

SUBDIVISION CODE

FOR

MCDONOUGH COUNTY, ILLINOIS

Adopted July, 1979

Revised August 21, 1996

Second Revision January 15, 1997

Third Revision November 28, 2001

This document prepared by the McDonough County Regional Planning Commission through staff assistance from the Western Illinois Regional Council. January, 1978.

SECTION I. PURPOSE AND INTERPRETATION

A. PURPOSE

It is hereby declared to be the purpose of the McDonough County Subdivision Code to promote the public welfare, health and safety; to conserve and protect property; to ensure efficient use of the land; and to provide for the orderly growth and development of McDonough County.

In order to accomplish these goals, the McDonough County Board believes it to be in the best interest of all existing and future citizens of McDonough County, to establish rules and regulations governing the subdivision of land; preparation of plats; location, width and course of streets and highways; the installation of utilities, street pavements, and other public facilities.

B. APPLICATION AND AUTHORITY

These regulations shall apply to subdivisions of land within the borders of McDonough County, subsequent to the effective date of this resolution. Said subdivisions shall be in full compliance in all manners and respects, with applicable regulations hereinafter set forth in this resolution.

C. INTERPRETATION

In interpreting and applying the provisions of this resolution, they shall be held to be the minimum requirements for the purposes set forth in Part A above. This resolution does not intend to repeal or impair an existing easement, covenant, or agreement previously adopted or issued. Where this resolution imposes greater restriction upon land development than do other regulations, this resolution shall govern.

SECTION II. GENERAL REGULATIONS

No lot, tract or parcel of land within any subdivision created after the effective date of the second revised subdivision code (January 15, 1997) shall be offered for sale until such subdivision plans have been reviewed by the McDonough County Plat Officer and approved in accordance with the rules and regulations set up by the McDonough County Board.

No improvements shall be made on a subdivision of land until the plats for the subdivision and plans for improvements have been reviewed by the McDonough County Plat Officer and approved in accordance with the rules and regulations set up by the McDonough County Board. These provisions apply to all lands divided into parts, any of which are three acres or less. (See definition of "subdivision of land".)

Where a tract of land is proposed to be subdivided in various stages over a period of years, the subdivider may submit a detailed plan of the entire tract, with appropriate sectioning in order to demonstrate the feasibility of the total design.

No plat for a subdivision created after the effective date of this second revised subdivision code (January 15, 1997) shall be recorded unless the provisions of this code have been fully complied with.

SECTION III. RULES AND DEFINITIONS

A. RULES

Unless otherwise expressly stated, the following words shall, for the purpose of this resolution, have the meaning herein indicated. Any pertinent word or term not a part of this listing but vital to the interpretation of this resolution shall be construed to have its usual legal definition.

The present tense includes the future tense, and vice versa.

The masculine gender included the feminine and neuter.

The singular includes the plural, and vice versa.

The word "shall" is always mandatory; the word "may" is always permissive.

The word "person" includes a partnership, association, firm, trust, club, institution, company, or corporation as well as the individual.

The term "PLAT OFFICER" means the person or persons designated by the McDonough County Board as administrator of this resolution.

The term "COUNTY BOARD" means the County Board of McDonough County.

The term "EXECUTIVE COMMITTEE" means the Executive Committee of the McDonough County Board.

The word "COUNTY" means the County of McDonough, Illinois.

The term "COUNTY CLERK" is the Clerk of McDonough, Illinois.

B. DEFINITIONS

ALLEY is a right-of-way which affords secondary means of access to properties abutting upon a street.

BLOCK is a tract of land bounded by streets or by a combination of one or more streets and parks, cemeteries, shore lines of streams or other waterways, corporate limit lines, railroad right-of-ways, or other lines of demarcation.

BOARD OF HEALTH is the Board of Health of the McDonough County Health Department or other designee.

BUILDING SETBACK LINE is a line within a lot or other parcel of land so designated on the subdivision plat which denotes the area between such line and the adjacent street right-of-way line where an enclosed building and other obstructions are prohibited.

COLLECTOR OR LAND ACCESS STREET is a street within a subdivision which has a wider roadway width than a minor street, and which is the prime entrance or circulation street. Its primary function is to distribute and collect traffic to and from the minor streets.

COUNTY ENGINEER is the McDonough County Engineer or the Assistant County Engineer.

DOUBLE FRONTAGE LOT is a lot which has a pair of opposite lot lines along two substantially parallel streets.

EASEMENT is a quantity of land set aside over or under which a liberty, privilege, or advantage in land without profit, is dedicated and is distinct from ownership of the land, is granted either to the public, a particular person, or a combination of both.

FARM is any parcel of land used solely for the growing and harvesting of crops; for the feeding, breeding and management of livestock; for dairying or any other agricultural or horticultural use or combination thereof; but does not include property which is primarily used for residential purposes even when farm products are grown or farm animals bred or fed incidental to its primary use.

FINAL PLAT is a map or plan of a subdivision and any accompanying material as described in the Procedural Guidelines for Subdivision Development.

FRONTAGE ROAD is a minor street which is substantially parallel to and either contiguous or immediately adjacent to the right-of-way line of a thoroughfare.

HALF STREET is a street of less than the total required width along one or more property lines of a subdivision.

LAND IMPROVEMENT is any sanitary sewerage system, storm sewer system, water

supply and distribution systems, roadway, parkway, sidewalk, pedestrian way, no-access strip, off-street parking area, or other improvement which McDonough County may require under this resolution.

LOT is a portion of a subdivision or other parcel of land intended for transfer of ownership or for building development.

LOT, BUTT is a lot at the end of a block and located between two corner lots.

MAJOR STREET is a street or highway with a high degree of continuity and serving as an arterial traffic way between the various districts of McDonough County.

MINOR STREET is a street of limited continuity. Its primary purpose is to serve abutting properties.

"NO-ACCESS" STRIP is a land area at least 12 feet wide along the rear lot line of a double-frontage lot and abutting a thoroughfare within which no vehicular driveways shall be permitted.

OWNER or a subdivider shall include any firm, association, partnership, private corporation, public or quasi-public corporation, or a combination of any of them, or other legal entity having sufficient proprietary interest in the land sought to be subdivided or divided to commence and maintain proceedings under the provisions of this resolution.

PEDESTRIAN WAY is a right-of-way across or within a block designated for pedestrian use.

PRELIMINARY PLAT is a tentative map or plan of a proposed subdivision as described in the Procedural Guidelines for Subdivision Development.

ROADWAY is a portion of the street designated for vehicular use.

SIDE-STRIP is the unpaved strip of land within a street right-of-way and is parallel to the roadway which is not improved with curb and gutter.

SIDEWALK is that portion of street or pedestrian way designated for pedestrian use only.

STAFF is the professional planning staff designated by the County Board.

STREET is a right-of-way which affords primary means of access by pedestrians and vehicles to abutting properties, whether designated as a thoroughfare, street, avenue, highway, road, boulevard, lane or however otherwise designated.

STREET WIDTH is the shortest distance between the right-of-way lines of a given street.

SUBDIVIDER is any owner commencing proceedings under this resolution.

SUBDIVISION OF LAND is: 1) the division of land into two or more lots, parcels, or tracts any of which is three acres or less in area occurring after the effective date of this second revised subdivision code (January 15, 1997); or 2) the dedication of streets, ways or other areas for the use of the public in subdivisions of land regardless of lot size occurring after the effective date of the third revision to the Subdivision Code (November 28, 2001). A such dedicated streets shall conform to the principles and standards set forth in Section V and Tables 1 and 2 of the third revised Subdivision Code.

Any sale of land which subdivides it into two parts, any of which is less than three acres, must comply with the Plat Act of the Illinois Revised Statutes and meet the guidelines of the McDonough County Subdivision Code; when a conflict is encountered the McDonough County Code shall be followed.

A one time sale only by a property owner of an agricultural lot, parcel, or tract to each son or daughter, and the sale or exchange of parcels of land to or between adjoining property owners, where such sale or exchange does not create additional lots, shall not constitute a subdivision of land.

SUBDIVISION DESIGN STANDARDS are the basic land planning principles established as guides for the preparation of preliminary plans.

THOROUGHFARE is a highway with a high degree of continuity and serving as an arterial traffic way between McDonough County and surrounding counties and/or communities.

WASTE means and includes but is not limited to tin cans, combustible rubbish of any type (paper, boxes, barrels, wood, lumber, scraps, and furniture), non-combustible rubbish (metals, glass, mineral waste) solid waste resulting from building construction or demolition, waste food, offal, swill and carrion, residual or waste animal or vegetable materials resulting from handling, storage or cooking.

SECTION IV. ADMINISTRATION

A. ORGANIZATION

1. No subdivision plat or deed for a lot, tract or parcel of land which is 3 acres or less which is subdivided after the effective date of the second revised subdivision code (January 15, 1997) shall be filed by the McDonough County Clerk unless said subdivision is in compliance with this code.
2. Plat Officer

The Office of the Plat Officer is hereby created and the following duties and responsibilities are hereby vested with that office:

- a) Maintain permanent and current records.
- b) Receive and review all Subdivision Plats and forward those plats to all appropriate agencies, and, where appropriate, approve all plats of subdivisions containing only one lot and no new streets. All plats shall include the signature of the owner and the plat officer and an attached certificate of the Board of Health. In appropriate cases, certificates of other agencies required by this ordinance as determined by the plat officer shall be attached.
- c) Present plats of multiple lot subdivisions to the committee of County Board Members so designated by its Chairperson for their review. Work with the subdivider and said committee and ultimately present a final subdivision plat to the County Board for approval.
- d) Assist in guiding the location of rural subdivisions that are environmentally served by public utilities and other community services.
- e) The denial of a subdivision containing only one new lot and no new streets by the plat officer may, at the request of the subdivider, be reviewed by the County Board upon written request filed with the County Clerk within ten days of the plat officer's denial.

SECTION V. MINIMUM DESIGN AND DEVELOPMENT STANDARDS

The subdivider shall conform to the following principles and standards of land subdivision in the design of each subdivision or portion thereof.

A. GENERAL

The subdivision plan shall conform to design standards that will encourage good development patterns and particularly to the principles and standards which conform to county land use goals and objectives.

B. STREETS

- 1. The street and alley arrangement shall provide access to all lots and parcels within the subdivision. Street jogs of less than one hundred twenty-five (125) feet shall be avoided. Cul-de-sacs shall not exceed 500 feet.
- 2. Local and neighborhood streets shall be designed so as to discourage through traffic.
- 3. Proposed streets shall be adjusted to the contour of the land so as to produce usable lots and streets of reasonable gradient.
- 4. Where appropriate, streets shall be extended to the boundary of the tract to be

subdivided to permit entry to adjacent tracts.

5. Width of major highway and arterial streets and collector route rights-of-way shall conform to those specified on Table 1, page 12.
6. Half streets shall not be permitted except when an existing half street is adjacent to a tract to be subdivided, in which case, the other half of the street shall be platted within such tract to be subdivided.

If a subdivider believes it to be absolutely necessary to plat such street, the subdivider shall submit engineering and construction plans to the Plat Officer. The Plat Officer shall be responsible for reviewing those plans and making a recommendation to the County Board.

7. No dead-end street shall be permitted where the same is in conflict with the County land use goals and objectives.
8. Temporary dead-end streets will be permitted when the approved preliminary plat shows that the street will be extended to conform to the standards of the ordinance.
9. Subdivisions that adjoin or include existing streets that do not conform to required widths shall dedicate additional width along either or both sides of said street.
10. Streets shall be laid out as to intersect as nearly at right angles as possible.
11. Streets which intersect at an angle of less than 60 degrees will not be allowed.
12. At the intersections of streets, the property line corners shall be rounded by arcs with radii of not less than twenty (20) feet.
13. At intersections of streets and alleys, the property line corners shall be rounded by arcs with radii of not less than fifteen (15) feet.
14. Intersections of more than two (2) streets at one point shall not be permitted within a subdivision.
15. Whenever the subdivision contains or is adjacent to a railroad right-of-way or a highway designated as a "limited access highway" by the appropriate highway authorities, a marginal access street shall be provided between the highway or railroad and such streets.
16. Horizontal visibility on curved streets and vertical visibility on all streets shall be maintained along the center lines as follows:
 - a) Major highways and arterial streets: five hundred (500) feet

- b) Collector routes and parkways: three hundred (300) feet
 - c) Local and neighborhood streets: one hundred fifty (150) feet
17. Horizontal curvature measured along the center line shall have a minimum radius as follows:
- a) Major highways and arterial streets: five hundred (500) feet
 - b) Collector routes and parkways: three hundred (300) feet
 - c) Local and neighborhood streets: one hundred fifty (150) feet
18. All changes in grades shall be connected by vertical curves of sufficient radii to provide smooth transitions and required sight distances.
19. Between reversed or compound curves on major highways and arterial streets, there shall be a tangent of not less than one hundred (100) feet and on collector routes and local streets such tangent shall not be less than forty (40) feet.
20. At the intersection of two streets, a horizontal curve will not be permitted until a minimum tangent length of forty (40) feet shall have been provided beyond the tangent point of the corner rounding.
21. Maximum grades for streets should be as follows:
- a) Major highways and arterial streets, not greater than six (6) percent.
 - b) Other streets and alleys, not greater than ten (10) percent.
22. The minimum grade of any street surface or gutter shall not be less than four tenths (0.40) of one percent.
23. Streets shall be named in cooperation with the 911 Board of McDonough County.
24. Alleys shall be discouraged in residual areas but may be included in commercial and industrial areas where needed for loading and unloading or access purposes; and, where platted, shall be at least twenty (20) feet in width.
25. Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turnaround facilities at the dead-end, as determined by the Plat Officer.

C. BLOCKS

1. No specific rule is made concerning the shape of blocks but blocks shall fit easily into the overall plan of the subdivision and their design must show consideration of lot planning, traffic flow, and public areas.
2. Blocks shall not normally exceed 800 feet in length unless unusual circumstances justify greater length.
3. Within blocks of over 500 feet in length, it may be required at or near the middle of the block a public walk running perpendicular, connecting adjacent streets or other public areas. Width of the right-of-way for such walks shall be at least ten (10) feet and shall be installed for pedestrian use only.

D. LOTS

1. All lots shall front on a street or public way.
2. Side lines of lots shall be at approximately right angles to straight streets and on radial lines on curved streets. Some variation from this rule is permissible, but pointed or very irregular lots shall be avoided.
3. Double frontage lots shall not be platted, except that where desired along major streets, lots may face on an interior street and back on such thoroughfare. In that event, a planting strip, or a planting screen, at least twenty (20) feet in width shall be provided along the rear of the lot.
4. Corner residential lots shall be wider than normal to permit appropriate setbacks from both streets. Interior residential lots abutting a corner lot shall be wider than the average interior lot in order to permit a wider side yard adjacent to the corner lot.
5. Residential lots fronting on major highways and arterial and collector streets shall have extra depth to permit deeper building setbacks from such traffic arteries.

E. EASEMENTS

1. Where alleys are not provided, easements for utilities shall be provided. Such easements shall have a minimum width of sixteen (16) feet, and where located along interior lines, one-half ($\frac{1}{2}$) the width should be taken from each lot. Before locating easements, the plan should be discussed with the local utility companies for proper placement for installation of services.

Where public utilities are placed underground, all wires, cables, conduits, vaults, laterals, pipes, mains, valves, and other similar distributing equipment shall be placed within easements or dedicated public ways without conflicting with any underground service previously installed.

2. Whenever a subdivision is traversed by a watercourse, drainage way, channel or stream, a drainage right-of-way shall be provided for widening, improving, or protecting the stream. Such right-of-way shall consist of an easement of twenty-five (25) feet measured from the normal high bank on each bank of any ditch or creek.

F. PUBLIC USE AREAS

Where sites for parks, schools, playgrounds or other public use areas are in accordance with County Land Use Goals and Objectives within the subdivision area, the County shall require that such areas be so designated on the recorded plat. Acquisition or proceedings to acquire designated land must occur within one year after final plat approval, otherwise the owner may take any other permitted use of the site.

G. TOPOGRAPHY, NATURAL VEGETATION AND FLOODING

1. Within land to be subdivided, due regard shall be given for all natural features such as tree growth, water courses, or other similar elements which, if preserved, would add to the attractiveness to the proposed development.
2. The natural topography shall be retained wherever possible in order to reduce excessive run-off onto adjoining property and to avoid extensive regrading of the site.
3. Where there is a question as to the suitability of a lot or lots for their intended use due to factors such as rock formations, flood conditions, or similar circumstances, the County Board may consider withholding approval of such individual lots from the proposed development.

SECTION VI: IMPROVEMENTS

Utility and street improvements shall be provided by the subdivider in each new subdivision in accordance with the standards and requirements described in the following sections:

A. STREETS

1. The streets shall be surfaced to a minimum width according to the type of street, as specified in Table 1. All work shall be performed in the manner prescribed in the current edition of Illinois Department of Transportation Specification. Grading for street improvements shall not create soil slopes exceeding a vertical rise of one (1) foot for each two (2) feet of horizontal distance unless retaining walls are provided.

TABLE 1. MINIMUM STREET WIDTHS

Type	R.O.W. Width	Pavement Width
Arterial	64*	2-12' traffic lands 2-10' parking lanes
Collector	50*	2-12' traffic lanes 1-10' traffic lane
Minor	40*	2-12' traffic lanes no on-street parking
Cul-de-sac	60*	30-36 feet; 75 diameter turnaround 500' maximum length

**R.O.W. widths may need to be wider in extreme cut or fill areas*

2. The street surface shall be of oil and chip or a flexible pavement, and shall be constructed in accordance with design characteristics at least equal to those given in Table 2, and specifications approved by the County Engineer or other appointed official.

TABLE 2. DESIGN CHARACTERISTICS OF STREET PAVEMENTS*

Asphaltic & Bituminous**	Major Arterial & Collector Streets	Local and Neighborhood Streets
Bituminous Surface Treatment	Class B surface treatment as designated by Illinois Department of Transportation over 8" base	
Oil and Chip***		
Petroleum road oil & selected limestone or aggregate chips over impacted crushed gravel or stone	Equivalent to A-3 surface treatment as designated by Illinois Department of Transportation over 8 inch screened gravel base	Equivalent to A-2 surface treatment as designated by Illinois Department of Transportation over 8 inch screened gravel base
<p>*For major streets to be used or designated as Illinois State Highway Routes, thickness and designs will meet minimum Illinois State Department of Transportation requirements.</p> <p>**As specified in <u>Standard Specifications for Road and Bridge Construction</u> by Illinois Department of Transportation, current edition.</p> <p>***Streets treated with oil and chip will conform in practice to the requirements as set forth by the Illinois State Department of Transportation for roadways with this surface treatment.</p>		

3. Prior to the construction of street pavements, adequate surface and sub-surface (if required) drainage facilities shall be installed by the subdivider. Pipe used for drainage purposes shall be of bituminous coated corrugated metal, reinforced concrete, or extra strength vitrified clay of an approved design, size and strength to meet the requirements of the specific conditions which may be encountered. Minimum standards of pipe to be used shall be as specified by the Illinois Department of Transportation for farm-to-market roadways and driveways.
4. All construction shall be completed in accordance with the specific conditions in the agreement for improvements and the accepted plans and specifications. When changes from the accepted plans and specifications become necessary during construction, written approval from the Plat Officer shall be secured prior to the execution of such changes.

5. Adequate provision for the maintenance of all street improvements shall be made by dedication to and acceptance by the local authorities having jurisdiction.

B. CURBS AND GUTTERS

In rural subdivisions with one-half acre lots or less, installation of curbs and gutters may be required. It shall be the responsibility of the subdivider to discuss this requirement with the Plat Officer and the Plat Officer shall make a recommendation to the County Board after consultation with the County Engineer. If curbs and gutters are to be required, they shall conform to the following specifications:

1. Curb construction may be integral or roll-type.
2. All curbs and gutters shall be of air-entrained portland cement at least eighteen (18) inches wide and not less than six (6) inches thick where the curb abuts the street pavement.

C. SIDEWALKS

In rural subdivisions with one-half acre lots or less, installation of sidewalks may be required. It shall be the responsibility of the subdivider to discuss this requirement with the Plat Officer and the Plat Officer shall make a recommendation to the County Board after consultation with the County Engineer. When sidewalks are required, they shall be of portland cement concrete with a minimum thickness of four (4) inches on a four (4) inch gravel or crushed stone base and be constructed to a minimum width of four (4) feet.

D. SEWAGE DISPOSAL

All properties meeting the definition of a subdivision must provide a sewage disposal system that is in compliance with either the Pollution Control Board regulations enforced by the Illinois Environmental Protection Agency or the Illinois Department of Public Health Private Sewage Disposal Licensing Act and Code enforced by the McDonough County Health Department. A written approval of the existing or proposed sewage disposal system must be provided with the appropriate agency's signature prior to plat approval.

E. WATER SUPPLY

All properties meeting the definition of a subdivision must provide an approved water supply that is in compliance with either the Pollution Control Board regulations enforced by the Illinois Environmental Protection Agency or the Illinois Water Well Construction Code, Illinois Water Well Pump Installation Code, Illinois Drinking Water Systems Code, Illinois Groundwater Protection Act, and other incorporated or referenced materials as stated in the aforementioned codes enforced by the McDonough County Health Department. A written approval of the existing or proposed water supply must be provided with the appropriate agency's signature prior to plat approval.

F. STORM DRAINAGE

1. Adequate surface and subsurface drainageways for the removal of storm water shall be provided by the subdivider. The extent to which storm drainage facilities shall be required, shall be based upon an analysis of need, prepared for the subdivider by a Registered Professional Engineer, and approved by the Plat Officer. The analysis shall be based upon the rational method of computing storm water run-off using the one-hour rainfall to be expected at a ten (10) year frequency. Time of concentration, soil infiltration rates, and other variable factors to be used in the analysis shall be discussed with the Plat Officer and the Plat Officer shall make a recommendation to the County Board, after consultation with the County Engineer.
2. A storm water sewer system, which shall be separate and independent of the sanitary sewer system, with surface inlets, shall be provided by the subdivider in all cases where curb and gutter are to be installed and whenever the available evidence indicates that such a system is necessary, due to the inadequacy of the natural surface drainage. This storm water drainage system shall carry the surface drainage past existing and proposed housing before being discharged into open drains.
3. Distance from Streams of Main Drainage Channels

Any person under the provision of this subdivision code proposing to locate a structure or use within one hundred (100) feet of any stream or drainage channel, shall submit a statement from a registered engineer, licensed to practice in the State of Illinois, that the proposed use or structure is not within the one hundred (100) year floodplain. If such use is found to be within the one hundred year floodplain, the engineer shall submit evidence that proper flood-proofing techniques and practices shall be practiced and observed.

G. PUBLIC UTILITIES

1. All utility lines for electric service and TV cable service, when carried on overhead poles, shall be provided for with rear and lot line easements. Gas mains shall be located within easements or public rights-of-way, so as not to conflict with other utilities.
2. Where telephone and/or electric service lines are to be placed underground throughout the subdivision, the conduit or cables shall be located within easements or public rights-of-way in separate trenches, not under the road surface in a manner which will not conflict with other underground services. Furthermore, all transformers and terminal boxes shall be located so as not to be unsightly or hazardous to the public. The subdivider shall provide the appropriate utility official with an accurate map of all utility lines.
3. All excavations for public utilities made under existing paved areas shall be

properly backfilled with approved granular materials, thoroughly compacted in place, and restored with similar paving material or better than the original.

H. STREET LIGHTING

The requirement for the provision of street or roadway lighting shall be at the discretion of the County Board. In determining the desirability for street lighting in a subdivision, the County Board shall consider the nature and character of the proposed subdivision. If it is determined that street lighting is to be provided, the standards delineated in Table 3 shall apply.

TABLE 3. MINIMUM LIGHTING STANDARDS

Street Type and Width	Light Source	Nominal Lamp Size	Design Guideline Average Intensity	Spacing (feet)	Mounting Height (feet)	Style, Configuration
Minor	MV	175W	0.4 f.c.	150-310	26	Existing utility pole, steel, aluminum pole (developers choice)
	HPS	100W	1.4 f.c.	240-320	26	
Collector	MV	175W	0.4-0.6 f.c.	110-260	32	Existing utility pole, special wood pole, steel or aluminum
	MV	400W	0.4-0.6 f.c.	250-300	32	
	HPS	150W	0.4-0.6 f.c.	240-300	32	
Arterial	MV	400W	0.6 f.c.	180-220	32	Existing utility poles, steel or aluminum
	HPS	150W	0.6 f.c.	180-230	32	

mv = mercury vapor
hps = high pressure sodium
f.c. = foot candles

I. STREET SIGNS

Street signs shall be provided and installed by the subdivider. Signs shall be installed on diagonally opposite corners, as close to the corner as practical. The size and type of street sign shall be subject to the approval of the Plat Officer. In determining the suitability of the proposed street sign, the Plat Officer shall determine that the street sign is readily visible and easily read during day and night conditions, and is of a quality to withstand minor acts of vandalism.

J. LANDSCAPE DEVELOPMENT

1. All unpaved or otherwise unimproved areas within the public rights-of-way or public use areas shall be graded and seeded in an approved manner.
2. Street trees may be provided by a subdivider along all streets where trees do not existing. If a subdivider elects to plant trees within the subdivision, they may be any one of the following species: Washington Hawthorne; White Ash, Green Ash, Red Ash, Black Ash, Blue Ash; Honey Locust, including Thornless, Fruitless, Shademaster, Skyline, or Sunburst; Sugar Maple and Norway Maple; Redbud; Flowering Dogwood; Bradford Pear; Hackberry; Pagoda Tree; and Cork Trees. Other species may also be planted, with the approval of the Plat Officer.

Under no circumstances shall be Plat Officer approve the planting of American Elm; Chinese Elm; Tree of Heaven; Boxelder; Willow; Poplar; or Silver Maple.

3. All trees shall be located so as not to be closer than twenty-five (25) feet from the intersection of the street right-of-way lines. No tree shall be located within an easement for utilities or within any ten (10) foot square area located adjacent to any public or private drive.
4. All residential lots shall have an appropriate cover of sod - undisturbed existing vegetation, seeding, fresh cut sod, plugs, or spot sod.

SECTION VII: ADMINISTRATION AND AMENDMENTS

The County Board may, from time to time, adopt, amend and make public rules and regulations for the administration of these standards to the end that the public be informed and that approval of plats be expedited. These standards may be enlarged or amended by the County Board after public hearing, due notice of which shall be given as required by law.

SECTION VIII: VIOLATION POLICY

- A. Any person, whether as principal, agent, owner, lessee, tenant, contractor, builder, architect, or otherwise, who violates any provision of these standards, shall be guilty of a misdemeanor and upon conviction, shall be punished by a fine of not less than ten dollars (\$10.00) nor more than three hundred dollars (\$300.00) for each offense. Each day of the existence of any violation these standards shall be considered a separate offense.
- B. The erection, construction, enlargement, conversion, moving or maintenance of any structure and the use of any land or structure which is continued, operated or maintained contrary to any provision of these standards is hereby declared to be a nuisance and in violation of these standards and unlawful. The County Board may institute a suit for injunction in the Circuit Court of McDonough County to restrain any person or governmental unit from violating any provision of these standards and to cause such violation to be prevented, abated or removed. Such action may also be instituted by any property owner who may be especially damaged by the violation of any provision of these standards.
- C. The remedies provided for in this section shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law.

SECTION IX: FEES

A fee of five dollars for each lot, sub-lot or tract of land shown upon a final map shall be paid to the County Clerk. In addition to the above fee, the subdivision owner shall reimburse the County for all engineering expenses required by this ordinance.

SECTION X: ADOPTION

Any subdivision which has received final approval by the County Board prior to the adoption of these standards shall be considered an approved final subdivision. If the approved final subdivision plat is not recorded within three hundred and sixty (360) days after the date of the Board's approval, said approval shall be termed null and void. In the event a plat is considered invalid, said plat shall then be resubmitted as a preliminary plan and shall meet all requirements of these standards.

SECTION XI: VALIDITY

If any section, subsection, sentence, clause, or phrase of these standards is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of these standards.