

**Ordinance Governing
Plats
Subdivisions
Dedications
And
Vacations
In
Schuyler County
Illinois**

**Adopted By The
Schuyler County Board
March 14, 2005**

ORDINANCE BY THE SCHUYLER COUNTY BOARD
March 14, 2005

BE IT ORDAINED, by the Schuyler County Board, that the following rules and procedures governing plats, subdivisions, dedications and vacations in Schuyler County, Illinois, be and the same are hereby adopted, to become effective and in force from and after the adoption of this Ordinance.

SECTION 1

- 1. This ordinance shall apply to any subdivision of land within Schuyler County, Illinois, which lies outside the corporate limits of any incorporated city or village. For purposes of this ordinance, “subdivide” and “subdivision” shall mean to divide any parcel of land into two or more separate and distinct parcels. This ordinance applies to:**
 - a. Any subdivision of land into two or more separate and distinct parcels, any of which is less than five acres; and**
 - b. Any subdivision of land into two or more separate and distinct parcels, regardless of size, any of which require an easement of access or new roadway.**

- 2. There is hereby established a Plat Committee for the County of Schuyler to consist of the following officials: Chairman of the County Board, State’s Attorney, County Clerk/ Recorder, County Engineer and Supervisor of Assessments.**

- 3. Every subdivision of land as defined above shall be shown upon a plat and submitted to the Plat Committee for approval or disapproval. Any plat, which has been approved by the Plat Committee, shall be submitted to the county board for its consideration, approval, or disapproval. No plat shall be recorded in the office of the Recorder of Deeds and no lots shall be sold from such plat within area therein described unless and until approved as herein provided.**

SECTION 2

- 1. Any Person or persons planning to file or record in Schuyler County a plat of a subdivision, dedication, or vacation lying wholly or partly outside the corporate limits of any municipality, shall first submit to the Plat Committee of the Schuyler County Board, hereafter called the “Committee”, four prints of the proposed plat prepared in a tentative form.**
- 2. The tentative plat shall be prepared in accordance with the provisions of this resolution, where they apply. Plats of vacation shall be prepared in accordance with Section 8 of this Resolution.**
- 3. The Committee shall examine the tentative plat and may require additional information to be shown thereon or alternate layouts to be prepared for further consideration before giving approval. The Committee may mark or note on the plat changes to be made when the final plat is prepared.**
- 4. Each plat shall be drawn to a minimum scale of 100 feet to one inch. Variations in scale may be made, where necessary for a proper exhibit of a subdivision.**
- 5. All section lines, quarter section lines, and other data pertinent to a proper subdivision shall be shown. A location map of small scale shall be provided on the tentative plat only.**
- 6. The tentative plat shall show width of existing roads, streets with their names, alleys, lots building lines on property proposed to sub-divided, full width of streets, bounding subdivisions, and width and names of intersecting streets in property adjacent; also the names and locations of existing streets, roads, easements, lots, and property and building lines including dimension for at least 300 feet beyond the limit of the proposed subdivision unless subdivision borders on a recorded subdivision 100 feet is required.**
- 7. Name of proposed subdivision and name of owner, owners, or trustees, or name of sponsors for the plat. A brief description of the property to be subdivided shall be shown as part of the title.**
- 8. Names of all adjoining subdivisions shall be included and owners of record of adjoining property not subdivided shall be shown and the property marked “Not Sub-divided.”**
- 9. Contour lines at five foot or less intervals shall be shown on a tentative plat or separate plat. United States Geological Survey Data should be used, except where USGS data is determined by the Committee to be outdated and inaccurate and more recent data is available in which the Committee may require that more recent data be used. Lakes, ponds, streams, courses of storm water run-off, direction of flow of each, and approximate boundaries of high-water, low water, and shoulders of banks shall be indicated. Contour maps may**

be waived at the discretion of the County Superintendent of Highways for subdivisions in which lots have an area of one acre or more.

10. The tentative plat when submitted to the Committee shall have the proper certificates attached of the consulting engineer.

11. Approval , when given, shall be recorded on all prints as follows:

TENTATIVE PLAT OF RECORD APPROVED BY THE PLAT COMMITTEE

THIS _____ DAY OF _____ A.D. 20_____

BY _____ CHAIRMAN. One copy shall be returned to the sub-divider and one copy kept for each of the following: Committee's record, County Superintendent of Highways and Supervisor of Assessments.

12. The approval of a tentative plat by the Committee shall not release the sub-divider of the necessity for Compliance with Section 7 of "An Act in Relation to the Regulation of the Rivers, Lakes, and Streams of the State of Illinois," as adopted and amended by the General Assembly of the State of Illinois.

SECTION 3 FINAL PLATS FOR RECORD

1. After approval of a tentative plat, there shall be submitted to the Committee within one year a final plat, together with four prints thereof, made in accordance with the approved tentative plat. The final plat for record shall be in water proof black drawing ink and made on a permanent surface such as high quality Mylar.
2. All plats for record shall be drawn to a minimum scale of 100 feet to 1 inch. Variations in scale may be made, where necessary, for proper exhibit of a subdivision. Maximum size of plat shall be 24" x 36".
3. The plat shall show the data of preparation of map and the north sign, section, and quarter section lines, scale of plat.
4. Each subdivision plat shall contain a simple, complete, and explicit title, which does not duplicate the name of a previously recorded plat, except in the case of additions. In the case of a re-subdivision, the title shall contain the full name of the subdivision being re-platted. Each map shall include a correct survey of property subdivisions, including legal description, sections, township, and range, location and widths of all roads, streets, alleys and other lands to be dedicated to public use. All streets in the proposed subdivision shall be named, which names shall conform to those existing streets and roads unless otherwise permitted by the Committee and in case of offset streets, the line of departure from one street to another shall be shown.
5. All lot lines shall be shown and lots and blocks properly numbered. Building lines and easements shall be shown and determined by measurements.

6. All necessary linear dimensions, radii of curves, and angles necessary to properly resurvey shall be shown. Linear dimensions shall be given in feet and decimals of a foot. Boundary dimensions sufficient to form a closed survey shall be shown.
7. (a) The description and locations of all survey monuments placed in the subdivision shall be shown upon all plats for record.

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

(c) Permanent monuments shall be either of iron pipe not less than one inch (1") in diameter and thirty inches (30") in length; or of stone or concrete not less than four inches (4") in diameter and thirty inches (30") in length.

(d) Plat or certificate shall show kind of stakes used at corners.
8. Provisions shall be made for direct communications with the principal streets in adjoining subdivisions. Where practicable, streets shall be provided on section and half section lines. Such streets shall be extended to the boundaries of the subdivisions where required by the Committee.
9. Each lot shall front on a road, street, or parkway.
10. Width of Roads and Streets shall conform to the guidelines set forth in a resolution passed May 14, 1979 by the Schuyler County Board establishing minimum design policies for road and streets to be accepted as public highways.
11. Easements of not less than 7 ½ feet in width shall be provided on all rear lot lines for poles, wires, conduits, storm and sanitary sewers, gas, water and heat mains, and other utilities, but they shall not be used for that purpose except as authorized under stipulated regulations of proper authorities having jurisdiction.
12. Street intersections with main highways shall be limited to not more than one per quarter mile, unless the topography or physical conditions require shorter blocks. Street intersections with all highways under the jurisdiction of the State Highway Department shall be approved by the proper authority and evidence in the form of State Permit shall be furnished to the Committee. Street intersections on all other Public Roads shall be subject to the approval of the County Superintendent of Highways or Township Highway Commissioner.
13. Lakes, ponds, streams, and all watercourses, direction of flow, and approximate boundaries of high water shall be shown on the plat. All high water elevation shall be United States Geological Survey Data.
14. Wherever possible, lots having an area of less than one acre shall not face on State or county roads.
15. There shall be submitted with the subdivision plat two detailed studies of existing conditions prior to any change to the land. One study shall be of plan view orientation with existing contours depicted. The second study shall be of profile

view orientation depicting existing elevations and landmarks. If it is determined that the flow of surface water from such land, will change as a result of any portion of such subdivision development, then such plat and plats shall also show such proposed changes in the elevation and the flow of surface water from such land. This shall require additional studies depicting the proposed elevations in plan view orientation and profile orientation. These additional studies may be included in the existing set of drawings, as an overlay to existing set of drawings, or provided in a separate set of drawings with the same size and scale as the subdivision plat. The studies to be submitted with the subdivision plat shall have on their face the certification of a Registered Professional Engineer, and the owner of the land or his duly authorized attorney, to the effect that to the best of their knowledge and belief the drainage of surface waters will not be changed by the construction of such subdivision or any part thereof ,or, that if such surface water drainage will be changed, adequate provision has been made for collection and diversion of such surface waters into public areas, or drains which the subdivider has a right to use, and that such surface waters will not be deposited on the property of adjoining land owners in such concentration as may cause damage to the adjoining property because of the construction of the subdivision. The studies required herein shall not be recorded, but shall be retained by the county as permanent public documents. The certification referred to in this paragraph shall be in a manner and form as follows:

CERTIFICATION

The undersigned owner or his duly authorized attorney and _____, a Registered Professional Engineer, do hereby certify that to the best of their knowledge and belief, the drainage of surface waters will not be changed by the construction of this subdivision or any part thereof, or that if such surface water drainage will be changed, adequate provision has been made for collection and diversion of such surface waters to public areas or drains which the sub-divider has a right to use and that such surface water will not be deposited on the property of adjoining land owners in such concentration as may cause damage to the adjoining property because of the construction of the subdivision.

OWNER OR DULY AUTHORIZED ATTORNEY

REGISTERED PROFESSIONAL ENGINEER

**SECTION 4
PLANNING DETAILS**

- 1. The layout should provide for proper circulation of traffic. In general, long blocks are desirable, and intersection of minor streets should be at right angles with main highways or arterial streets.**
- 2. When the topography is irregular, streets should be laid out to fit contours.**
- 3. In general, streets should not be laid out on the boundaries of the tract, except where such streets are desirable for further expansion or where streets conform to existing streets in the vicinity. When streets or roads adjoin unsubdivided property along a section or half-section line, a half street of not less than 33 feet in width shall be dedicated and whenever the subdivided property adjoins a half-street the remainder to the street shall be dedicated.**

**SECTION 5
STREET CONSTRUCTION**

- 1. All roads and streets shall conform to the resolution passed by the Schuyler County Board on May 14, 1979 establishing minimum design policies for roads or streets to be accepted as public highways.**
- 2. All exposed areas shall be re-seeded or sodded to prevent erosion. Seeding and sodding shall conform to the specifications for similar work on County highways and shall be subject to the approval of the County Superintendent of Highways.**
- 3. Drainage structures shall be installed wherever required. The design, installation, material specifications, and construction of drainage structures shall comply with the specifications for similar structures on county highways, and shall be subject to the approval of the County Superintendent of Highways. All crossroad and entrance culverts shall have a diameter of not less than twelve (12) inches. The design of any culvert or bridge having a clear span of more than ten (10) feet must be approved by the Bridge Engineer of the Department of Public Works and Buildings, Division of Highways, of the State of Illinois.**
- 4. In addition to the approval of the County Superintendent of Highways, the work of constructing streets or roads shall also be subject to the approval of the highway Commissioner of the Town in which the streets or roads are being constructed.**

5. All construction items shall be completed within one year after the plat is placed of record, except where bituminous paving construction is required. When bituminous construction is required, it shall be completed within two years after the plat is placed of record.
6. The owner or sub-divider shall notify the Township road commissioner prior to construction of roads so he may inspect during construction.
7. The owner or sub-divider shall comply with all of the requirements of Section 7 of this resolution.

SECTION 6 SANITARY REQUIREMENTS

1. The Sub-divider will notify the Schuyler County Health Department of a proposed subdivision and provide one copy of the proposed plat.
2. The sub-divider shall furnish to the Committee and the Schuyler County Health Department, at the time the tentative plat is filed, a statement and description of the water supply and sewage disposal facilities which will be provided.
3. All subdivision plats which are to utilize private sewage disposal or private water supply systems shall be evaluated and approved by the Schuyler County Health Department Licensed Environmental Health Practitioner.
4. Plat Evaluations:
 - A. Existing systems:
 1. Existing private sewage disposal systems are evaluated according to The Illinois Department of Public Health Private Sewage Disposal Licensing Act and Code for proper size, function and design.
 2. Existing private water supply systems are evaluated according to The Illinois Department of Public Health Water Well Construction Code.
 - B. Undeveloped properties: Undeveloped properties are evaluated on the basis of size and suitability for supporting a private sewage disposal and/or private water supply system.
 1. All private water wells are to be installed in accordance with the Illinois Water Well Construction Code.
 2. All private sewage systems are to be installed in accordance with the Private Sewage Disposal Licensing Act and Code or the Illinois Department of Public Health Mound Code.

3. A percolation test or a soil investigation shall be conducted on each lot in accordance with the Illinois Private Sewage Code. All tests shall be conducted in an area of the lot that the proposed private sewage system is to be constructed.
4. The location and results of the percolation/soil investigation tests shall be so indicated on each lot of the preliminary plat.
5. The developer shall provide a comprehensive plan for sewage disposal sites for the subdivision development, where the soil percolation and/or soil investigation resulted in impermeable soil and precludes the use of a subsurface seepage field. This plan must be approved by the Schuyler County Health Department and/or the Illinois Environmental Protection Agency.
6. The final plat shall contain in a statement under the area Legend of the type of water supply, either private wells or public supply, also what type of sewage disposal is indicated, either conventional systems with a subsurface field or alternative system with an approved surface discharge in accordance with the Illinois Private Sewage Disposal Code and Act and/or the Illinois Environmental Protection Agency. If a surface discharge is being used then drainage easement must be shown when needed.
7. A final plat for record shall be signed by the Licensed Environmental Health Practitioner of the Schuyler County Health Department.

SECTION 7 ENGINEERING REQUIREMENTS

The Tentative or Final plat shall be accompanied by an Engineering Report containing the following information:

1. Profile of each street showing existing ground line and proposed grades shall be shown with final plat.
2. There shall be shown on the tentative plat, or on a separate plat, the location, size and drainage areas of all drainage structures, storm sewers, sanitary sewers, tiling either in place or proposed, and the location of all water courses, and in cases of low lands and bodies of water or streams with the high and low water marks. All elevations shall be United States Geological Survey data.
3. A typical cross-section of each type of roadway to be built.

4. **The proposed type of surfacing.**
5. **Results of soil seepage tests, which have been conducted throughout the area in order to determine the ability of the soil to dispose of sewage wastes by seepage. Where grading is to be done, such seepage test must be conducted in the soil after finished grade has been established. A sufficient number of such tests shall be made to show all variable conditions which might exist throughout the area under consideration.**
6. **A description of the water supply and sewage disposal facilities which will operate successfully in the subdivision. Such facilities shall be designed in accordance with recognized sanitary engineering standards and must take into consideration all data in this report which have bearing on these facilities.**
7. **The Engineering report, tentative plat, and all other plats submitted with the report shall be signed by a Registered Professional Engineer of the State of Illinois and shall bear the imprint of his seal.**
8. **The final Plat for Record shall be signed by a Registered Land Surveyor of the State of Illinois and shall bear the imprint of his seal.**

SECTION 8 VACATIONS

1. **A Petition in triplicate shall be filed with the Committee setting forth the subdivision or part thereof, or street, alley, easement, or part thereof, to be vacated. Said petition shall be signed by all interested parties, in accordance with the provisions of the Illinois Statutes as they pertain to vacations.**
2. **The petition shall be accompanied by the following plats and documents:**
 - a. **A plat in triplicate of the subdivision on which there shall be shown the part thereof, or street, alley, easement, or part thereof, to be vacated.**
 - b. **A certificate signed by the County Clerk/Recorder of Schuyler County certifying that there are no delinquent general taxes, no unpaid current general taxes, no unpaid forfeited taxes, and no redeemable tax sales against any of the land included in the property to be vacated.**
 - c. **A deed of Vacation.**
3. **The Committee shall determine if any public or private rights or privileges are affected by the proposed vacation.**
4. **The Committee may require the Petitioners to furnish Bond in an amount to be determined by the Committee indemnifying the county for any suit which may be filed for damages sustained by other owner(s) due to such vacation.**

5. **The Committee may require that the County be reimbursed by the owner(s) of property abutting upon a street, alley, easement, or part thereof, to be vacated, in an amount which will be equal to the benefits which will accrue to such owner(s) by reason of vacation.**
6. **If the Petition is approved by the Committee, the petitioner(s) shall prepare a report and a resolution for presentation to the Schuyler County Board. Said report and resolution shall be in triplicate.**

SECTION 9 TAXES, FEES, AND CERTIFICATES

1. **The sub-divider shall make all adjustments relative to any and all taxes and special assessments levied against the property platted by him, such adjustments shall be shown on said plat by certificate signed by the County Clerk/Recorder. In vacating subdivisions previously platted, the petitioner shall submit evidence of the payment of all taxes and special assessments payable against the property in the same manner as is required for sub-dividing.**
2. **Where a proposed subdivision borders or includes any public waters in which the State of Illinois has or may have any property rights or property interests, the final plat shall be approved by the Illinois Department of Public Works and Buildings before being submitted to the Committee.**
3. **Upon filing of the plat with the Committee there shall be attached a receipt from the County Clerk/Recorder showing that there has been paid a fee, as provided by State Statute. Plats of cemeteries are exempt from aforesaid fees.**
4. **Appropriate certificates in substantially the following forms shall be used on all subdivision plats:**

SECTION 10 VIOLATIONS AND PENALTIES

1. **It shall be unlawful to construct or use any structure, land or water in violation of any of the provisions in this ordinance. In case of any violation, the County Board, County Plat Committee or any property owner who would be specifically damaged by such violation may institute appropriate action or proceedings, to enjoin a violation of this ordinance.**
2. **Until all requirements of this ordinance and other applicable ordinances, statutes and regulations have been met, it shall be unlawful to present any deed, notice, assignment, plat or other documents for recording in the Schuyler County Clerk/Recorder's office. The Schuyler County Clerk/Recorder is authorized to return any such documents, unrecorded, if the County Clerk/Recorder has reason to believe any such requirements have not been met.**

3. All persons, firms, or corporations violating any of the provisions of this Ordinance shall be deemed guilty of an ordinance violation and upon conviction thereof shall be fined in an amount of not less than twenty-five (\$25.00) nor more than two hundred dollars (\$200.00). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

This Ordinance shall be in full force and effect from and after its passage and approval and publication, as required by law.

PASSED and APPROVED by the County Board of Schuyler County, Illinois this ***day of March 14, 2005, by a roll call vote as follows:

| | Yes | No | Absent |
|------------------|-------|-------|--------|
| Brian Peak | _____ | _____ | _____ |
| Lee Herche | _____ | _____ | _____ |
| Mike Ford | _____ | _____ | _____ |
| Jerry Ward | _____ | _____ | _____ |
| Jeff Ervin | _____ | _____ | _____ |
| Sandra Valentine | _____ | _____ | _____ |
| Max McClelland | _____ | _____ | _____ |

Board Chairman

County Clerk

OWNER'S CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF SCHUYLER)

This is to certify that the undersigned _____ is (are) the legal owner(s) of the land described on the plat hereon drawn and shown hereon as sub-divided, and that _____ has (have) caused said land to be surveyed, sub-divided, staked, and platted as shown hereon, for the purpose of having this plat recorded as provided by law.

In witness whereof _____ have hereunto set _____ hand(s) and seal(s) this _____ day of _____ A.D.

(SEAL)

(SEAL)

NOTARY CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF SCHUYLER)

I, _____, a Notary Public, in and for said County, and State aforesaid, do hereby certify that _____ personally known to me to be the same person(s) whose name(s) is (are) subscribed to the foregoing instrument as such own(s), appeared before me this day in person and acknowledge that _____ signed and delivered the annexed plat as _____ own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this _____ day of _____ A.D., _____ at _____, Illinois

(SEAL)

Notary Public