it deems appropriate.
- (E) Up to eighty percent (80%) of the guarantee may be released from time to time as construction is completed and conditionally approved. (Ord. 80-42, 4-6-81)
- (F) Upon completion and conditional approval of all subdivision improvements, the subdivider shall provide a two year written guarantee of the improvements and shall provide a financial guarantee in a form and substance to be approved by the Village Board in one of the following ways:
1. Maintain twenty percent (20%) of the existing guarantee in force.
 2. Provide a new guarantee for twenty percent (20%) of the original amount upon release of the original guarantee. (Ord. 80-42, 4-6-81; amd. Ord. 99-54, 4-17-00)
- (G) Upon final acceptance of the subdivision improvements by the Village Engineer, the Village Board shall release the guarantee. (Ord. 89-4, 6-19-89)

11-3-7: **CONSTRUCTION AND INSPECTION:**

- (A) After approval of the construction plans and final plat, the subdivider shall submit copies of all required state and local permits to the Village Engineer.
- (B) Upon receipt and approval of all required permits, the Village Engineer shall give written approval to the subdivider to proceed with construction.
- (C) The subdivider shall be ultimately responsible for the final location, elevation, quality, and condition of all improvements and shall employ competent contractors and engineers for this requirement. The condition of the improvements at the time of inspection shall be the basis upon which the improvements are rejected or conditionally accepted.
- (D) The Village shall hire an engineer to provide sufficient construction engineering inspection services so that the Village's engineer can certify that all construction was completed substantially in accordance with the approved plans. The actual expense incurred by the Village for the services of the construction engineering inspector shall be paid by developer in accordance with Section 11-2-6 (C). (amd. Ord. 20-24, 3-16-20)

- (E) The subdivider or his engineer or contractor shall notify the Village Engineer at least twenty four (24) hours in advance of the following construction operations:
1. Grading.
 2. Sanitary sewer construction.
 3. Storm sewer construction.
 4. Curb and gutter construction.
 5. Base course construction.
 6. Water main construction.
 7. Sump drain line construction.
 8. Street light construction.
 9. Surface course construction. (Ord. 80-42, 4-6-81)
- (F) The Village Engineer shall periodically inspect the various stages of construction at his discretion and shall give conditional approval at the completion of each stage of work. The Village Engineer may require that various tests be made during construction in accordance with the applicable specifications including, but not limited to:
1. Grading - compaction tests.
 2. Sanitary sewer - air test, T.V. test, lamping, visual, and mandrel.
 3. Storm sewer - lamping and visual.
 4. Curb and gutter - cylinders, slump, and air test.
 5. Base course - sieve, compaction test, and cores.
 6. Water main - pressure test and visual.
 7. Sump drain line - lamping, visual, and mandrel. (Ord. 80-42, 4-6-81; amd. Ord. 94-37, 5-1-95)
- (G) All testing required by the Village Engineer shall be done by the subdivider at the direction of the Village Engineer.
- (H) Upon completion of construction and correction of defects, the subdivider shall submit a written request for approval of all subdivision improvements except sidewalks, along with a certification by his engineer that all improvements were completed in accordance with the approved plans.
- (I) The subdivider's engineer shall submit one set of mylar "as-built" construction plans and one set of paper "as-built" construction plans to the Village Engineer for his records, as well as a digital media copy in an ESRI Shapefile, or other computer readable format compatible with the Village of Morton mapping software. (Ord. 80-42, 4-6-81; amd. Ord. 00-56, 4-2-01; amd. Ord. 05-46, 3-6-06)
- (J) The horizontal locations and vertical elevations shall be tied to the State Plane Coordinate System, Illinois West Zone, NAD 83 (North American Datum of 1983), 1997 adjustment, and the NAVD 88 (North American Vertical Datum of 1988), using the Village of Morton's existing control monument network. State Plane coordinates shall be shown on the site plan for at least two controlling locations. (Ord. 07-18, 7-2-07)

11-3-8: **CONDITIONAL ACCEPTANCE OF IMPROVEMENTS:** Upon satisfactory correction and/or completion of all subdivision improvements, the Village Engineer shall conditionally accept said improvements, subject to the two year guarantee period. The Plan Director shall notify the subdivider, in writing, when the improvements have been conditionally accepted, and said date shall be the beginning of the two year guarantee period. (Ord. 89-4, 6-19-89; amd. Ord. 99-54, 4-17-00)

11-3-9: **IMPROVEMENT GUARANTEE:** Upon conditional acceptance of the subdivision improvements by the Village, the subdivider shall provide the Village with a written two year guarantee against structural failure of any of said improvements. The subdivider shall provide a financial guarantee equal to twenty percent (20%) of the construction cost of subdivision improvements for this guarantee. Structural failure shall be as determined by the Village Engineer. At the end of the two year period, the Village Engineer shall inspect the subdivision and inform the subdivider of any defects that must be corrected. If the subdivider does not correct the defects, the Village may declare a forfeiture of the guarantee. (Ord. 80-42, 4-6-81; amd. Ord. 99-54, 4-17-00)

11-3-10: **FINAL ACCEPTANCE:** Upon completion and acceptance of any corrections by the Village Engineer, the subdivider's guarantee shall be released by the Village Board. (Ord. 89-4, 6-19-89)

11-3-11: **SUMMARY OF PROCEDURES:** The following summary of procedures indicates the normal process for the development of subdivisions and the party responsible for the completion of each step:

<u>Function</u>	<u>Responsibility</u>
1. Optional preapplication meeting with the Plan Director. (amd. Ord. 06-38, 2-19-07)	Subdivider (Developer)
2. Submit preliminary plat to Plan Director. (amd. Ord. 06-38, 2-19-07)	Subdivider (Developer)
3. Submit preliminary plat to Plan Commission with comments of Plan Director, Village Engineer, Plat Officer, and Zoning Enforcing Officer.	Plan Director
4. Review preliminary plat.	Plan Commission
5. Submit preliminary plat to Village Board.	Plan Director
6. Review preliminary plat.	Village Board
7. Submit construction plans, specifications, and estimates of cost to the Plan Director for delivery to the Village Engineer. (amd. Ord. 06-38, 2-19-07)	Subdivider (Developer)
8. Review construction plans and hold preconstruction conference.	Village Engineer
9. Submit final plat to Plan Director along with financial guarantee for improvements. (amd. Ord. 06-38, 2-19-07)	Subdivider (Developer)
10. Check final plat for compliance with preliminary plat and submit to Plan Commission.	Plan Director

11. Plan Commission review of final plat.	Plan Commission
12. Submit final plat to Village Board. (amd. Ord. 00-56, 4-2-01)	Plan Director
13. Review final plat, financial guarantee. and Attorney	Village Board
14. Pay all required fees to the Village of Morton. (amd. Ord. 06-38, 2-19-07)	Subdivider (Developer)
15. Record final plat with permission of subdivider. (Ord. 04-53, 3-7-05)	Plan Director
16. Certify completed construction to Village of Morton. (amd. Ord. 06-38, 2-19-07)	Subdivider (Developer)
17. Submit as-built plans to the Village Engineer. (amd. Ord. 06-38, 2-19-07)	Subdivider (Developer)
<u>Function</u>	<u>Responsibility</u>
18. Conditionally accept improvements.	Village Engineer
19. Provide two year guarantee of improvements. (amd. Ord. 99-54, 4-17-00; amd. Ord. 06-38, 2-19-07)	Subdivider (Developer)
20. Correct defects at end of two years. (amd. Ord. 99-54, 4-17-00; amd. Ord. 06-38, 2-19-07)	Subdivider (Developer)
21. Final acceptance of improvements. (Ord. 80-42, 4-6-81)	Village Engineer
22. Release guarantee. (Ord. 89-4, 6-19-89)	Village Board

CHAPTER 4
DESIGN STANDARDS

SECTION:

- 11-4-1: General
- 11-4-2: Streets
- 11-4-3: Easements
- 11-4-4: Blocks
- 11-4-5: Lots
- 11-4-6: Public Sites And Open Spaces
- 11-4-7: Cluster Box Unit
- 11-4-8: Ownership And Maintenance Of Cluster Box Units

The following standards and principles of design shall guide the laying out of subdivisions:

11-4-1: **GENERAL:**

- (A) The design of the subdivision shall be in harmony with and shall conform with the "Official Map" and shall be in accordance with good subdivision design principles not otherwise set forth herein.
- (B) Natural features, such as distinctive trees or vegetation, streams, ponds, hilltops, bluffs, creek bottoms, and outlook views, shall be preserved and enhanced wherever possible. In laying out a subdivision due consideration shall be given to such aesthetic features existing within the tract being subdivided and which may add to the aesthetic quality of existing nearby subdivisions. (Ord. 80-42, 4-6-81)

11-4-2: **STREETS:**

- (A) The course, width, grade, and location of all streets shall conform to the "Official Map" and shall be considered in their relation to existing and planned streets, to topographic conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.
- (B) Where not shown on the "Official Map", the arrangement of streets in a subdivision shall either:
 1. Provide for the continuation or projection of existing streets in surrounding areas; or
 2. Conform to topographic or other conditions where continuance or projection of existing streets is impractical or undesirable from the community viewpoint.
- (C) Minor residential streets shall be so laid out that their use by through traffic will be discouraged.
- (D) Access to an existing or proposed major street or a railroad right of way or rail crossing shall be limited to a minimum number of intersections and determined with due regard for sight distance, distance between intersections, approach grades, and requirements for future grade separations.
- (E) No street grade shall be less than one-half of one percent (0.5%) or more than seven percent (7%).

- (F) Street intersections:
1. Streets shall be laid out to intersect as nearly as possible at right angles, and no street shall intersect any other street at less than sixty degrees (60°).
 2. Street intersections with centerline offsets of less than one hundred twenty five feet (125') are prohibited.
- (G) Horizontal deflection of street lines:
1. Where connecting street lines deflect from each other more than ten degrees (10°), they shall be connected with a curve with a radius adequate to assure sight distance.
 2. A tangent at least one hundred feet (100') long shall be introduced between curves on collector streets where the curve radius is less than five hundred feet (500').
- (H) Alleys shall not be permitted in residential districts.
- (I) Right of Way: Street right of way widths not shown on the "Official Map" shall not be less than as follows:
- | | |
|--|---------|
| Commercial/industrial collector street | 68 feet |
| Residential collector street | 68 feet |
| Minor commercial/industrial street | 55 feet |
| Minor residential street | 55 feet |
| Alley | 20 feet |
- (J) In a subdivision that adjoins or includes an existing street that does not conform to the right of way width required above, one-half (1/2) of the additional width shall be provided along each side of such street for the entire frontage included within the land being subdivided, or as the Plan Director may determine is proper. (Ord. 80-42, 4-6-81)
- (K) Dead-end streets shall be no longer than six hundred feet (600'), unless limitation of the site by reason of topography or existing development make impractical development except with a longer length. They shall be provided with a circular turnaround having an outside surface diameter of at least eighty feet (80') and right of way line diameter of at least one hundred one feet (101'). The center of the turnaround shall be located on the centerline or between the centerline of the street and its left right of way line, facing into the turnaround. (Ord. 94-37, 5-1-95)
- (L) All streets shall be dedicated to the public.
- (M) Reserved strips controlling access to street rights of way shall not be permitted except upon approval of the Plan Director and when control and disposition of the reserved strip is vested in the Village Board.
- (N) Street names and numbers:
1. The continuation of an existing street shall have the same name. The name of a new street shall not duplicate the name of an existing street within the area served by the same post office or fire department.
 2. If a proposed subdivision is in close proximity to a municipality which has adopted a street numbering system, the lots within the subdivision shall be assigned street numbers in accordance with that municipal street numbering system, where practicable. (Ord. 80-42, 4-6-81)

(O) The Village requires compliance with this subdivision ordinance as it pertains to streets, including curb and gutter and storm sewer, sidewalks, street lights and storm water detention, for all developments within the one and one-half (1.5) mile border of its corporate boundaries. (Ord. 09-14, 7-6-09)

11-4-3: **EASEMENTS:** Easements across lots for utilities, cable television, water course, drainage way, channel, or stream shall not be less than twelve feet (12') wide and shall be adjacent to or centered on lot lines. (Ord. 80-42, 4-6-81)

11-4-4: **BLOCKS:**

(A) The length, width, and shape of blocks shall be determined with regard to:

1. Provision of adequate building sites for the type of use contemplated.
2. Requirements as to lot size and dimensions.
3. Needs for convenient access circulation, control, and safety of street traffic.
4. Limitations and opportunities for topography.

(B) Block lengths shall not exceed one thousand three hundred twenty feet (1,320').

(C) In cases where the block length exceeds six hundred feet (600') and where deemed essential by the Plan Director to provide pedestrian circulation to schools, playgrounds, shopping centers, and other community facilities, an easement dedicated to the public for a pedestrian crosswalk not less than ten feet (10') wide shall be provided and a five foot (5') wide sidewalk constructed. (Ord. 80-42, 4-6-81)

11-4-5: **LOTS:**

(A) All provisions of the Village Zoning Ordinance concerning lots shall apply including lot area, width, and depth. No parcel, remainder, gore, outlot, or remnant of land which is part of the tract being subdivided shall be created which, by reason of lot width, depth, area, frontage, topography, or lack of access thereto, cannot be used as a zoning lot, or be subject to further subdivision in accordance with the terms of this Title. Any remaining parcel or outlot which cannot be made to comply with the foregoing shall be eliminated by combining the area thereof with one or more adjoining lots which do comply or by conveying same for the appropriate public use to a public body, subject to its acceptance of same.

(B) The lot shape and orientation shall be appropriate for the location of the subdivision and for the type of development and use contemplated.

(C) Double frontage lots shall be avoided except where essential to provide separation of residential development from major streets or to overcome specific disadvantages of topography and orientation.

(D) Side lot lines shall be substantially at right angles or radial to street lines. (Ord. 80-42, 4-6-81)

11-4-6: **PUBLIC SITES AND OPEN SPACES:** When a proposed park, playground, or school site is shown on the "Official Map", or in the opinion of the Plan Director is necessary for the public welfare, the Plan Director may require the reservation of the appropriate area as specified in Section 11-1-11. (Ord. 80-42, 4-6-81)

11-4-7: **CLUSTER BOX UNIT:**

- (A) Cluster box unit(s) shall be installed by the developer of any subdivision approved by the Village of Morton on or after September 1, 2019.
- (B) All cluster box units shall be designed, constructed, installed and maintained in accordance with all applicable rules and regulations of the United States Postal Service.
- (C) In addition to the standards and specifications set by the United States Postal Service, the Village of Morton requires that a subdivider shall:
1. Accompany all cluster box units with lighting which shall illuminate the cluster box unit and routes of ingress and egress thereto from dusk until dawn at or above a minimum illumination of 0.4-foot candles.
 2. Cause any cluster box unit to comply with any applicable standards set forth by the Americas with Disabilities Act of 1990, 42 U.S.C. § 12101, et seq.
 3. Place a cluster box unit on a privately held lot or outlots. Cluster box units may not be placed on public property.
 4. Locate cluster box units in a method and manner to prevent disrupting sight lines for motorists.
 5. Locate cluster box units on streets which are not designated as arterial or collector streets on the official planning map of the Village of Morton.
 6. Locate cluster box units at a site approved by the Village of Morton and not on a site determined by the Village of Morton to present a safety hazard for pedestrians, vehicular traffic or the public at large.
 7. Include plans and specifications for cluster box units with construction drawings submitted to the Village of Morton in accordance with §11-3-4 of the Morton Municipal Code. (Ord. 20-07, 8-19-19)

11-4-8: **OWNERSHIP AND MAINTENANCE OF CLUSTER BOX UNITS:**

- (A) All cluster box units shall be owned and maintained by the subdivider of the subdivision during the development of the subdivision and it shall be a condition of the guaranty provided to the Village of Morton pursuant to Section 11-3-6 of the Morton Municipal Code, that the subdivider maintain the cluster box unit for the duration of the subdividers' ownership thereof. The subdivider's guaranty shall not be released in accordance with provisions of Section 11-3-6 until such time as the subdivider has transferred ownership of the cluster box unit to a homeowner's association of which the residents who are provided mail delivery at the cluster box unit are members. Thereafter, the homeowner's association shall be responsible for the maintenance of the cluster box unit.
- (B) The cluster box unit shall be maintained by the owner at all times in good working order. It shall be a violation of this Section for any cluster box unit to have (a) chipped or peeling paint, (b) broken concrete, (c) inadequate or inoperable lighting, or (d) damaged or broken mailboxes or parcel compartments.
- (C) It is hereby declared to constitute a public nuisance for any property owner to allow a cluster box unit located on his or her property to be in a condition other than good working order, or to have (a) chipped or peeling paint, (b) broken concrete, (c) inadequate or inoperable lighting, or (d) damaged or broken mailboxes or parcel compartments.

- (D) Any person with a duty to maintain a cluster box unit in accordance with paragraph (B) or (C) of this Section who fails to maintain the cluster box unit in accordance with the requirements of this Section shall be subject to a fine of not less than fifty dollars (\$50.00) and not more than seven hundred fifty dollars (\$750.00) per day with each day in which a violation exists being a separate offense. (Ord. 20-07, 8-19-19)

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CHAPTER 5

REQUIRED IMPROVEMENTS

SECTION:

- 11-5-1: General
- 11-5-2: Erosion Control
- 11-5-3: Grading
- 11-5-4: Sanitary Sewer System
- 11-5-5: Storm Drainage System
- 11-5-6: Sump Drain Line System
- 11-5-7: Water Main Supply System
- 11-5-8: Streets
- 11-5-9: Street Lights
- 11-5-10: Monuments
- 11-5-11: Certification Of Improvements

11-5-1: **GENERAL:**

(A) The improvements outlined in this Chapter are required in the development of all subdivisions.

(B) Any proposed improvement which deviates from or is not defined by these specifications shall be submitted to the Plan Director for review and consideration. (Ord. 89-4, 6-19-89)

11-5-2: **EROSION CONTROL:** All grading, site work, or installation of any required improvements shall be done in such manner as to prevent polluting, flooding, washing, erosion, silting, or other impairment of adjacent properties, rights of way, storm drainage channels, or bodies of water. This shall be accomplished by the method of construction and through the use of berms, dikes, dams, sediment basins, fiber mats, netting, mulches, grasses, slope drains, or other erosion control devices. Erosion and pollution control shall be the responsibility of the subdivider. (Ord. 89-4, 6-19-89)

11-5-3: **GRADING:** Grading to the lines and grades shown on the appropriate street section in the "Morton Subdivision Construction Details" shall be done within the right of way lines. Grading outside the right of way lines shall be in accordance with the approved construction plans. (Ord. 89-4, 6-19-89)

11-5-4: **SANITARY SEWER SYSTEM:**

(A) The subdivider shall provide the subdivision with a complete sanitary sewer system which shall be connected with the Municipal sanitary sewer system, if possible.

(B) When no Municipal sanitary sewer system is available or is not reasonably accessible to the subdivision, the subdivider shall provide the subdivision with a complete sanitary sewer system which shall be connected to a sanitary sewer system approved by the Illinois Department of Public Health and/or the Illinois Environmental Protection Agency.

- (C) When no approved sanitary sewer system is available, or is not reasonably accessible to the subdivision, one of the following methods of sewage disposal shall be used:
1. A complete sanitary sewer system shall be constructed and connected to a treatment plant provided by the subdivider, in accordance with the requirements of the Illinois Environmental Protection Agency, with adequate provision for the operation and maintenance of said plant.
 2. Private sewage disposal systems on individual lots consisting of septic tanks and tile absorption fields or other approved sewage disposal systems laid out in accordance with the provisions of "An Ordinance Establishing Regulations for the Protection of the Sanitary Health in Tazewell County", adopted August 17, 1967, and any subsequent revisions thereto, shall be constructed.
- (D) Whenever a private sewage disposal system is to be utilized, the subdivider shall require as a condition of the sale of each lot in the subdivision that the private sewage disposal system be constructed by the owner of the lot before occupation of the lot occurs.
- (E) No storm sewers, sump drain lines, footing tile lines, etc., shall be connected to sanitary sewer lines.
- (F) Sanitary sewer pipe shall have a minimum diameter of eight inches (8") for main line sewers and six inches (6") for lateral sewers, and shall be of the following material: (Ord. 89-4, 6-19-89)
1. Sanitary sewer pipe six inches (6") to twenty four inches (24") in diameter laid in depths from four feet (4') to twenty eight feet (28') shall be extra strength vitrified clay pipe conforming to ASTM Designation C-700-74 or D.I. conforming to the requirements of ANSI Specification A21.51, with joints meeting the requirements of ANSI Specification A21.11. PVC pipe may be used with Village approval and shall be SDR26, D3034 material. Laterals will use SDR26 solvent weld fittings and fabricated heavy-duty tees. (Ord. 94-37, 5-1-95; amd. Ord. 05-46, 3-6-06)
 2. Compression joints for all extra strength vitrified clay bell and spigot pipe shall meet or surpass ASTM Designation C-425-75.
 3. Compression couplings for six inch (6") to twelve inch (12") vitrified clay plain end pipe shall be furnished with a factory installed PVC collar instead of a clay bell and shall meet or surpass the performance requirements of ASTM C-594-74. The PVC collar shall conform to the requirements of ASTM Designation D-1784-69, Class 12454-B. (Ord. 89-4, 6-19-89)
- (G) A tee and lateral shall be constructed for each individual lot or parcel in the subdivision and shall be a minimum of six inches (6") in diameter. The six inch (6") lateral shall extend to twelve feet (12') beyond the right of way line. A service riser may be required by the Village Engineer if the depth of the main line sewer is excessive. The material for the lateral pipe shall be as specified in Subsection 11-5-4(F). All fittings, including tees, shall be fabricated heavy-duty SDR26 PVC. (Ord. 94-37, 5-1-95; amd. Ord. 99-54, 4-17-00; amd. Ord. 05-46, 3-6-06)
- (H) Manholes shall be built where sewers change in size, slope, or direction, and at a maximum spacing of four hundred feet (400') for sewers fifteen inches (15") and less in diameter and five hundred feet (500') for sewers eighteen inches (18") through thirty inches (30") in diameter. Manholes shall be precast concrete as detailed in the "Morton Subdivision Construction Details". Brick manholes require the prior approval of the Village Engineer. All manholes shall be vacuum-tested before acceptance. (amd. Ord. 05-46, 3-6-06)

- (I) All sanitary sewer construction shall be done in accordance with the "Standard Specifications for Water and Sewer Main Construction in Illinois", latest edition. All sanitary sewer trenches shall be backfilled with approved material and compacted by approved methods.
- (J) If larger size sewers are required by the Village to serve areas other than the subdivision, the cost difference may be paid by the Village in accordance with the policies in effect at the time the subdivision is considered.
- (K) Upon completion of the sanitary sewer system, the subdivider's engineer shall certify that the sanitary sewer system has been constructed in accordance with the approved plans and specifications and shall furnish the Village with copies of the as-built plans. (Ord. 89-4, 6-19-89)

11-5-5: **STORM DRAINAGE SYSTEM:**

- (A) The subdivider shall provide the subdivision with a storm drainage system that is acceptable to the Village Engineer, which shall include storm water detention.
- (B) The storm drainage system shall be adequate to properly drain the subdivision and all other upstream areas that are tributary to the subdivision. Runoff from such upstream areas shall be calculated as if they were fully developed according to their existing zoning classifications. (Ord. 89-4, 6-19-89)
- (C) The storm drainage system shall be designed using a minimum 5-year storm at the upstream end of the system and a minimum 10-year storm for the remainder of the system and shall provide for flood routes. (Ord. 94-37, 5-1-95)
- (D) The storm drainage system discharge onto adjacent downstream properties shall be designed so as not to increase the rate of runoff in conformance with the drainage laws of the State of Illinois.
- (E) The storm drainage system discharge points shall be provided with erosion control and velocity dissipation structures adequate to prevent damage to downstream properties.
- (F) The standard drainage structures included in the "Morton Subdivision Construction Details" shall be used unless special structures are required.
- (G) All storm sewer construction shall be performed in accordance with the "Standard Specifications for Road and Bridge Construction" of the State of Illinois, latest edition. All storm sewers shall be backfilled with approved trench backfill material and compacted by approved methods.
- (H) All field tiles encountered during construction shall be repaired as directed by the Village, with the size, location, and depth indicated on the as-built plans. (Ord. 89-4, 6-19-89)

11-5-6: **SUMP DRAIN LINE SYSTEM:**

- (A) The subdivider shall provide the subdivision with sump drain lines to drain the sump pump discharge lines from each individual lot or parcel in the subdivision.
- (B) Manholes or cleanouts shall be provided on the sump drain lines at a maximum spacing of three hundred feet (300'). Sump drain lines shall be discharged into drainage swales or storm sewer inlets or manholes.
- (C) A tee and lateral shall be provided for each lot or parcel in the subdivision to which the lot owner's sump pump drain line shall be connected.

- (D) All sump drain line construction shall be in accordance with the standard drawing in the "Morton Subdivision Construction Details". (Ord. 89-4, 6-19-89)

11-5-7: **WATER MAIN SUPPLY SYSTEM:**

- (A) The subdivider shall provide the subdivision with a complete water main supply system which shall be connected to the Municipal water supply. Water systems shall be looped (meaning having two distinct sources of supply or points of connection to the existing system) wherever possible. Where not presently possible, main shall be installed to allow for future looping. (amd. Ord. 02-41, 5-5-03)
- (B) If connection to the Municipal system is not reasonable or feasible, the subdivider shall provide a complete water main supply system connected to a community water supply system approved by the Illinois Department of Public Health with satisfactory provision for the operation and maintenance thereof.
- (C) If connection to an approved community water supply system is not reasonable or feasible, the subdivider shall provide an individual water supply on each lot in the subdivision in accordance with minimum standards set forth in "An Ordinance Establishing Regulations for the Protection of Sanitary Health in Tazewell County, Illinois," adopted August 17, 1967, and all subsequent revisions thereto.
- (D) If the subdivider provides an individual water supply for each lot, he shall require, as a condition of the sale of the lot, that the water supply is constructed prior to occupation of the lot by the owner.
- (E) Water mains shall be Ductile Iron, cement lined, Class 52 pipe, unless approved otherwise by the Village Engineer.
- (F) Water mains shall be a minimum of eight inches (8") in diameter, unless otherwise approved by the Village Engineer. Larger size water mains shall be provided if required to adequately serve the proposed subdivision. If larger size mains are required by the Village to serve areas other than the proposed subdivision, the cost difference may be paid by the Village in accordance with the current policies in effect at the time the subdivision is considered. (amd. Ord. 99-54, 4-17-00)
- (G) Village standard fire hydrants shall be provided at a maximum spacing of six hundred feet (600'). The location of the hydrants shall be at lot lines and at block corners.
- (H) Gate valves and boxes shall be provided to adequately valve the water system.
- (I) The water mains shall be located generally on the south and west sides of streets, between the sidewalk and curb with a minimum cover of four feet six inches (4'6").
- (J) All street crossings shall be backfilled with CA-6 gravel and mechanically compacted in eight inch (8") lifts to a point five feet (5') behind the curb.
- (K) All water main and service construction shall be performed in accordance with the "Standard Specifications for Water and Sewer Main Construction in Illinois", latest edition, and the Village's "Watermain Material Specifications and Installation Standards". (amd. Ord. 99-54, 4-17-00)
- (L) An individual water service shall be installed for each lot or parcel in the subdivision in accordance with the "Morton Subdivision Construction Details". (Ord. 89-4, 6-19-89)

- (M) For new mains, all hydrostatic pressure and leakage testing (including filling, flushing, and disinfection testing) shall be performed by the Village of Morton Water Department with the cost to be paid by the developer or contractor.

The fee for one set of tests shall be set by the Superintendent of Public Works and is due before the work is to be done. If the system fails to pass any of the tests, retesting shall be done at an additional time and material cost, which is also the responsibility of the developer or contractor. (amd. Ord. 02-35, 3-17-03)

11-5-8: **STREETS:**

- (A) Streets shall be provided in accordance with the appropriate street sections contained in the "Morton Subdivision Construction Details" on file in the office of the Plan Director. If streets larger than that required for the subdivision are necessary and appropriate, the Village may participate in accordance with the policies in effect at the time the subdivision is considered.
- (B) All street construction shall be done in accordance with the "Standard Specifications for Road and Bridge Construction" of the State of Illinois, latest edition, and in accordance with the approved construction plans.
- (C) All underground utilities that lie or cross under the proposed pavement shall be constructed prior to any street construction. Trenches shall be backfilled with approved material and compacted by approved methods to a point five feet (5') behind the curb.
- (D) Streets with an aggregate base course shall be constructed so that the aggregate base course can be exposed through one winter season prior to being surfaced. (Ord. 89-4, 6-19-89)
- (E) Sidewalks shall be constructed in conjunction with the construction of the house, and same shall be completed when the house construction is completed. For those lots that have not had construction, when seventy five percent (75%) or more of the lots in a subdivision have had construction on the lots or three (3) years after conditional acceptance of the improvements by the Village, whichever is earlier, then the owner of a lot in that subdivision shall complete the installation of a sidewalk within ninety (90) days of the date of being notified of same by the Village. In the event an owner does not comply with the construction of said sidewalk within the time period stated above, then the Village may, at its option, complete said installation and bill the owner for the cost of same. In such case the owner shall, within five (5) days of the submission of a bill, pay the Village for same. In the event payment is not made, then the Village may institute legal proceedings for the collection of said amount and may also file a complaint for violation of the terms of this Section. (Ord. 89-4, 6-19-89; amd. Ord. 97-23, 9-15-97; amd. Ord. 98-6, 7-6-98)

For all subdivisions platted on or after April 6, 1981, where there has been a conditional acceptance of the improvements by the Village more than three (3) years prior to the date of Ordinance 98-6, then the owners of the lots in said subdivision shall have ninety (90) days from the date of Ordinance 98-6 to install sidewalks. If sidewalks are not installed, the other provisions of this Section shall apply. (Ord. 98-6, 7-6-98)

- (F) All street construction shall be subject to final inspection and acceptance by the Village Engineer.
- (G) Street improvements shall be provided in accordance with the following criteria:

(See following page for Street Classifications and Design Standards Table.)

STREET CLASSIFICATIONS AND DESIGN STANDARDS

<u>STREET CLASSIFICATION</u>	<u>ROW WIDTH</u>	<u>PAV'T WIDTH</u>	<u>MIN. RAD.</u>	<u>MIN. GRADE</u>	<u>MAX. GRADE</u>	<u>AGG. BASE</u>	<u>BIT. SURFACE</u>	<u>CONC. PAV'T</u>
Commercial/industrial collector street	68'	38'	500'	0.5%	7%	10" ¹	4.5"	10" ²
Residential collector street	68'	38'	500'	0.5%	7%	8" ¹	4"	8"
Minor commercial/industrial street	55'	34'	100'	0.5%	7%	8" ¹	4"	8"
Minor residential Street	55'	34'	100'	0.5%	7%	9"	3"	7"

¹ Bituminous Base Course

² Reinforced Concrete Pavement

Notes:

1. Curb and gutter required on all streets.
2. Pavement width shown is face to face curb.
3. Sidewalks required on all residential streets.
4. Sidewalks on other streets dependent on conditions.

(Ord. 89-4, 6-19-89; amd. Ord. 99-54, 4-17-00)

11-5-9: STREET LIGHTS:

- (A) The subdivision shall be provided with a complete street lighting system acceptable to the Village Engineer.
- (B) The street lighting system shall provide for a light at each intersection or corner, and lights along streets at a maximum spacing of five hundred feet (500'). The system shall be controlled by a photocell-activated controller, and metered at one (1) location, in accordance with Ameren-CILCO specifications. (Ord. 89-4, 6-19-89; amd. Ord. 07-01, 5-7-07)
- (C) All cable shall be buried to a minimum depth of twenty four inches (24") and shall be in accordance with the local electrical code. Underground wiring shall be in flexible duct and shall be a minimum of No. 8 stranded copper or as required by the load and shall provide for a continuously grounded circuit. (Ord. 94-37, 5-1-95)
- (D) All poles, fixtures, controllers, and wiring shall be subject to approval by the Village of Morton. Metering shall be subject to approval by Ameren-CILCO. (amd. Ord. 07-01, 5-7-07)
- (E) Poles shall be precast concrete poles, butt base or aluminum davit arm poles, anchor base, with appropriate concrete foundation. Poles shall be types stocked by the Village of Morton, unless approved otherwise by the Village Engineer. (Ord. 89-4, 6-19-89; amd. Ord. 07-01, 5-7-07)
- (F) Mounting height shall, in general, be thirty feet (30') for residential streets and as is appropriate for the luminaire for commercial/industrial streets.
- (G) Luminaires for minor residential streets shall be one hundred (100) watt high pressure sodium vapor with a built-in regulator ballast and photocell. A type II or type III pattern shall be used.

- (H) Luminaires for residential collectors and commercial/industrial streets shall be a minimum of one hundred fifty (150) watt high pressure sodium vapor with a built-in regulator ballast and photocell. Luminaires on major streets shall be two hundred fifty (250) watt high pressure sodium vapor. A type II or type III pattern shall be used. (Ord. 94-37, 5-1-95)
- (I) If a developer wishes to propose an alternate street lighting system, operated and maintained by a homeowners' association, and not the Village, it shall be reviewed by the Village Engineer. The Village Engineer will make a recommendation to the Board of Trustees, who will have final authority to accept, reject, or modify the system as proposed. (Ord. 07-01, 5-7-07)

11-5-10: **MONUMENTS:**

- (A) Monuments shall be set at all accessible lot corners and at angle points and points of curvature, after the subdivision has been final graded.
- (B) Monuments shall be set by or under the direction of an Illinois Registered Land Surveyor, and shall be iron pipe, three-fourths inch by twenty four inch (3/4" x 24") or equal.
- (C) The subdivider/developer shall install Village right-of-way markers and GIS survey monuments, as required by the Village. (Ord. 89-4, 6-19-89; amd. Ord. 07-02, 5-7-07)

11-5-11: **CERTIFICATION OF IMPROVEMENTS:** Upon completion of all improvements, the subdivider's engineer shall certify, in writing, to the Village that all improvements have been constructed substantially in accordance with the approved construction plans. (Ord. 89-4, 6-19-89)

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CHAPTER 6

FEES

SECTION:

- 11-6-1: Purpose
- 11-6-2: Preliminary Plat Fee
- 11-6-3: Final Plat Fee
- 11-6-4: Engineering Fees For Construction Plan Review
- 11-6-5: Engineering Fees For Inspection

11-6-1 **PURPOSE:** In order to partially defray the cost of reviewing plats, as well as to recover the expense of recording fees, certain fees shall be paid to the Village as more particularly set forth herein.

11-6-2: **PRELIMINARY PLAT FEE:** A fee of one hundred fifty dollars (\$150.00) per plat shall be paid to the Village prior to the submission of a request for preliminary plat approval. (amd. Ord. 99-54, 4-17-00; amd. Ord. 03-02, 7-7-03)

11-6-3 **FINAL PLAT FEE:** A fee of one hundred fifty dollars (\$150.00) per plat, plus fifteen dollars (\$15.00) per lot, shall be paid to the Village prior to the submission of a request for final plat approval. This fee includes the cost of recording the plat. (amd. Ord. 99-54, 4-17-00; amd. Ord. 03-02, 7-7-03)

11-6-4 **ENGINEERING FEES FOR CONSTRUCTION PLAN REVIEW:** A deposit of one thousand dollars (\$1000.00) for expected engineering fees for the review of construction plans shall be paid to the Village after the preliminary plat is approved and before construction plans are submitted. For further particulars on this deposit and additional engineering fees, see Section 11-2-6. (amd. Ord. 99-54, 4-17-00; amd. Ord. 07-19, 7-2-07)

11-6-5: **ENGINEERING FEES FOR INSPECTION:** The subdivider shall pay a minimum of three dollars (\$3.00) per centerline foot of streets and two dollars (\$2.00) per lineal foot for sewer lines outside of streets for engineering inspection fees. Said payment shall be made before or contemporaneous with final plat approval. (Ord. 90-37, 4-15-91; amd. Ord. 99-54, 4-17-00; amd. Ord. 02-36, 3-17-03; amd. Ord. 07-19, 7-2-07)

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CHAPTER 7
PLAT OFFICER

SECTION:

- 11-7-1: Establishment And Qualifications Of Plat Officer
11-7-2: Appointment; Salary

11-7-1: **ESTABLISHMENT AND QUALIFICATIONS OF PLAT OFFICER:** The office of Plat Officer is hereby established in which is vested the duty of administration of these regulations as specified herein and such other related regulations as are assigned to that office by the Board.

The Plat Officer shall be a person who is qualified by professional or practical training and experience to conduct the affairs of that office.

11-7-2: **APPOINTMENT; SALARY:** The Plat Officer shall be appointed by the President with the advice and consent of the Village Board of Trustees. During any period of time wherein no person has been duly appointed to the position of Plat Officer, the Superintendent of Public Works shall fulfill the responsibilities of the position of Plat Officer. The Plat Officer shall receive as salary the sum of three hundred dollars (\$300.00) per year. In the event, however, the Superintendent of Public Works fulfills the responsibilities of Plat Officer pursuant to the provisions of this section, no additional salary shall be paid to the Superintendent of Public Works for acting as Plat Officer. (Ord. 80-42, 4-6-81; amd. Ord 20-18, 11-18-19)

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CHAPTER 8
OFFICIAL MAP

SECTION:

- 11-8-1: Official Map Establishment
11-8-2: Amendments Or Additions To Official Map

11-8-1: **OFFICIAL MAP ESTABLISHMENT:** There is hereby established for the Village and contiguous one and one-half (1 1/2) mile area an Official Map which is included herein and adopted as part of this Title.

11-8-2: **AMENDMENTS OR ADDITIONS TO OFFICIAL MAP:** Amendments to the Official Map, including the indication of additional public sites to be shown on the Map, shall be considered amendments to this regulation and shall be made as specified in Title 11 of this Code. Any agency requesting the establishment on the Official Map of a future public site or easement which is not included in the Comprehensive Plan shall indicate to the Plan Commission the need for the site in the particular location specified. The Plan Commission, before making a favorable recommendation for the inclusion on the Official Map of such site by the Board, shall find that the public site location is consistent with the Comprehensive Plan of the community and shall so indicate in its minutes. (Ord. 80-42, 4-6-81)

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CHAPTER 9
SPECIAL RESTRICTIONS

SECTION:

11-9-1: Utility Easements
 11-9-2: Building Setbacks

11-9-1: **UTILITY EASEMENTS:**

- (A) There will be a twenty-five foot utility easement adjacent to the Commonwealth Edison Company electric transmission line easement.
- (B) Within the next fifty feet the following applies:
1. Patios, porches, and decks are allowed, but they may not be enclosed or covered. No structure shall exceed the height of 48 inches above the finished floor elevation of the principal structure.
 2. Gardens, flowers, trees, bushes, and other vegetation are allowed provided none of it extends at any point measured vertically into the Commonwealth Edison easement or utility easement.
 3. Landscaping is allowed, but no structures are permitted.
 4. Non-metallic fences are allowed. The fence shall be at least one foot from the Commonwealth Edison easement.
- (C) Pools are not allowed in any easement area.
- (D) Nothing may be constructed or placed in the Commonwealth Edison easement area.
- (E) Any items that are allowable as described in this section shall be subject to all other ordinances or the Village of Morton. (Ord. 80-42, 4-6-81; amd. Ord. 14-13, 7-7-14)

11-9-2: **BUILDING SETBACKS:** On all lots, blocks, and parcels of land near or adjacent to the Commonwealth Edison Company electric transmission line easement, building setback lines are hereby established within at least seventy five feet (75') of either side of the boundary line of said electric transmission line easement. The Board of Trustees may grant a waiver to the setback requirement and may in such case impose additional conditions as they deem appropriate. (Ord. 80-42, 4-6-81; amd. Ord. 94-17, 9-19-94)

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