

ORDINANCE NO. 108

AN ORDINANCE REGULATING PROPOSED SUBDIVISIONS IN OR NEAR THE  
VILLAGE OF GIFFORD, ILLINOIS

BE IT ORDAINED, by the President and Board of Trustees of the Village of Gifford, Champaign County, Illinois:

That for the purpose of providing for and controlling future growth and development of the Village of Gifford and for the promotion of the public health and safety, comfort, morals and welfare of the persons living within the area governed by the Village of Gifford, the provisions and regulations herein contained shall apply to and govern the subdivision and platting of lands lying within the corporate limits of the Village and shall also govern the subdivision and platting of lands lying within contiguous territory one-half mile beyond the corporate limits of the Village of Gifford, Illinois.

Section 1. MEANING OF SUBDIVISION

For the purpose of this article the word "subdivision" shall mean the dividing of a tract of land into two or more lots, parcels or tracts for the purpose either immediate or future of sale or building development including a re-subdivision of any lots or blocks of more than one acre in a recorded subdivision.

Section 2. REQUIREMENTS WITH REFERENCE TO STREETS AND ALLEYS IN THE SUBDIVIDING AND PLATTING OF LANDS

The following shall be the minimum requirements for streets and alleys in any new subdivision within the Village or within contiguous territory which is not more than one-half mile beyond the corporate limits of the Village.

A. Location of streets.

1. Each lot or parcel of ground within a new subdivision shall be adjacent to a public street.
2. The street system in each new subdivision shall continue and extend existing connecting streets in adjoining subdivisions except minor streets across a major intervening street where such continuation or extension is not necessary to protect the interests of the public.
3. The street system in each new subdivision shall be extended and dedicated to any adjacent unsubdivided property except in those instances in which the adjacent property is not capable of being subdivided.

4. No street shall be located less than 280 feet nor more than 1,000 feet from any parallel street measured at the center line of the street except in those instances in which the topography of the land being subdivided or the physical situation of that land in the opinion of the Village President and Board of Trustees makes the same impractical.
5. Private streets will not be permitted.

B. Design of streets.

1. The minimum width of right-of-way for streets shall be as follows:
  - (a) Major streets---being those streets used primarily for through traffic including those designated as such by the corporate authorities of the Village shall conform to the specifications shown in the current Highway Standards and/or Design Manual, both published by the Division of Highways, Department of Public Works and Buildings of the State of Illinois, and as the same may be hereafter amended. These current Highway Standards and Design Manual and any revisions or amendments which may from time to time be made are hereby adopted and made a part of this Section to the same extent and with the same legal effect as if fully set forth herein.
  - (b) All other streets including those designated by the corporate authorities of the Village as secondary or nonarterial streets shall be platted to a width of not less than 60 feet.
2. Whenever a street in a new subdivision is a continuation of an existing street in an adjoining subdivision and the right-of-way of the existing street is less than the applicable width prescribed in subparagraph 1 of this paragraph "B", then the narrower right-of-way may be continued into the new subdivision if the interests of the public are not adversely affected.
3. Whenever a street in a new subdivision is a permanent street and is not and cannot be continued to another street, the street shall be provided with a permanent turnaround, the right-of-way for which shall be not less than 100 feet in diameter.
4. In each instance in which the subdivider owns the land on both sides of a proposed street the entire right-of-way for the street shall be dedicated by the subdivider.
5. When a new subdivision adjoins a dedicated half-street in an existing subdivision the subdivider shall dedicate the remainder of the street.
6. In those instances in which the owner or owners of a new subdivision own the land on only one side of an existing street the right-of-way of which is narrower than that required by subparagraph 1 of this paragraph "B", the subdivider shall dedicate additional right-of-way of sufficient width to make that portion of the right-of-way lying between the centerline of the existing right-of-way and the outside edge of the additional right-of-way at least equal to one-half the required right-of-way width.
7. Major streets may be designed with gradual curves having a centerline radius of at least 500 feet except where a lesser radius is deemed safe and adequate to serve the public needs. All other streets may be designed with gradual curves having

a centerline radius of at least 150 feet except where a lesser radius is deemed safe and adequate to serve the public needs. No streets shall be laid out with jogs having centerline offsets of less than 125 feet.

8. Cul-de-sacs shall have a maximum length of 300 feet measured from the centerline of the intersecting street to the center of the turnaround unless the topography of the land being subdivided or the physical situation of that land makes such a restriction impractical.

C. Location and design of alleys.

1. Alleys shall be provided for lots or parcels of ground intended for business, commercial or industrial uses unless the development plan for such eliminates their need.
2. Alleys may be provided for all lots or parcels of ground intended for multiple family residential use.
3. Alleys shall not be provided for lots intended for one and two family residential uses.
4. The minimum width of right-of-way for alleys shall be as follows:
  - (a) Alleys to serve business, commercial or industrial uses--24 feet.
  - (b) Alleys to serve multiple family residential area only--20 feet.
5. Dead-end alleys shall not be permitted.
6. Private alleys shall not be permitted.

D. Names of streets and alleys.

Proposed streets which are obviously in alignment with or continuations of existing streets already named shall bear the same name as the existing streets. In no case shall the name of the proposed new street duplicate the name of an existing street in the Village.

E. Construction of streets and alleys.

1. The grades of major streets shall not be steeper than 3%. The grades of all other streets shall not be steeper than 5%. No tangent street grades shall be less than 0.3%.
2. The minimum width of improved areas of streets measured from paved edge to paved edge shall be as follows:
  - (a) Major streets--widths shown in the current Highway Standards and/or Design Manual of the Division of Highways of the Department of Public Works and Buildings of the State of Illinois. The current Highway Standards and Design Manual are referred to in subparagraph (a) of paragraph 1 of subsection B of Section 1 above and the adopting clause applied equally to this subparagraph.
  - (b) All other streets--24 feet.
  - (c) Permanent turnarounds at the end of a cul-de-sac. The outside diameter of the surfaced area of the turnaround shall not be less than 80 feet.

3. The minimum width of improved areas of alleys shall be as follows:
  - (a) Alleys to serve business, commercial and industrial areas or uses - 20 feet.
  - (b) Alleys to serve multiple family areas or uses - 16 feet.
4. Streets shall be constructed in accordance with existing specifications of the Division of Highways of the Department of Public Works and Buildings of the State of Illinois. The pavements shall be designed in accordance with the appropriate section or sections of the Design Manual of Buildings of the State of Illinois, except that the minimum surfacing requirements on flexible bases shall be either (1) one and one-half inches of bituminous concrete, or (2) four inches of compacted crushed stone surface course placed upon an eight inch gravel base. Alley pavements in multiple family residential areas shall conform to street pavement requirements. In the absence of adequate soil analysis, a soil support (CBR) value of 2.0 shall be used.
5. All intersections shall have a radius of not less than 20 feet measured to the edge of pavement and at intersections involving major streets such radii shall be not less than 25 feet.
6. All streets shall be provided with side ditches and culverts under intersection and driveways having a design capacity adequate to carry off surface water falling or coming on the streets in a two-year storm as that term is used in publications of the State Water Survey, Division of the Department of Registration and Education of the State of Illinois. Sufficient culverts shall be provided so that no pavement is designed to allow water to drain across the crown of an intersecting street or is carried in the gutter for more than 600 feet. The minimum size of driveway culverts shall be ten inches inside diameter.
7. The subdivider shall notify the Village Clerk in advance of the date construction of the required improvements will begin.
8. No plan of any subdivision shall be finally approved by the President and Board of Trustees until:
  - (a) A copy of the plans and specifications for the required street and alley improvements including street drainage has been filed with and approved by the President and Board of Trustees. The plans and specifications shall meet the minimum design standards that are on file in the office of the Village Clerk.
  - (b) The improvements (including the street drainage) have actually been constructed in accordance with such plans and specifications or a surety bond payable to the Village in a penal sum equal to at least twenty dollars per lineal foot of street pavement, conditioned upon the construction of the improvements in full conformity with the plans and specifications within two years from the date thereof, and with surety thereon satisfactory to the President and Board of Trustees, has been filed with the Village Clerk. Any bond so given to guarantee the construction of any such improvement may be released by the President and Board of Trustees only after receiving a written statement from the Village Clerk that the improvement has been constructed and that the certificate of a Registered Professional Engineer as required in paragraph 8 (c) has been received.

Section 5. PLAT REQUIREMENTS

A. Procedure

1. File with the Village Clerk at least 15 days before the regular Village Board meeting, five copies of a preliminary plan for examination and subsequent recommendations of approval or disapproval by the President and Board of Trustees. If the plan of subdivision as shown by said preliminary plan is disapproved, the original plan shall be returned to the subdivider, with a written statement of reasons for such disapproval. If the proposed plan of subdivision as shown by said preliminary plan shall be approved, the original plat and two copies thereof shall be endorsed as follows:  
"Tentatively approved by the President and Board of Trustees of the Village of Gifford this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_."

\_\_\_\_\_  
President

Attest: \_\_\_\_\_

Secretary

The original copy of the plat so endorsed shall be filed with the Village Clerk, and the other two copies thereof shall be returned to the subdivider.

2. Within 12 months after receiving tentative approval of the preliminary plat by the President and Board of Trustees, the original and five copies of the final plat shall be submitted for final approval by the President and Board of Trustees. Tentative approval of the preliminary plat shall become null and void unless the final plat is submitted within the 12 months as hereinabove required.
3. Following final approval by the President and Board of Trustees, the final plat as approved may be legally recorded in compliance with the laws of the State. Approval of the final plat by the President and Board of Trustees shall be null and void if the plat is not recorded within 90 days after the date of approval, unless application for extension of time is made in writing during said 90 days' period to the President and Board of Trustees and granted.

B. Preliminary Plat

The preliminary plat submitted to the Village shall be drawn to a scale of 100 feet or less to the inch and shall show the following information:

1. The location of the property with respect to adjacent property and streets. There shall also be included a location map at a suitable scale to show all streets and public ways within the general area of the subdivider's property.
2. All pertinent features such as existing structures to remain, streets, railroads and wooded areas that may influence the design of the subdivision.
3. Existing and proposed contours based on the U.S.G.S. datum at intervals of two (2) feet or less.
4. The name, location and width of all proposed streets.

5. The proposed location and width of all alleys, lots, setback lines, utility easements and areas to be reserved for public use.
6. Existing sewers, drains, culverts and public or private utilities immediately adjacent thereto.
7. Proposed provisions and locations for disposal of sanitary waste, storm water drainage and water, electrical and gas distribution.
8. The name and address of the owner or owners of land to be subdivided, the name and address of the subdivider, if other than the owner, and the name of the land surveyor and/or registered engineer.
9. The north point, scale and date.
10. The proposed name of the subdivision.
11. The owners of record of all tracts adjoining the subdivision.

C. Final Plat.

The final plat shall be clearly and legibly drawn to scale of 100 feet or less to the inch on tracing cloth with black waterproof ink, or equivalent.

Said final plat and/or accompanying documents shall show the following information:

1. Name of subdivision.
2. North point, date and scale.
3. Name and signature of owner, subdivider, and land surveyor. Signature and seal of registered engineer on all engineering drawings.
4. The legal description of the property subdivided with the surveyor's certificate and seal to the effect that the plat represents a survey made by him and that all monuments are set as shown.
5. The accurate location and description of all monuments.
6. All angular and linear data along the exterior boundaries of the subdivision.
7. Locations and widths of all streets and names of streets.
8. Location, dimensions and status of all easements.
9. Lot lines with accurate dimensions.
10. Radii of all curves and lengths of arcs.
11. All lot and block numbers.
12. A copy of the plans and specifications for the required streets, alleys, water distribution and storm drainage, accompanied by a certificate from a Registered Professional Engineer employed by the subdivider that all improvements have been constructed in accordance with the plans and specifications as submitted.
13. Provision shall be made on the face of the plat for approval by the President and Board of Trustees to be noted.

Section 6. PENALTY


Any person, firm or corporation violating any of the provisions of this Ordinance shall become liable to the Village of Gifford for any cost, liability, damage or expense whatsoever by it incurred or occasioned as a result of such violation.

Any person, firm or corporation who shall violate any provision of this Ordinance, upon conviction thereof, shall be fined not more than One Hundred Dollars (\$100.00) for each such violation. Each day on which a violation continues shall constitute a separate offense.

Section 7. VALIDITY

All Ordinances or provisions of Ordinances in conflict with this Ordinance are hereby repealed, and this Ordinance shall become effective upon its passage, approval, and publication as provided by law. This Ordinance is declared to be urgent and necessary for the immediate preservation of the public health and safety and shall take effect 10 days after its publication.

Adopted by the President and Board of Trustees of the Village of Gifford, Illinois this 20<sup>th</sup> day of NOVEMBER, 1969. Approved this 20<sup>th</sup> day of NOVEMBER, 1969.

  
Harry Spear  
President

ATTEST:

James A. Martin  
Village Clerk