

CHAPTER 7

ADMINISTRATION AND ENFORCEMENT

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6-7-1: **ENFORCEMENT:** No plat of any subdivision shall be entitled to record in the County Recorder's office or have any validity until it shall have been approved in the manner prescribed herein.

6-7-2: **RECORD OF PLATS:** All such plats of subdivision after the same have been submitted and approved, as provided in this Title, shall be copied in a book of plats of said Village and shall be filed and kept by the Village and filed of record by the owner with the respective County of Stephenson.

6-7-3: **FILING OF ENGINEERING PLANS AND REVIEW FEE:** Four (4) complete sets of engineering plans and specifications of required land improvements, as regulated by Section 6-3-4-1B, together with an estimate of the cost of improvements, said plans and specifications to bear the seal of an Illinois registered professional engineer along with this signed statement that such plans and specifications have been prepared in compliance with this Title and with good engineering practices. Said plans shall be drawn to a minimum horizontal

scale of five feet to the inch (1" = 5'). Plans shall show profiles of all utility and street improvements, with elevations referred to U.S. Geological Survey datum.

6-7-4: **SUPERVISION:** The design engineer engaged by the subdivider, builder or land developer shall be responsible for, and establish, all lines and grades for the proposed improvements.

6-7-5: **ACCEPTANCE OF REQUIRED LAND IMPROVEMENTS:** Upon completion of the construction of all public improvements required herein, in conformance with approved engineering plans and specifications, the design engineer engaged by the subdivider shall prepare, certify and submit to the Village three (3) sets of "as-built" plans for the approval of the Village Engineer in order to insure that all public improvements have been satisfactorily completed in accordance with the approved engineering plans and specifications. The Village Board shall enact a resolution accepting said improvements.

6-7-6: **INSPECTION AT SUBDIVIDER'S EXPENSE:**

A.

All public improvements proposed to be made under the provisions hereof shall be inspected during the course of construction by the Village Engineer forty eight (48) hours before the inspection of all utilities.

B.

During the course of construction of the improvement, the subdivider shall be required to notify the Village Engineer forty eight (48) hours before the inspection of all utilities.

C.

The subdivider shall pay the cost of all inspection services. The fees shall be established by the Village, based on current rates and standard engineering practice.

6-7-7: **FEES:** There is hereby established a fee for the approval of preliminary and final plats, as follows:

A.

Preliminary Plat: Ten dollars (\$10.00) for each preliminary plat plus One dollar (\$1.00) for each lot or building within the proposed subdivision, with a minimum

total charge of Fifteen dollars (\$15.00).

B.

Final Plat: One dollar (\$1.00) for each lot or building within each subdivision plat submitted, with a minimum fee of Five dollars (\$5.00).

C.

Review fee for retained personnel and expertise as more specifically set forth in Sections 1-12-1 and 1-12-2 of this Village Code, and incorporated herein by reference and made a part hereof.

All such fees shall be payable to the Village upon submission of the above plats.

6-7-8: VARIATIONS AND EXCEPTIONS:

A.

Hardships: Where the Village Board finds that extraordinary hardships or particular difficulties may result from the strict compliance with these regulations, the Village Board may recommend and grant variations or exceptions to the regulations, subject to specified conditions, so that substantial justice may be done and the public interest secured, provided that such variations or exceptions shall not have the effect of nullifying the intent and purpose of this Ordinance.

B.

The Village Board shall not grant variations or exceptions to the regulations herein unless it shall make findings based on the evidence presented in each specific case, that:

1. Because of the particular physical surroundings, shape or topography conditions of the specific property involved a particular hardship to the owner would result as distinguished from a mere inconvenience if the strict letter of the regulations was carried out.

2. The conditions upon which the request for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property, and have not been created by any person having an interest in the property.

3. The purpose of the variation is not based exclusively upon a desire to make more money out of the property.

4. The granting of the variation will not be detrimental to the public safety, health or welfare, or injurious to other property or improvements in the neighborhood in which the property is located.

6-7-9: BUILDING AND OCCUPANCY PERMITS:

A.

Building Permits: No building permit shall be issued by any governing official for the construction of any building, structure or improvement to the land or any lot within a subdivision as defined herein, which has been approved for platting or replatting, until all requirements of these regulations have been complied with.

B.

Occupancy Permits: No occupancy permit shall be granted by any governing official for the use of any structure within a subdivision approved for platting or replatting until required utility facilities have been installed and made ready to service the property, and until roadways providing access to the subject lot or lots have been constructed.

6-7-10: BLASTING RESTRICTIONS: No blasting shall take place in connection with any work in a subdivision until appropriate Village authorities have been notified and the applicable Village ordinances complied with.

6-7-11: APPEALS: Any person or corporation may appeal within sixty (60) days to the Village Board any final action taken by the Village Board. The Village Board shall act as a Board of Appeals and shall hear and decide appeals from and review any final order, requirement, decision or determination made under these subdivision regulations. The concurring vote of four (4) members of the Village Board shall be necessary to reverse any final order of said Village Board under this Ordinance.

6-7-12: VIOLATION, PENALTY: Any person who constructs any public improvement or portion thereof in violation of the provisions hereof shall be, upon conviction, fined not less than twenty five dollars (\$25.00) nor more than two hundred dollars (\$200.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Whoever shall sell or offer for sale, lease or offer for lease, while this Ordinance is, in effect, any lot or lots or block or blocks within the incorporated limits of the Village, or any resubdivision of any lot or block therein, or within contiguous unincorporated territory not more than one and one-half (1-1/2) miles beyond the incorporated boundary of the Village, before a final plat of subdivision has been approved by the Village Board as required in these regulations, shall be fined not less than twenty five dollars (\$25.00) nor more than two hundred dollars (\$200.00) for each lot or part thereof so disposed of, offered for sale or leased.