VILLAGE OF UNIVERSITY PARK
BOARD OF TRUSTEES
Regular Board Meeting

Tuesday, January 22, 2019
7:00 p.m.

90 Town Center Drive, University Park, Illinois

Visitors are always welcome to all public meetings of the Board of Trustees. To comment on an issue, persons wishing to speak will be called upon by the Mayor during Section E, General Public Comment. The interested party will stand, identify themselves and make their comment.

In order to give proper consideration to all items on this agenda, the Mayor will limit participants in a debate and will close off protracted, repetitive, irrelevant or abusive remarks.

A. CALL TO ORDER.

B. ROLL CALL.

C. PLEDGE OF ALLEGIANCE.

D. APPROVAL OF MINUTES

E. GENERAL PUBLIC COMMENT.
   This is a comment forum, and if response is necessary, Board members may elect to respond formally at the next regular Board meeting.

F. ACTION ITEMS.

F-1. UNFINISHED BUSINESS

None.
F-2: NEW BUSINESS

F-2a: 1st, 2nd, and 3rd Readings - An Ordinance Rescinding Chapter 1450 Of Title Fourteen of the Codified Ordinances of the Village of University Park, Will And Cook Counties, Illinois, Pertaining To Flood Damage Prevention, And Adopting Chapter 1452, Pertaining To Stormwater Management, As Its Replacement

F-2b: Motion To Approve Annual Meeting Schedule of the Board of Trustees and Committees and Commissions.

F-2c: Appointments To The HSSEC (Human Services & Special Events Committee).

F-2d: Bills Payable

G: REPORTS OF MAYOR, BOARD OF TRUSTEES, CLERK, MANAGER, APPOINTED OFFICIALS, AND COMMITTEES

H: ANNOUNCEMENT OF SCHEDULED MEETINGS

I: EXECUTIVE SESSION (Appointment, employment, compensation, discipline, performance or dismissal of certain employees; Litigation, pending and probable, sale/lease/disposal of Village Property; Contract Negotiations).

J: ADJOURNMENT.
VILLAGE OF UNIVERSITY PARK

Request For Board Action

AGENDA SECTION: NEW BUSINESS

DOCKET NUMBER: F-2a:

1st, 2nd & 3rd Readings - An Ordinance Rescinding Chapter 1450 Of Title Fourteen of the Codified Ordinances of the Village of University Park, Will And Cook Counties, Illinois, Pertaining To Flood Damage Prevention, And Adopting Chapter 1452, Pertaining To Stormwater Management, As Its Replacement.

SUMMARY OF REQUESTED ACTION FOR THE MEETING COW OF: January 22, 2019

Presented For Your Consideration And Approval Is An Ordinance Rescinding Chapter 1450 Of Title Fourteen of the Codified Ordinances of the Village of University Park, Will And Cook Counties, Illinois, Pertaining To Flood Damage Prevention, And Adopting Chapter 1452, Pertaining To Stormwater Management, As Its Replacement.

This item was discussed at the meeting of the Committee of the whole held January 15, 2019, and the consensus of the Board was to move to this meeting for action.

APPROVED: ___________________________  
John E. Pate,  
Village Manager

BOARD ACTION: Motion By: ________________  Seconded By: ____________________
Ordinance Number: _______________________________  Resolution Number: ____________________________
Comments: ____________________________________________
ORDINANCE NO. O2019-___

AN ORDINANCE RESCINDING CHAPTER 1450 OF TITLE FOURTEEN OF THE CODIFIED ORDINANCES OF THE VILLAGE OF UNIVERSITY PARK, WILL AND COOK COUNTIES, ILLINOIS, PERTAINING TO FLOOD DAMAGE PREVENTION, AND ADOPTING CHAPTER 1452, PERTAINING TO STORMWATER MANAGEMENT, AS ITS REPLACEMENT

WHEREAS, the Village of University Park, Will and Cook Counties, Illinois (the "Village") is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the "Home Rule Powers"); and

WHEREAS, the Mayor and Board of Trustees of the Village (the "Corporate Authorities") have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, the Corporate Authorities may from time to time rescind Codified Ordinances of the Village of University Park, and replace the rescinded ordinances with other ordinances, when it is determined to be in the best interests of the residents of the Village; and

WHEREAS, the Corporate Authorities desire and believe it is in the best interest of the Village to update its ordinances relative to stormwater and flooding to bring them into alliance with statutory requirements and practices.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of University Park, Will and Cook Counties, Illinois, by and through its Home Rule Powers, as follows:

SECTION 1: That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part of hereof, as if fully set forth in their entirety.
SECTION 2: The Mayor and Board of Trustees find and determine that the rescission of Chapter 1450 ("Flood Damage Prevention") of Title Four ("Local Building Provisions") of Part Fourteen ("Building and Housing Code") of the Codified Ordinances of the Village of University Park, and the adoption of Chapter 1452 ("Stormwater Management") in its place, is in the best interests of the Village as well as in the public interest.

SECTION 3: Chapter 1450 ("Flood Damage Prevention") of Title Four ("Local Building Provisions") of Part Fourteen ("Building and Housing Code") of the Codified Ordinances of the Village of University Park is hereby rescinded and the language of Chapter 1450 is deleted and stricken in its entirety and all of the provisions of that Chapter shall no longer be in effect and in its place the term "Reserved" shall be inserted.

SECTION 4: Title Four ("Local Building Provisions") of Part Fourteen ("Building and Housing Code") of the Codified Ordinances of the Village of University Park is hereby amended by adding Chapter 1452 ("Stormwater Management") that is attached hereto and incorporated by reference as Exhibit A as if fully set forth herein, and its provisions shall be in full force and effect until modified or rescinded by the Mayor and Board of Trustees.

SECTION 5: All other provisions of Title Four ("Local Building Provisions") of Part Fourteen ("Building and Housing Code") of the Codified Ordinances of the Village of University Park not modified herein, shall remain in full force and effect.

SECTION 6: Any non-preemptive state statute in conflict hereof with this Ordinance is hereby superseded to the full extent of such conflict pursuant to the exercise of the Home Rule Powers of the Village.

SECTION 7: If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.
SECTION 8: All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 9: This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

(Intentionally Left Blank)
ADOPTED by the Mayor and Board of Trustees of the Village of University Park, Will and Cook Counties, Illinois this _____ day of ________________ 2019, pursuant to a roll call vote, as follows:

AYES:

NAYS:

ABSENT:

APPROVED by the Mayor of the Village of University Park, Will and Cook Counties, Illinois on this ____ day of ______________ 2019.

______________________________
Vivian E. Covington, Mayor

ATTEST:

______________________________
Dorothy R. Jones, MMC
Village Clerk
CHAPTER 1452: STORMWATER MANAGEMENT

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1452.002 Statutory authority
1452.003 Purposes of this chapter
1452.004 Definitions

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1452.021 General stormwater requirements
1452.022 Site runoff requirements
1452.023 Site runoff storage requirements (detention/extended detention)
1452.024 Stormwater requirements for agricultural land use including croplands, pasture lands and farmsteads

Sediment and Erosion Control

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**Fee-in-Lieu of On-Site Detention**

1452.215  Fee-in-lieu of on-site detention

**Enforcement**

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**County Stormwater Management Technical Guidance Manual**

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**AUTHORITY, PURPOSE AND DEFINITIONS**

§ 1452.001  ADOPTION OF THE WILL COUNTY STORMWATER MANAGEMENT ORDINANCE.

Chapter 1452 is extracted from the Will County, Illinois Code of Ordinances (Will County Code) and is identified in the Will County Code as Chapter 55. It has been renumbered as Chapter 1452 to be consistent with the University Park, Illinois Code of Ordinances numbering system and includes amendments to the Flood Protection Elevation definition, the Compensatory Storage Volume Standards, and to Appendix A. Appendix A was amended to list only those effective FEMA FIRM maps that include the Village of University Park corporate limits within Cook and Will Counties. The following chapter shall apply within all areas (Cook and Will County portions) of the Village of University Park. If any other Village ordinances conflict with this chapter, the more conservative application will apply. The Village Manager will act as the Administrator to administer and enforce this chapter. Such administration and enforcement of this chapter may be delegated to others (which may include a consultant) at the discretion of the Administrator.
§ 1452.002 STATUTORY AUTHORITY.

(A) This chapter shall be known, and may be cited, as the Village of University Park Stormwater Management Ordinance (the “UPSMO”).

(B) The Village Board adopts this chapter pursuant to its authority to regulate stormwater management and governing the location, width, course and release rate of all stormwater runoff channels, streams and basins in the Village.

(C) The Village adopts and enforces this chapter pursuant to ILCS Ch. 65, Act 5, §§ 1-2-1, 11-12-12, 11-30-2, 11-30-8 and 11-31-2 as may be amended from time to time.

§ 1452.003 PURPOSES OF THIS CHAPTER.

(A) The principal purpose of this chapter is to promote effective, equitable, acceptable and legal stormwater management measures by establishing reasonable rules and regulations for development.

(B) Other purposes of this chapter include:

(1) Managing and mitigating the effects of urbanization on stormwater drainage throughout the Village through planning, appropriate engineering practices and proper maintenance;

(2) Protecting from, and reducing the existing potential for, loss of human life, health, safety and property from the hazards of flooding damages on a watershed basis;

(3) Preserving and enhancing the natural hydrologic and hydraulic functions and natural characteristics of watercourses and floodplains to protect water quality, protect aquatic habitats, reduce flood damages, reduce soil erosion, provide recreational and aesthetic benefits and enhance community and economic development;

(4) Controlling sediment and erosion in and from stormwater facilities, developments, agricultural fields and construction sites and reducing and repairing stream bank erosion;

(5) Requiring that planning for development provide for water resource management, taking into account natural features such as vegetation, wildlife, waterways, wetlands and topography in order to reduce the probability that new development will create unstable conditions susceptible to erosion;

(6) Protecting environmentally sensitive areas from deterioration or destruction by private or public actions;

(7) Requiring appropriate and adequate provision for site runoff control, especially when the land is developed with a large amount of impervious surface;

(8) Requiring the design and evaluation of each site stormwater management plan consistent with watershed capacities;

(9) Encouraging the use of stormwater storage and infiltration of stormwater in preference to stormwater conveyance;

(10) Lessening the taxpayers’ burden for flood-related disasters, repairs to flood-damaged public facilities and utilities and flood rescue and relief operations;

(11) Meeting the State Department of Natural Resources-Office of Water Resources floodway permitting requirements delineated in ILCS Ch. 615, Act 5, § 18g (“An Act in Relation to the Regulation of the Rivers, Lakes and Streams of the state”), as amended from time to time;

(12) Making federally subsidized flood insurance available for property throughout the Village by fulfilling the requirements of the National Flood Insurance Program;
(13) Complying with the rules and regulations of the National Flood Insurance Program codified in C.F.R. Title 44;
(14) Minimizing conflicts and incompatibilities between agricultural and urban drainage systems and maintaining agriculture as a viable and productive land use;
(15) Restricting future development in the floodplain to facilities that will not adversely affect the potential for flood damage;
(16) Requiring regular, planned maintenance of stormwater management facilities;
(17) Allowing the use of simple technologies whenever appropriate and realistic, but requiring the use of more sophisticated techniques when necessary to ensure the adequacy of stormwater controls; and
(18) Requiring strict compliance with and enforcement of this chapter.

§ 1452.004 DEFINITIONS.

For the purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ADMINISTRATIVE VIOLATION. Occurs when rules and procedures regarding permit applications and stormwater management permits are not followed.

ADMINISTRATOR. The Village Manager of the Village of University Park.

AGRICULTURAL SUBSURFACE DRAINAGE. A water management technique driven by economic and safety concerns, where the rate at which surplus ground water should be removed is determined primarily by the moisture/air requirements of the vegetation (commonly called “tiles”, “field tiles” and the like).

APPLICABLE ENGINEERING PRACTICE. Procedures, methods or materials recommended in standard engineering textbooks or references as suitable for the intended purpose.

APPLICANT. Any person, firm or governmental agency who executes the necessary forms to procure official approval of a development or permit to carry out construction of a development from the Village.

APPROPRIATE USE. Only uses of the designated floodway that are permissible and will be considered for permit issuance. The list of permissible uses is contained in §§ 1452.060 through 1452.066.

BASE FLOOD. The flood having a 1% probability of being equaled or exceeded in a given year.

BASE FLOOD ELEVATION (BFE). The highest water surface elevation that can be expected during the base flood.

BEST MANAGEMENT PRACTICES (BMP). A measure used to control the adverse
stormwater-related effects of development. **BMPs** include structural devices (e.g., swales, filter strips, infiltration trenches and detention basins) designed to remove pollutants, reduce runoff rates and volumes and protect aquatic habitats. **BMPs** also include nonstructural approaches, such as public education efforts to prevent the dumping of household chemicals into storm drains.

**BUILDING.** A structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, mobile home or a prefabricated building. This term also includes recreational vehicles and travel trailers to be installed on a site for more than 180 days, unless fully licensed and ready for highway use.

**BUFFER.** An area of predominately vegetated land located adjacent to channels, wetlands, lakes or ponds for the purpose of reducing contaminants in stormwater that flows to those areas.

**BULLETIN 70.** *Frequency Distributions and Hydroclimatic Characteristics of Heavy Rainstorms in Illinois* by Floyd Huff and James Angel of the State Water Survey (1989).

**BYPASS FLOWS.** Stormwater runoff or ground water from upstream properties tributary to a property’s drainage system but not under its control.

**CHANNEL.** Any river, stream, creek, brook, branch, natural or artificial depression, ponded area, flowage, slough, ditch, conduit, culvert, gully, ravine, wash or natural or human-made drainage way, which has a definite bed and bank or shoreline, in or into which surface, ground water, effluent or industrial discharges flow either perennially or intermittently.

**CHANNEL MODIFICATION.** Alteration of a channel by changing the physical dimensions or materials of its bed or banks. **CHANNEL MODIFICATION** includes damming, riprapping (or other armoring), widening, deepening, straightening, relocating, lining and significant removal of bottom or woody rooted vegetation but does not include the clearing of debris or removal of trash or dredging to previously documented thalweg elevations and side slopes.

**COMMERCIAL.** Sale of goods to the public at large where the traffic generated warrants construction of site improvements.

**COMMERCIAL REDEVELOPMENT.** Development on a parcel upon which the existing condition is buildings, parking lots and infrastructure associated with commercial activities. Additions to existing buildings and new impervious surfaces added after the effective date of the chapter are specifically excluded from this definition.

**COMMITTEE.** The County Stormwater Management Committee.

**COMMUNITY.** The Village.

**COMPENSATORY STORAGE.** An excavated, hydrologically and hydraulically equivalent volume of storage created to offset the loss of existing flood storage.

**CONDITIONAL LETTER OF MAP AMENDMENT (CLOMA).** A FEMA comment letter on
a development proposed to be located in, and affecting only that portion of, the area of floodplain outside
the regulatory floodway and having no impact on the existing regulatory floodway or base flood
elevations.

**CONDITIONAL LETTER OF MAP REVISION (CLOMR).** A letter that indicates that FEMA
will revise base flood elevations, flood insurance rate zones, flood boundaries or floodways as shown on
an effective FIRM or FBFM after the record drawings are submitted and approved.

**COE.** The United States Army Corps of Engineers.

**CONSERVATION PLANNING.** The practices and procedures associated with the management
of soil, water, plants, plant nutrients and other elements of agricultural production. Documentation of
the management system shall only be as required by the NRCS or in cases of a complaint, as requested
by the Administrator in response to a notification of a complaint.

**CONTROL STRUCTURE.** A structure designed to limit the rate of flow that passes through the
structure to a specific rate, given a specific upstream and downstream water surface elevation.

**CORPORATE AUTHORITIES.** The Board of Trustees and the Village President of the Village
of University Park.

**COUNTY.** Will County, Illinois.

**CRITICAL DURATION.** The duration of a storm event that results in the greatest peak runoff.

**DAM.** Any obstruction, wall embankment or barrier, together with any abutments and
appurtenant works, constructed to store or divert water or to create a pool (not including underground
water storage tanks).

**DEPARTMENT.** The Will County Land Use Department.

**DEPRESSIONAL STORAGE.** The volume contained below a closed contour on a one-foot
contour interval topographic map, the upper elevation which is determined by the invert of a surface
gravity outlet.

**DETENTION BASIN (SITE RUNOFF STORAGE FACILITY).** A constructed structure for
the temporary storage of stormwater runoff with a controlled release rate.

**DEVELOPER.** A person who creates or causes a development.

**DEVELOPMENT.**
(1) Any constructed change to real estate including:
   (a) Construction, reconstruction, repair or replacement of a building or an addition to
       a building;
   (b) Installing a manufactured home on a site, preparing a site for a manufactured home,
or installing a travel trailer or recreational vehicle on a site for more than 180 days. If the travel trailer or recreational vehicle is on-site for less than 180 days, it must be fully licensed and ready for highway use;

d. Drilling, mining, installing utilities, construction of roads, bridges or similar projects;

d. Construction or erection of levees, walls, fences, dams or culverts, channel modifications, filling, dredging, grading, excavating, paving or other nonagricultural alterations of the ground surface, storage materials, deposit of solids or liquid waste;

e. Any other activity of humans that might change the direction, height or velocity of flood or surface water, including extensive vegetation removal; and/or

(f) Plowing and cultivation and other similar agricultural practices that do not involve filling, grading or construction of levees as regulated in § 1452.024.

(2) The following are not considered development: maintenance of existing buildings and facilities such as reroofing or resurfacing of roads with an impervious surface when there is no increase in elevation.

**DRAINAGE AREA.** The land area above a given point that may contribute runoff flow at that point from rainfall.

**EFFECTIVE DATE.** The date to be determined by the Village Board.

**ELEVATION CERTIFICATES.** A form published by FEMA, or its equivalent, that is used to certify the base flood elevation and the lowest elevation of usable space to which a building has been constructed.

**EPHEMERAL STREAM.** A stream whose bed elevation does not intersect the ground water table, it carries flow only during and immediately after a runoff producing rainfall event.

**EROSION.** The process whereby soil is detached by the action of water or wind.

**EXISTING MANUFACTURED HOME PARK OR SUBDIVISION.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads) has been completed before April 1, 1990.

**EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION.** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads).

**EXTENDED DETENTION.** A volume of runoff temporarily detained and released over a long period of time as specified in § 1452.023.

**FEE-IN-LIEU OF DETENTION.** A fee paid by a developer to the Village, commensurate with
the costs and fee schedules adopted by the Village based on the detention volume required for the
development to meet the ordinance release rates. Rules and procedures for fee in lieu of detention are
contained in § 1452.215 of this chapter.

**FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).** The federal agency and its
regulations, at 44 C.F.R. §§ 59 through 79, effective as of September 29, 1989 or as amended.

**FLOOD.** A general and temporary condition of partial or complete inundation of normally dry
land areas from overflow of inland or tidal waters or the unusual and rapid accumulation of runoff of surface
waters from any source.

**FLOOD BOUNDARY AND FLOODWAY MAP (FBFM).** A floodplain management map
issued by FEMA that depicts, based on detailed analysis, the boundaries of the base flood, the 0.2%
probability flood and the floodway.

**FLOOD FREQUENCY.** Normally expressed as a period of years, based on a percent chance of
occurrence in any given year from statistical analysis, during which a flood of a stated magnitude may be
expected to be equaled or exceeded. For example, the two-year flood frequency has a 50% chance of
occurrence in any given year. Similarly, the 100-year flood frequency has a 1% chance of occurrence in
any given year.

**FLOOD FRINGE.** The portion of the floodplain outside of the designated floodway.

**FLOOD HAZARD BOUNDARY MAP (FHBM).** A map issued by FEMA that is an official
community map, which depicts generalized areas of floodplains, replaced by a detailed flood insurance
study.

**FLOOD INSURANCE RATE MAP (FIRM).** A map issued by FEMA that is an official
community map, on which map FEMA has delineated both the special flood hazard areas and the risk
premium zones applicable to the community. This map may or may not depict floodways.

**FLOOD INSURANCE STUDY (FIS).** A study of flood discharges and flood profiles for a
community, adopted and published by FEMA.

**FLOODPLAIN.** The land typically adjacent to a body of water with ground surface elevations
at or below the base flood or the 100-year frequency flood elevation including detached special flood
hazard areas, ponding areas and the like. The floodplain is also known as the **SPECIAL FLOOD
HAZARD AREAS (SFHA).**

**FLOOD PROTECTION ELEVATION (FPE).** The elevation of the BFE plus two feet of
freeboard for structures within the plan limits of the base flood elevation. Outside the plan limits, the
water table or 100-year design water surface elevation of any adjacent stormwater facility, whichever is
higher, plus two feet of freeboard.

**FLOODPROOF.** Any combination of structural and nonstructural additions, changes or
adjustments to structures or property which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

**FLOODPROOFING CERTIFICATE.** A form published by FEMA that is used to certify that a building has been designed and constructed to be structurally dry floodproofed to the FPE.

**FLOODWAY or DESIGNATED FLOODWAY.** Includes the channel, on stream lakes, and that portion of the floodplain adjacent to a stream or channel which is needed to store and convey the critical duration 100-year frequency flood discharge with no more than a one-tenth-foot increase in flood stage due to the loss of flood conveyance or storage, and no more than a 10% increase in velocities.

**FLOODWAY CONVEYANCE.** The measure of the flow carrying capacity of the floodway section and is defined using Manning’s equation as:

\[ K = 1.4863 \frac{AR^{2/3}}{n} \]

where “n” is Manning’s roughness factor, “A” is the effective area of the cross-section, and “R” is ratio of the wetted area to the wetted perimeter.

**FREEBOARD.** An increment of height added to the BFE or 100-year design water surface elevation to provide a factor of safety for uncertainties in calculations, unknown local conditions, wave actions and unpredictable effects such as those caused by ice or debris jams.

**FUNCTIONAL.** Refers to stormwater facilities, which serve their primary purpose of meeting developed release rate requirements but do not meet all the final design conditions. For example, a detention basin, which has been excavated but has not, had the side slopes graded, nor the final landscaping placed, may be considered FUNCTIONAL as a site runoff storage facility.

**GOOD HUSBANDRY.** Generally accepted agricultural practices found in good farm management.

**GROUND WATER.** Water that is located within soil or rock below the surface of the earth. Same as SUBSURFACE WATER.

**GROUND WATER CONTROL SYSTEM.** A designed system which may consist of tiles, under drains, French drains or other appropriate stormwater facilities whose purpose is to lower the ground water table to a predictable elevation throughout the year.

**HISTORIC STRUCTURE.** Any structure that is:

1. Listed individually in the National Register of Historic Places, or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on the State Inventory of Historic Places by the State Historic Preservation Agency; and
4. Individually listed on a local inventory of historic places that has been certified by the State
HYDRAULICS. The science and study of the mechanical behavior of water in physical systems and processes.

HYdraulically Connected Impervious Area. Consists of those areas of concrete, asphalt and gravel surfaces along with roof tops which convey flows directly to an improved drainage system consisting of storm sewers or paved channels. Roof tops whose downspouts discharge to unpaved surfaces which are designed for the absorption and filtration of stormwater runoff shall not be considered as HYdraulically Connected Impervious Surfaces. Roadways whose primary conveyance is through open ditches and swales shall not be considered as HYdraulically Connected Impervious Surface. Roadways drained by curb and gutter and storm sewer, and driveways hydraulically connected to those roadways shall be considered as directly connected impervious surface.

HYdraulically Equivalent Compensatory Storage. Compensatory storage either adjacent to the floodplain fill or not located adjacent to the development but can be shown by hydrologic and hydraulic analysis to be equivalent to compensatory storage located adjacent to the development.

HYdrologically Disturbed. An area where the land surface has been cleared, grubbed, compacted or otherwise modified that changes runoff, volumes, rates or direction.

HYdrology. The science of the behavior of water, including its dynamics, composition and distribution in the atmosphere, on the surface of the earth and underground.

IDNR-OWR. The State Department of Natural Resources, Office of Water Resources.

IMPERVIOUS. Surfaces that cause the majority of rainfall to be converted to direct runoff. Asphalt, concrete and roofing systems will be considered IMPERVIOUS.

INDustrial Redevelopment. Development on a parcel upon which the existing condition is buildings, parking lots and infrastructure associated with industrial activities. Additions to existing buildings and new impervious surfaces added after the effective date of the chapter are specifically excluded from consideration as INDustrial Redevelopment.

INTERim Watershed Plan. A regional study of a watershed which does not address the entire range of purposes, goals and objectives outlined in the Countywide Stormwater Management Plan approved by the Committee and adopted by the county.

INTERmittent Stream. A stream whose bed intersects the ground water table for only a portion of the year on the average or any stream which flows continuously for at least one month out of the year but not the entire year.

LAKE. A natural or artificial body of water encompassing an area of two or more acres, which
retains water throughout the year.

LETTER OF MAP AMENDMENT (LOMA). The official determination by FEMA that a specific structure is not in a regulatory floodplain. A LOMA amends the effective FHBM, FBFM or FIRM.

LETTER OF MAP REVISION (LOMR). A letter from FEMA that revises base flood elevations, flood insurance rate zones, flood boundaries or floodway as shown on an effective FH3M, FBFM or FIRM.

MAJOR STORMWATER SYSTEM. The portion of a stormwater facility needed to store and convey flows beyond the capacity of the minor stormwater system.

MANUFACTURED HOME. A structure transportable in one or more sections, which is built on a permanent chassis and is designated for use with or without a permanent foundation when attached to the required utilities. The term MANUFACTURED HOME also includes park trailers, travel trailers and other similar vehicles placed on site for more than 180 consecutive days. The term MANUFACTURED HOME does not include a recreational vehicle.

MANUFACTURED HOME PARK OR SUBDIVISION. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MASS GRADING. Development in which the primary activity is a change in topography affected by the movement of earth materials.

MINOR STORMWATER SYSTEM. Consists of all infrastructure including curb, gutter, culverts, roadside ditches and swales, storm sewers and subsurface drainage systems intended to convey stormwater runoff at less than a 100-year flood frequency. The design frequency for MINOR STORMWATER SYSTEMS shall be in accordance with the applicable Village ordinances or as established by a Village department.

MITIGATION. Measures taken to offset negative impacts from development in wetlands or the floodplain.

NATIONAL FLOOD INSURANCE PROGRAM (NFIP). A federal program whose requirements are codified in C.F.R. Title 44.

NET BENEFIT IN WATER QUALITY. The institution of best management practices as part of a development that, when compared to the pre-development condition can be judged to reduce downstream sediment loading or pollutant loadings.

NET WATERSHED BENEFIT. 
(1) A finding that, when compared to the existing condition, the developed project will do one of the following:
(a) Substantially reduce (more than 10%) downstream peak discharges;
(b) Reduce downstream flood stages (more than one-tenth foot); or
(c) Reduce downstream damages to structures occurring in the pre-development condition.

(2) The demonstration of one of these conditions must be through detailed hydrologic and hydraulic analysis of watersheds on a regional scale as approved by the Administrator.

**NEW MANUFACTURED HOME PARK OR SUBDIVISION.** Manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads) has been completed on or after April 1, 1990.

**NON-RIVERINE.** Areas not associated with a stream or river such as isolated depressional storage areas, ponds and lakes.

**NRCS.** The United States Department of Agriculture, Natural Resources Conservation Service.

**OBSERVATION STRUCTURES.** Structures built on a field tile where the pipe inflow and outflow are visible upon removal of a lid.

**OPEN CHANNEL.** A conveyance system with a definable bed and banks carrying the discharge from field tiles and surface drainage. **OPEN CHANNELS** do not include grassed swales within farm fields under agricultural production, which are ephemeral in nature.

**ORDINARY HIGH WATER MARK (OHWM).** The point on the bank or shore up to which the presence and action of surface water is so continuous so as to leave a distinctive mark, such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation or other easily recognized characteristic.

**OVERLAND FLOW PATH.** A design feature of the major stormwater system which carries flows in excess of the minor stormwater system design capacity in an open channel or swale, or as sheet flow or weir flow over a feature designed to withstand the particular erosive forces involved.

**OVERSIGHT COMMITTEE.** The Village’s Corporate Authorities.

**PERENNIAL STREAMS.** Riverine watercourses whose thalweg generally intersects the ground water table elevation and flows throughout the year.

**PERMITTING AUTHORITY.** The Village.

**PLAN.** The County Comprehensive Countywide Stormwater Management Plan, adopted by the County Board on October 13, 1998, as amended from time to time.

**POND.** A body of water of less than two acres, which retains a normal water level year-round.

**PRIMARY GRAVITY OUTLET.** The outlet structure designed to meet the release rate requirements of this chapter.

**PROFESSIONAL ENGINEER.** An engineer registered in the state, under the State Professional
Engineering Practice Act. (ILCS Ch. 225, Act 325, §§ 1 et seq.), as amended.

**PROFESSIONAL LAND SURVEYOR.** A land surveyor registered in the state, under the State Land Surveyors Act. (ILCS Ch. 225, Act 330, §§ 1 et seq.), as amended.

**PROPERTY.** Contiguous land under single ownership or control.

**PUBLIC BODIES OF WATER.** All open public streams and lakes capable of being navigated by watercraft in whole or in part for commercial uses and purposes and all lakes, rivers and streams, which in their natural conditions were capable of being improved and made navigable, or that are connected with or discharge their waters into navigable lakes or rivers within, or upon the borders of the state, together with all bayous, sloughs, backwaters and submerged lands that are open to the main channel or body of water directly accessible thereto.

**PUBLIC FLOOD CONTROL PROJECT.** A flood control project, which will be operated and maintained by a public agency to reduce flood damages to existing buildings and structures, which includes a hydrologic and hydraulic study of the existing and proposed conditions of the watershed. Nothing in this definition shall preclude the design, engineering, construction or financing in whole or in part of a flood control project by persons or parties who are not public agencies.

**PUBLIC FLOOD EASEMENT.** An easement acceptable to the Village that meets the regulations of the OWR, the Department and the Village, and that provides legal assurances that all areas subject to flooding in the created backwater of the development will remain open to allow flooding.

**RECORD DRAWINGS.** Drawings prepared, signed and sealed by a registered professional engineer or registered land surveyor representing the final “as-built” record of the actual in-place elevations, location of structures and topography.

**RECREATIONAL VEHICLE or TRAVEL TRAILER.** A vehicle which is:
(1) Built on a single chassis;
(2) Four hundred square feet or less when measured at the largest horizontal projection;
(3) Designed to be self-propelled or permanently towable by a light duty truck; and
(4) Designed primarily not for use as a permanent dwelling, but as a temporary living quarters for recreational camping travel or seasonal use.

**REGISTERED STRUCTURAL ENGINEER.** A person licensed under the laws of the state as a structural engineer.

**REGULATORY FLOODPLAIN.** The floodplain as depicted on maps recognized by FEMA as defining the limits of the SFHA.

**REGULATORY FLOODWAY.** Those portions of the floodplain depicted on maps as floodway and recognized by the IDNR-OWR for regulatory purposes.

**RETENTION FACILITY.** Stores stormwater runoff without a gravity release.

**RIVER FRONTAGE.** The property that is immediately adjacent to and naturally drains directly
to the Des Plaines River, Chicago Sanitary and Ship Canal, DuPage River or Kankakee River without cross the other private or public property.

**RIVERINE.** Related to, formed by, or resembling a channel (including creeks and rivers).

**RUNOFF.** The waters derived from melting snow or rain falling within a tributary drainage basin that exceeds the infiltration capacity of the soils of that basin.

**SEASONAL HIGH GROUND WATER TABLE.** The upper limits of the soil temporarily saturated with water, being usually associated with spring wetness conditions. This may be indicated by soil mottles with a Munsell color of two chroma or less.

**SEDIMENTATION.** The process that deposits hydraulically moved soils, debris and other materials either on other ground surfaces or in bodies of water or stormwater drainage systems.

**SEDIMENT TRAP.** A structure or area that allows for the temporary deposit and removal or disposal of sediment materials from stormwater runoff.

**SEEPAGE.** The movement of drainable water through soil and rock.

**SPECIAL FLOOD HAZARD AREA (SFHA).** An area having special flood, mudslide or mudflow, or flood-related erosion hazards and which area is shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, A99, AH, VO, V1-30, VE, V, M or E.

**STORMWATER FACILITY.** All ditches, channels, conduits, bridges, culverts, levees, ponds, natural and human-made impoundments, wetlands, riparian environment, tile, swales, sewers or other natural or artificial structures or measures which serve as a means of draining surface and subsurface water from land.

**STORMWATER MANAGEMENT PERMIT.** The permit issued under §§ 1452.080 through 1452.085.

**STRUCTURE.** The results of a built change to the land constructed on or below the ground, including the construction, reconstruction or placement of a building or any addition to a building; installing a manufactured home on a site; preparing a site for a manufactured home or installing a travel trailer on a site for more than 180 days unless they are fully licensed and ready for highway use.

**SUBSTANTIAL IMPROVEMENT.**
(1) The following three occasions, when work is performed on an existing building, is classified as a **SUBSTANTIAL IMPROVEMENT**:
(a) An improvement made to a building whose cost is equal to or exceeds 50% of the buildings’ market value before the improvement;
(b) Reconstruction or repair of a building, the cost of which equals or exceeds 50% of the market value of the building before reconstruction or repair; or
(c) Additions to an existing building whose cost equals or exceeds 50% of the market
value of a structure or increases the floor area by more than 20%.

(2) Note that if a building is substantially improved, then the entire building must comply with the building protection standards.

**SUBSURFACE DRAINAGE.** The removal of excess soil water to control water table levels at predetermined elevations for structural, environmental or other reasons in areas already developed or being developed for agricultural, residential, industrial, commercial or recreational uses.

**SUBSURFACE WATER.** Water beneath the ground or pavement surface. Sometimes referred to as **GROUND WATER** or **SOIL WATER**.

**T FACTOR.** The soil loss tolerance. It is defined as the maximum amount of erosion at which the quality of a soil as a medium for plant growth can be maintained. Erosion losses are estimated by Universal Soil Loss Equation (USLE) and Revised Universal Soil Loss Equation (RUSLE).

**TECHNICAL MANUAL.** The manual adopted by the Will County Board, which refers to Chapter 55 of the Will County ordinances and provides additional explanations and examples.

**THALWEG.** A line along the lowest point in a channel.

**TRANSITION SECTION.** Reaches of the stream or floodway where water flows from a narrow cross-section to a wide cross-section, or vice versa.

**USABLE SPACE.** Space used for dwelling, storage, utilities or other beneficial purposes, including without limitation basements.

**VILLAGE.** The Village of University Park.

**WATER TABLE.** The upper limit of a free water surface in a saturated soil or underlying material.

**WATERS OF THE UNITED STATES.** As defined by the United States Army Corps of Engineers in their Federal Methodology for the Regulation of Wetlands. For purposes of this chapter, **WATERS OF THE UNITED STATES** include wetlands, lakes, rivers, streams, creeks, bogs, fens and ponds. **WATERS OF THE UNITED STATES** do not include maintained stormwater facilities.

**WATERSHED.** All land area drained by, or contributing water to, the same stream, lake, stormwater facility or draining to a point.

**WATERSHED BENEFIT.** See **NET WATERSHED BENEFIT**.

**WATERSHED CHARACTERISTICS.** Include land use, physiology, habitat, climate, drainage system and community profile.

**WATERSHED PLAN.** A study and evaluation of an individual drainage basin’s stormwater
management, floodplain management, water quality and flood control needs and capabilities.

**WETLAND.** As defined in current federal methodology recognized by the United States Army Corps of Engineers for regulatory purposes.

**REQUIREMENTS FOR STORMWATER MANAGEMENT**

§ 1452.020 GENERAL INFORMATION.

(A) Other applicable regulations. All developments shall meet the requirements specified for general stormwater development (§ 1452.020), site runoff (§ 1452.022), sediment and erosion control (§§ 1452.035 through 1452.047), performance security and maintenance (§§ 1452.200 through 1452.203).

(B) Applicability of site runoff storage requirements (detention).

(1) All developments shall comply with the site runoff storage requirements provided in § 1452.023 of this subchapter in which:

(a) More than two single-family structures or one two-family structure are to be constructed on a site five or more acres in size;

(b) Multi-family or nonresidential land use is to be constructed on a site more than one acre in size;

(c) Existing multi-family or nonresidential land uses on a site one acre or more in size, on which new development after the effective date of this chapter in the aggregate exceeds 25,000 square feet;

(d) Roadway developments in rights-of-way under the ownership or control of a unit of local governments when the contiguous area of new roadway construction (excluding previously paved areas) exceeds two acres; and

(e) The developer of a commercial or industrial redevelopment may request that a fee-in-lieu of detention be approved provided that all of the following are demonstrated to the sole satisfaction of the Administrator:

1. The drainage plan will not increase existing flood damages; and
2. The drainage plan provides a net benefit in water quality compared to the existing development.

(2) The Administrator shall determine the appropriate fee to be collected as defined in § 1452.215, and his or her decision in the matter shall be considered final.

(C) Exemptions from site runoff storage requirements (detention). Site run-off storage is not required under the following circumstances:

(1) Direct discharge industrial sites; and/or

(2) Non-industrial direct discharge sites 160 acres or less having the following minimum river frontage:

<table>
<thead>
<tr>
<th>Site Area</th>
<th>Required Frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>0—2 acres</td>
<td>50 feet</td>
</tr>
<tr>
<td>Up to 5 acres</td>
<td>100 feet</td>
</tr>
<tr>
<td>Up to 10 acres</td>
<td>150 feet</td>
</tr>
<tr>
<td>Up to 40 acres</td>
<td>200 feet</td>
</tr>
<tr>
<td>Up to 80 acres</td>
<td>350 feet</td>
</tr>
<tr>
<td>Up to 160 acres</td>
<td>500 feet</td>
</tr>
</tbody>
</table>

§ 1452.021 GENERAL STORMWATER REQUIREMENTS.

(A) Requirements applicable to all developments. No development shall:

(1) Result in any new or additional expense to any person other than the developer for flood protection; or

(2) Increase flood elevations or decrease flood conveyance capacity upstream or downstream of the area under the ownership or control of the developer. This requirement shall not prohibit the removal or reduction of built obstructions to flow, such as increasing culvert capacity or lowering roadway elevations.

(B) Building permits. Stormwater facilities shall be functional before building permits are issued for residential and nonresidential subdivision.

(C) Single parcel developments. Stormwater facilities shall be functional where practicable for single parcel developments before building construction begins.

(D) Overland flow paths. The development shall have an overland flow path at the downstream limit of the property that will pass the base flood flow without increasing damage to structures or property. If the upstream drainage area is less than 20 acres, the storm sewer pipe and inlet sized for the base flood can be constructed in lieu of providing an overland flow path. Overland flow paths internal to the site shall be considered as part of the major stormwater system and shall be designed for conveyance of the base flood (critical duration) and shall be a minimum of one cfs per tributary acre without damage to structures.

(E) Protection of buildings. All usable space in new buildings or added to existing buildings hydraulically connected to a major stormwater system, site runoff storage facility or overland flow path shall be elevated, floodproofed or otherwise protected to at least one foot above the 100-year design elevation or current FIS elevation, whichever is greater. The design elevation is the elevation associated with the design release rate as determined in § 1452.022(C).

(F) Depressional storage. The function of existing on-site depressional storage shall be preserved for both on-site and off-site tributary flows in addition to required detention. When depressional storage is removed it must be compensated for in the site runoff storage facility at a one to one ratio provided that offsite areas tributary to the existing depressional storage are routed through the site runoff storage facility. This requirement is in addition to the site runoff storage required in § 1452.022. The Administrator may allow the function of depressional storage to be preserved if the applicant performs detailed pre- and post-project hydrologic and hydraulic modeling to identify the effect of the depressional storage on discharges over a range of rainfall frequencies.

§ 1452.022 SITE RUNOFF REQUIREMENTS.
(A) **Stormwater facility discharges.** Stormwater facilities shall be required and designed so that runoff exits the site at a point where it existed prior to the subject development and in a manner so that flows will not increase flood damage to adjacent property except when otherwise approved by the Administrator. Concentrated discharges from new developments must enter conveyance systems capable of carrying the design flow rate without increasing flood damages or maintenance costs downstream.

(B) **Minor stormwater system criteria.** Minor stormwater systems shall be sized to convey runoff from the tributary watershed under fully developed conditions consistent with the design requirements of the local jurisdiction.

(C) **Major stormwater system criteria.** Major stormwater systems shall be sized to carry the base flood without causing additional flood damage.

(D) **Existing subsurface and surface drainage systems.**

1. Stormwater systems shall properly incorporate and be compatible with existing subsurface and surface drainage systems including agricultural systems. Designs shall not cause damage to the existing drainage system(s) or the existing adjacent or tributary land including those with agricultural uses.

2. The following principles and requirements shall be observed in the design.

   (a) **Off-site outfall.** Agricultural subsurface and surface drainage systems shall be evaluated regarding their capacity and capability to properly convey low flow ground water and site runoff storage facility release without damage to downstream structure and land use on the adjacent property. If the outfall drain tile and surface drainage systems prove to be inadequate, it will be necessary to modify the existing systems or construct new systems which will not conflict with the existing systems and will not impact the existing agricultural land use. Existing subsurface systems shall only be used with extended detention design.

   (b) **On-site.** Agricultural drainage systems shall be located and evaluated on-site. All existing on-site agricultural drain tile not serving a beneficial use shall be abandoned by trench removal prior to other development and recorded on record plans. If any existing drain tiles continue to upland watersheds, the developer must maintain drainage service during construction until new sewers can be installed for a permanent connection.

   (c) **Off-site tributary.** Existing drainage systems shall be evaluated with regard to existing capabilities and reasonable future expansion capacities. All existing tributary drain tiles shall be incorporated into the new conduits including observation structures located at the property limits, shall provide a free flow discharge and shall not allow surface runoff to enter the system.

   (d) **New roadway construction.** New roadway construction shall preserve existing subsurface systems within the right-of-way. Inspection wells shall be placed at the right-of-way (ROW) and tiles found to not be flowing between inspection wells at the end of the construction shall be replaced.

(F) **Design runoff rate.** Design runoff rates for conveyance may be calculated using the Rational Method.

(F) **Design rainfall.** Any design runoff rate calculation method for conveyance shall use State Water Survey Bulletin 70 based intensity-duration-frequency curves.

(G) **Stormwater system easements.** For projects involving subdivision major and minor stormwater systems shall be located within easements or rights-of-way explicitly providing for public access for maintenance of the facilities. For all other projects requiring a permit, easements are required for public access for maintenance of stormwater facilities only for new construction or modifications involving components of a drainage system that conveys runoff from off-site properties. For I-2, I-3 or
equivalent zoning property, the stormwater system does not have to be located within an easement or public rights-of-way, if the owner's representative and the Village sign an agreement authorizing the Village to enter the facility to maintain the stormwater system if the owner fails to correct any deficiencies brought to the owner's attention by the Village.

(H)  *Flow depths.* Maximum flow depths for new transverse stream crossings shall not exceed one foot at the crown of the road during the base flood condition. The maximum flow depth on a roadway shall not exceed six inches at the crown for flow parallel to the roadway. For flow over a new roadway or parallel to a new roadway, the product of the flow depth (in feet) and velocity (in feet per second) shall not exceed four for the base flood condition.

(I)  *Diversion of flow to another watershed.* Transfers of waters between watersheds (diversions) shall be prohibited except when the transfers will not violate the provisions of § 1452.021(A) and are otherwise lawful. Watersheds for purpose of regulation under this section shall be the major watershed divides as defined in the County Plan.

(J)  *Best management practices requirement.* Developments shall incorporate all best management practices as may be required pursuant to the United States Clean Water Act, 33 U.S.C. §§ 1251 et seq., as amended.

§ 1452.023  SITE RUNOFF STORAGE REQUIREMENTS (DETENTION/EXTENDED DETENTION).

(A)  *Release rate.*

(1)  Sufficient flood storage shall be provided so that the site will not discharge at a rate greater than 0.15 cfs/acre of development during and after a rainfall event with a 100-year frequency except for sites exempted in this section. Unless exempted in this section, sites shall not discharge at a rate greater than 0.04 cfs/acre of development during and after a rainfall event with a two-year frequency.

(2)  This area of hydrologic disturbance on the site shall be used to calculate the required site runoff storage volume. The on-site watershed area tributary to the point of discharge shall be used to calculate the allowable release rate for the site runoff storage facility, which shall be the maximum release rate allowed considering only the on-site watershed area runoff.

(B)  *Design methods.*

(1)  Event hydrograph routing methods or the modified rational method may be used to calculate design runoff volumes for site runoff facilities. The methods must be HEC-1, (SCS methodology), HEC-HMS, TR-20 or TR-55 tabular method. Event methods shall incorporate the following assumptions:

(a)  Antecedent moisture condition equals two;

(b)  Appropriate Huff rainfall distribution; and

(c)  Twenty-four-hour duration storm with a 1% probability (100-year frequency) of occurrence in any one year as specified by the State Water Survey Bulletin 70 Northeast Sectional rainfall statistics.

(2)  When the modified rational method is used, rainfall statistics shall be from the State Water Survey Bulletin 70 and the volume determined shall be multiplied by the following factor based on the date of final engineering approval:

(a)  In the first year after the effective date of the chapter: 110%;

(b)  In the second year after the effective date of the chapter: 120%; and

(c)  After the third year following the effective date of the chapter: 130%.
(C) **Existing release rate less than allowable.** For sites where the undeveloped release rate is less than the maximum release rate in division (A) above, the developed release rate and corresponding site runoff storage volume shall be based on the existing undeveloped release rate for the development.

(D) **Downstream water surface elevations.** All hydrologic and hydraulic computations must utilize appropriate assumptions for downstream water surface elevations, from low flow through the base flood elevation, considering the likelihood of concurrent flood events.

(E) **Extended detention requirement.**

(1) The requirements of this section will apply only when an existing agricultural use is downstream of and adjacent to a site runoff storage facility outlet. The runoff from a 0.75-inch rainfall event over the hydraulically connected impervious area of the new development shall be stored below the elevation of the primary gravity outlet (extended detention) of the site runoff storage facility. The facility may be designed to allow for evapotranspiration or infiltration of this volume into a subsurface drainage system and shall not be conveyed through a direct positive connection to downstream areas.

(2) The hydraulically connected impervious area used in the calculation of required extended detention volume may be reduced by the Administrator if the soils are prepared to maximize infiltration and deep-rooted grasses or other plants selected for their ability to promote infiltration or water absorption are planted in areas appropriately dedicated. The reduction in hydraulically connected impervious area used in the calculation shall be equal to the area of the development meeting the above soils/native planting requirement.

(3) Subsurface drainage systems may be designed as a component of the extended detention portion of the detention basin to assist in infiltration in accordance with the following criteria.

(a) The extended detention volume shall be discharged at a rate no greater than that required to empty the calculated extended detention volume within five days of the storm event.

(b) No subsurface drainage pipe shall be located within ten feet of drainage pipes directly connected to the detention basin.

(c) For purposes of meeting the maximum subsurface drainage discharge requirements, flow control orifices and weirs may be used.

(d) All design extended detention volume shall be provided above the seasonal high ground water table or the invert elevation of the ground water control system.

(e) Farm field tile shall not be considered a subsurface drainage system.

(F) **Site runoff storage facility design requirements.** Storage facilities shall be designed and constructed with the following characteristics.

(1) The site runoff storage facility shall provide one foot of freeboard above the design high water elevation.

(2) The storage facilities shall be accessible and easily maintained.

(3) Storage facilities shall facilitate sedimentation and catchment of floating material. Unless specifically approved by the Administrator, concrete lined low-flow ditches shall not be used in detention basins.

(4) Storage facilities shall minimize impacts of stormwater runoff on water quality by incorporating best management practices.

(5) Storage facilities shall maximize the normal flow distance between detention inlets and outlets, to the extent possible.

(6) Storage facilities shall be designed so that the existing conditions pre-development peak runoff rate from the 100-year, critical duration rainfall will not be exceeded assuming the primary...
restrictor is blocked.

(7) Storage facilities with single pipe outlets shall have a minimum inside diameter of 12 inches. If design release rates necessitate a smaller outlet, structures such as perforated risers or flow control orifices shall be used.

(G) Site runoff storage facility requirements. Within the regulatory floodplain storage facilities located within the regulatory floodplain shall:

1. Conform to all applicable requirements specified in §§ 1452.060 through 1452.066 of this chapter;

(2) Store the required amount of site runoff to meet the release rate requirement under all stream flow and backwater conditions in the receiving stream up to the ten-year flood elevation;

(3) Detention volume provided by enlarging existing regulatory floodplain storage without providing a structure controlling discharge (on-stream detention) will be allowed only as a variance. The applicant must demonstrate that flood damages are not increased and the development will not increase flood flows for both the two-year and 100-year floods on the stream with developed conditions on the site; and

(4) The Administrator may approve designs which can be shown by detailed hydrologic and hydraulic analysis to provide a net watershed benefit not otherwise realized by strict application of the requirements in a through c above.

(H) Site runoff storage facility requirements within the regulatory floodway. Storage facilities located within the regulatory floodway shall:

1. Meet the requirements for locating storage facilities in the regulatory floodplain;

(2) Be evaluated by performing hydrologic and hydraulic analysis consistent with the standards and requirements for any adopted watershed plans; and

(3) Provide a net watershed benefit.

(I) Off-site facilities. Site runoff storage facilities may be located off-site if the following conditions are met.

1. The off-site storage facility meets all the requirements of this subchapter, §§ 1452.020 through 1452.024.

(2) Adequate storage capacity in the off-site facility is dedicated to the development.

(3) The development includes means to convey stormwater to the off-site storage facility.

(J) Cross-stream structures for site runoff storage facilities. Structures constructed across the channel to impound water to meet detention requirements shall be prohibited on any perennial stream unless part of a public flood control project with a net watershed benefit. Those streams appearing as blue on a USGS quadrangle map shall be assumed perennial unless better data is obtained. All cross-stream structures for the purpose of impounding water to provide detention in all cases on perennial and intermittent streams must demonstrate that they will not cause short-term or long-term stream channel instability.

§ 1452.024 STORMWATER REQUIREMENTS FOR AGRICULTURAL LAND USE INCLUDING CROPLANDS, PASTURE LANDS AND FARMSTEADS.

(A) Applicability. Regulations under this section apply only to croplands, pasturlands, farmsteads and outbuildings associated with those agricultural practices. Compliance with the requirements of this section shall be construed as compliance with the stormwater chapter for the above
land uses and no further regulation under the chapter will apply. Any other land use, including greenhouses, nurseries, container grown plants, equestrian facilities, the sale of agricultural products to the public or where commercial activities involving the new construction of gravel or paved parking facilities or buildings whose aggregate area is 25,000 square feet or more are required to comply with all applicable sections of this chapter.

(B) Conservation planning and performance standards.

1. To comply with this section, landowners shall practice conservation planning whose product shall be a management system, which addresses site runoff, soil erosion and sediment control, surface and subsurface drainage. Any acreage with a signed and approved NRCS conservation plan is exempt from the requirements of this section and the chapter.

2. Applicable approved practices include:
   (a) Vegetated grass waterways;
   (b) Contour buffer strips;
   (c) Critical area planting and cover crops;
   (d) Terrace ridges and diversions;
   (e) Contour strip cropping;
   (f) Contour farming;
   (g) Crop rotation;
   (h) Conservation tillage and crop residue management; and
   (i) Other standard practices for conservation planning in accordance with the NRCS Field Office Technical Guide (current edition) or as otherwise approved by the County NRCS District Conservationist or the County Agricultural Administrator.

3. The performance standard for conservation planning shall be a management system which will develop a set of field practices which will reduce the calculated actual soil loss to the “tolerable soil loss” (T) as calculated by the revised universal soil loss equation for the actual site conditions. Cropland tillage and resource management methods shall be consistent with the Technical Guide Notice IL-108 and shall be considered evidence of compliance with the T performance standard.

(C) Drainage practices, requirements and design criteria.

1. Drainage for agricultural purposes shall be consistent with those practices identified as appropriate for “good husbandry” given the soil types, slopes and crops. An agricultural drainage system may consist of both subsurface drainage systems and surface drainage systems. Where active drainage districts maintain drainage systems, they shall be consulted on surface and subsurface drainage within the district boundaries.

2. Requirements applying to subsurface and surface drainage system shall be as follows.

   (a) Subsurface drainage systems. Drain tile systems shall be maintained and constructed in accordance with subsurface drainage recommendations for the appropriate soil drainage group as specified by the State Drainage Guide, University of Illinois Extension Service Circular No. 1226. Surface inlets into the subsurface drainage system shall be allowed only to maintain good husbandry. Where their use cannot be practically avoided due to topography, they shall be instilled using flow controls such as orifices and perforated risers with gravel filters and/or vegetative filters.

   (b) Surface drainage systems. Surface drainage systems shall be maintained and constructed in accordance with surface drainage recommendations for the appropriate soil drainage group as specified by the State Drainage Guide, University of Illinois Extension Service No. 1226. Surface drainage systems shall be built with geotechnically stable slopes and the surface when applicable shall be further stabilized utilizing the establishment of cool and warm season grass mixes as identified in Field

(c) Buffer strips. Open channels with a definable bed and banks shall use buffer strips in order to reduce the amount of erosion occurring from the conveyed flows as well as to help filter the runoff from the site into the waterway. Buffer strips shall be a minimum of 15 feet wide from the top of bank except where smaller widths are necessary due to site limitations and when approved by the Administrator.

(d) Agricultural drainage systems. Agricultural drainage systems shall also comply with all regulations regarding wetlands as enforced by federal, state and local agencies.

(D) Sediment control for open channels.

(1) All open channel drainage systems shall maintain practices adjacent to the open outlet channel that will reduce the transportation of sediment off-site. Runoff from agricultural fields must pass through a sediment control system prior to discharge into the open channel conveyance system.

(2) Approved sediment control systems may consist of the following:

(a) Vegetated buffer zones planted with permanent grasses appropriate for soil stabilization and filtering;

(b) Grade control structures for over fall stabilization;

(c) Sediment traps adjacent to the stream channel; and

(d) Other standard practices for conservation planning in accordance with the NRCS Field Office Technical Guide (current edition) or as otherwise approved by the County NRCS District Conservationist or the Administrator.

(E) Maintenance and construction of drainage systems. Agricultural drainage systems shall be maintained so as to convey the expected flows for good drainage practices. The existing agricultural surface drainage systems shall not be enlarged unless the enlargement is consistent with all other sections of this section. Maintenance and construction of subsurface drainage systems will not be subject to the requirements of other sections of this chapter except as they are regulated by other agencies. Maintenance projects by legally functioning drainage districts on existing agricultural drainage systems will not be subject to further permitting requirements under this chapter except as they relate to the jurisdiction of other agencies.

SEDIMENT AND EROSION CONTROL

§ 1452.035 SITE PLANNING.

(A) Sediment and erosion control planning shall be part of the initial site planning process. In planning the development of the site, the applicant shall consider the susceptibility of existing soils to erosion and topographic features such as steep slopes and stream corridors which must be protected to reduce the amount of sediment and erosion which occurs. Where appropriate, existing vegetation shall be protected from disturbance during construction by fencing or other means.

(B) In the planning process, the applicant shall also address the following.

(1) For projects that involve phased construction, existing land cover for those areas not under current development shall be addressed. If existing land cover does not consist of an appropriate ground cover then these phases shall be planted temporarily to reduce erosion from idle land.

(2) In planning the sediment and erosion control strategy, preference shall be given to reducing erosion rather than controlling sediment. In order to accomplish this, the plan must carefully
consider the construction sequence of the phases so that the amount of land area exposed to erosive forces is the minimum consistent with completing construction.

§ 1452.036 STANDARDS AND SPECIFICATIONS.


§ 1452.037 GENERAL REQUIREMENT.

The runoff from disturbed areas shall not leave the development site without first passing through sediment control facilities. This requirement shall apply to all phases of construction and shall include an ongoing process of implementation of measures and maintenance of those measures during both the construction season and any construction shut down periods.

§ 1452.038 EXTENDED CONSTRUCTION SHUTDOWN PERIOD.

The condition of the construction site for the winter shut down period shall address proper sediment and erosion control early in the fall growing season so that slopes and other bare earth areas may be stabilized with temporary and/or permanent vegetative cover. All open areas that are to remain idle throughout the winter shall receive temporary erosion control measures including temporary seeding, mulching and/or erosion control blanketing prior to the end of the fall growing season. The areas to be worked beyond the end of the growing season must incorporate soil stabilization measures that do not rely on vegetative cover such as erosion control blankets and heavy mulching.

§ 1452.039 HYDRAULIC AND HYDROLOGIC DESIGN REQUIREMENTS.

(A) In the hydraulic and hydrologic design of major erosion control measures (those whose tributary drainage area is greater than three acres) such as sediment basins and traps, diversions and the like, the design frequency shall be commensurate with the risk of the design event being exceeded.

(B) The following design frequencies shall be regarded as minimum design frequencies for the construction period.

(1) For those projects whose construction period is less than six months, then the storm event having a 50% chance (two-year event) of being exceeded in any year shall be used for design purposes.

(2) For those projects whose construction period is greater than six months but less than one year, the design frequency for major sediment basins shall be a rainfall event with a 20% (five-
year event) chance of being exceeded in any one year.

(3) For those construction projects expected to last more than one year, major sediment basins shall be designed for a rainfall event with a 10% (ten-year event) chance of being exceeded in any one year.

§ 1452.040 "AS-NEEDED" PRACTICES ON THE PLANS.

(A) The sediment and erosion control plan shall designate a series of practices which shall be implemented either at the direction of the permittee or the permittee's representative on-site or at the direction of the Administrator should an inspection of the site indicate a deficiency in soil and sediment erosion control measures.

(B) As a minimum, these measures shall include the following:

(1) Sedimentation basins;
(2) Sediment traps;
(3) Diversion swales;
(4) Silt fences;
(5) Temporary seeding;
(6) Mulching; and
(7) Erosion control blankets.

§ 1452.041 SEDIMENT AND EROSION CONTROL PLAN REQUIREMENTS.

Sediment and erosion control plans shall be in accordance with §§ 1452.080 through 1452.085 but shall include the following:

(A) Detailed construction phasing plan identifying sediment and erosion control measures to be in place for each phase shall be submitted prior to stripping the site of existing vegetation or cover.

(B) Sediment and erosion control measures to be installed initially prior to stripping existing vegetation or mass grading shall be indicated on the plans.

(C) Permanent stabilization measures shall be indicated on a separate plan.

(D) The expected two-year and ten-year runoff rates from all off-site areas draining into the site shall be identified on the plan.

(E) Methods for conveying flows through the site during construction shall be indicated. These methods must include the temporary and permanent stabilization measures to be used to reduce velocity and erosion from flow through the construction zone.

(F) A maintenance schedule of each measure used shall be indicated on the plan. As a minimum, all sediment and erosion control measures on-site shall be inspected weekly and also by the applicant's designee or after a one-half inch (0.5") or greater rainfall event and any required repairs shall be made to keep these measures functional as designed. All repairs and modifications shall be reviewed by the Administrator or his or her designee.

§ 1452.042 CONVEYANCE OF OFF-SITE FLOW.
(A) To the extent practicable, proposed ditches and waterways which are to convey off-site flows through the site shall be stabilized upon construction.
(B) Where new waterways are constructed, they shall be stabilized to the extent practicable prior to their use to convey flood flows.

§ 1452.043 STOCKPILES.

(A) Stockpiles of soil and other erodible or floatable building materials (sand, limestone and the like) shall not be located in floodplains, overflow routes or areas subject to frequent inundation.
(B) If a stockpile is to remain in place for more than three days, then sediment and erosion control shall be provided for the stockpile.

§ 1452.044 STORM SEWER INLETS.

Storm sewer inlets shall be protected with sediment trapping and/or filter control devices during construction.

§ 1452.045 CONSTRUCTION DEWATERING.

Water pumped or which is otherwise discharged from the site during construction dewatering shall be filtered and a means provided to reduce erosion.

§ 1452.046 PROTECTION OF PUBLIC/PRIVATE ROADWAYS.

Graveled roads, access drives, parking areas of sufficient width and length and vehicle wash down facilities, if necessary, shall be provided to prevent soils from being tracked onto public or private roadways. Any soil tracked onto a public or private roadway shall be removed before the end of each workday or sooner as directed by the authority maintaining the roadway.

§ 1452.047 TEMPORARY STREAM CROSSINGS.

Temporary stream crossings of intermittent and perennial streams used only for and during construction shall be designed to convey a two-year flood (minimum) or other flood event approved by the Administrator without overtopping unless a more frequent design event is allowed by the Administrator. The entire crossing shall be designed to withstand hydrodynamic forces and erosive forces up to the base flood event without washing out. Ephemeral streams may be crossed at temporary at-grade crossings provided that the crossing point is stabilized with materials resistive to the erosive forces produced by runoff from the upstream drainage area, and the design is approved by the Administrator. Temporary stream crossings shall be removed upon completion of construction activities. All temporary stream crossing shall be completely removed, and the stream restored to its preconstruction condition upon completion of construction. Restoration shall incorporate appropriate vegetation
consistent with the adjacent existing vegetation prior to construction or in accordance with a restoration plan approved by the Administrator.

PROTECTION OF SPECIAL MANAGEMENT AREAS

§ 1452.060 GENERAL.

(A) This subchapter sets forth requirements for developments within floodplains and floodways. In addition, developments in the SFHA draining more than one square mile with no designated floodway must meet IDNR/OWR Ill. Adm. Code Part 3700 Rules. References to IDNR/OWR permits or approvals in this section shall be construed as “their designee” where a portion or all their authority has been delegated.

(B) Development that qualifies for any of the self-issuing statewide or regional permits administered by IDNR/OWR (Statewide Permit Nos. 1 through 14 and Regional Permit No. 3) are similarly permitted under this subchapter. The developer need only submit to the Administrator information as shall show the Administrator that the development qualifies for the particular statewide or regional permit in question under the regulations established by IDNR/OWR for the permit and no further submittal need be made under this subchapter. All other provisions of this chapter applicable to the development, however, continue to apply. However, a permit from the Village must still be issued.

(C) All development shall meet the requirements set forth in Table 1. The table is intended only as a guide to indicate the applicable ordinance sections for development in floodplains.

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Notes:

(1) Riverine, floodplains only
(2) For buildings meeting appropriate use criteria

§ 1452.061 FLOODPLAIN, REGULATORY FLOODPLAIN, BASE FLOOD ELEVATION (BFE) AND REGULATORY FLOODWAY LOCATIONS.
(A) The BFE shall be delineated onto the site topography to establish the regulatory floodplain area limits for regulation under this chapter. Regulatory floodplains shall be delineated onto the site map from the current FEMA FIRM, FBFM or LOMR and include those areas of the SFHA which are not regulatory floodplains.

(B) The BFE shall be:

1. The elevation of the 100-year profile corresponding to the location of the development as indicated in the flood profiles in the FEMA Flood Insurance Studies listed in Appendix A;

2. In the case of FEMA delineated “AH Zones” the elevation noted on the map shall be the BFE. In the case of FEMA delineated “AO Zones” the BFE shall be the depth number shown on the map added to the highest adjacent grade, or at least two feet above the highest adjacent grade if no depth number is provided;

3. (a) When no BFE information exists and the upstream tributary drainage area is 640 acres or greater, the BFE shall be determined using a site-specific floodplain study by a professional engineer using appropriate hydrologic and hydraulic models as follows:
   1. Hydrologic models: TR-20, HEC-1, HEC-HMS;
   2. Hydraulic models: HEC-2, HEC-RAS, WSP-2; or
   3. A technique approved by the Administrator and the IDNR/OWR.

   (b) Where a channel has a tributary drainage area of 640 acres or more, the above analyses shall be submitted to the IDNR/OWR for concurrent approval.

   (c) For a non-riverine regulatory floodplain, the historic flood of record plus three feet may be used for the BFE instead of performing a detailed hydrologic and hydraulic study.

4. For floodplains that are not regulatory, are not draining more than 640 acres, and with no BFE determined, the Administrator may require a site-specific floodplain study for the purpose of establishing an FPE for the development.

(C) (1) The location of the regulatory floodway shall be as delineated on the current effective regulatory maps maintain by each community. The location of the regulatory floodway boundary shall be scaled onto the site plan using references common to both the map and the plan (typically the center lines of adjacent roadways). Where an interpretation is needed to determine the exact location of the regulatory floodway boundary, IDNR/OWR should be contacted.

(2) Note: If an area of the site is located in the regulatory floodway that is higher than the BFE, that area is subject to the floodway standards of § 1452.064, including the appropriate use criteria, until a time as a LOMR is received from FEMA with concurrence by IDNR/OWR.

(3) General criteria for analysis of flood elevations in the regulatory floodway are as follows.

1. The flood profiles, flows and data in the current effective FIS must be used for analysis of the base conditions. If the study data appears to be in error or conditions have changed, FEMA and IDNR/OWR shall be contacted for approval and concurrence on the appropriate base conditions data to use. The Administrator shall be copied on all related correspondence.

2. If the BFE at the site of the proposed development is affected by backwater from a downstream receiving stream with a larger drainage area, the proposed development shall be shown to meet the requirements of this section with the receiving stream at both the normal water and BFEs.

3. If the applicant is informed by IDNR/OWR, the Village, or a private owner that a downstream or upstream restrictive bridge or culvert is scheduled to be removed, reconstructed, modified
or a regional flood control project is scheduled to be built, removed, constructed or modified within the next five years, the proposed development shall be analyzed and shown to meet the requirements of this section for both the existing conditions and the expected flood profile conditions when the bridge, culvert or flood control project is built, removed or modified as applicable.

4. If the appropriate use will result in a change in the regulatory floodway location or a change in the BFE, the applicant shall submit the information required to be issued a conditional letter of map revision (CLOMR) to IDNR/OWR and FEMA. A public notice inviting public comment on the proposed change in the BFE or location of the regulatory floodway will be issued by IDNR/OWR or its designee before a CLOMR is issued. Filling, grading, dredging or excavating may take place upon issuance of a conditional approval from IDNR/OWR and the Administrator. No further development activities shall take place in the existing or proposed floodplain until a letter of map revision (LOMR) is issued by FEMA unless the activities meet all the requirements of § 1452.062 of this chapter. The Administrator shall be copied on all related correspondence.

5. For those circumstances listed below and located in a regulatory floodway, at a minimum, the following information shall be submitted to IDNR/OWR for their review and concurrence:
   a. Analysis of the flood profile due to a proposed bridge, culvert crossings and roadway approaches;
   b. An engineer’s determination that an existing bridge, culvert crossing or approach road is not a source of flood damage and the analysis indicating the proposed flood profile;
   c. Alternative transition sections and hydraulically equivalent compensatory storage; and
   d. Stormwater management permits to local units of government for regulatory floodway and floodplain development.

6. IDNR/OWR will issue permits for any IDNR/OWR projects, dams and the like all other state, federal or WCSMC or Village projects.

§ 1452.062 GENERAL PERFORMANCE STANDARDS.

(A) Generally. The following general performance standards are applicable to all development in a regulatory floodplain. The standards of this section apply except when superseded by more stringent requirements in the subsequent sections.

(1) No development except as allowed in § 1452.066 shall be allowed in the regulatory floodplain that singularly or cumulatively creates an increase in flood stage or velocity off-site, or a damaging or potentially damaging increase in flood heights or velocity on-site or threat to public health, safety and welfare.

(2) For all projects involving a channel modification, fill, stream maintenance or a levee, the flood conveyance and storage capacity of the regulatory floodplain shall not be reduced.

(3) If the proposed development would result in a change in the regulatory floodplain or BFE as indicated in Appendix A, or as adopted by each community, the applicant shall obtain a LOMR from FEMA. No buildings may be built in the existing or proposed regulatory floodplain until the LOMR receives concurrence from IDNR/OWR and is issued by FEMA and the building meets all the building protection standards (division (C) below). Proposed changes to the regulatory floodway delineation and the BFE must be submitted to IDNR/OWR for concurrence.

(4) If the development is located in a public body of water, as defined by IDNR/OWR (Chapter 164, Appendix C), a permit or a waiver of a permit must also be received from IDNR/OWR.
(5) Prior to the commencement of any construction, modification or removal of a dam the developer shall obtain an IDNR/OWR permit or letter indicating a permit is not required.

(6) (a) For public flood control projects, the Floodplain Management standards will be considered met if the applicant can demonstrate to IDNR/OWR and WCSMC that each of the following conditions are met:

1. Demonstrate by hydraulic and hydrologic modeling that the proposed project will not singularly or cumulatively result in increased flood heights outside the project site or demonstrate that any increases will be contained in easements for all flood events up to and including the base flood event;

2. Demonstrate that the project will be operated and maintained by a public agency; and

3. Demonstrate that the project will reduce flood damage to an existing building or structure.

(b) These standards do not preclude the design, engineering, construction or financing, in whole or in part of a public flood control project by persons who are not public agencies.

(7) Proposals for new subdivisions, manufactured home parks, planned unit developments (PUDs) and additions to manufactured home park and additions to subdivisions shall include base flood or 100-year frequency flood elevation data and floodway delineations.

(B) Public health protection standards.

(1) New and replacement water supply systems, wells and sanitary sewer lines may be permitted if all manholes or other aboveground openings located below the FPE are watertight.

(2) New on-site waste disposal systems, such as septic systems, are allowed in the regulatory floodplain only if they meet all of the following conditions.

(a) The invert of any wastewater distribution lines shall be a minimum of two-feet above the water surface elevation of the base flow of any perennial stream.

(b) The lateral distance from a ditch, creek or other riverine source to the wastewater distribution lines shall be a minimum of 75.

(c) The elevation of any areas which are to receive wastewater distribution shall be above the ordinary high-water mark.

(d) The soil of the receiving field shall be of a type suitable for septic fields.

(e) The tank shall be placed out of the floodplain with the invert of the outlet above the BFE.

(3) New, substantially improved or replacement wastewater treatment plants shall have watertight openings for those openings located below the FPE. The facilities should be located to avoid impairment to the facility or contamination of floodwaters during the base flood.

(C) Building protection standards. The building protection standards apply to all buildings located in the regulatory floodplain; however, it should be noted that most new and replacement buildings are not appropriate uses of the regulatory floodway.

(1) The lowest floor including basements of all new residential structures, substantially improved structures and additions shall be elevated up to at least the FPE. An attached garage for a structure must be elevated up to at least 0.1 feet above the BFE.

(a) If placed on fill, the top of the fill for the residential structure shall be above the FPE. The top of fill for an attached garage shall be at least 0.1 foot above the BFE. The fill shall be placed at that elevation for a distance of ten feet out from the building unless the building design is certified by a registered structural engineer to be protected from damages due to hydrostatic pressures. Additionally, the fill shall not settle below the FPE for the residential structure and not below 0.1 feet
above the base flood for an attached garage, and shall be adequately protected against erosion, scour and differential settlement. The fill should not adversely affect surface drainage from or onto neighboring properties.

(b) If elevated by means of walls, pilings or other foundation, the building’s supporting structure must be permanently open to flood waters and not subject to damage by hydrostatic pressures of the base floor. The permanent openings shall be no more than one foot above existing grade and consist of a minimum of two openings. The openings must have a total net area of not less than one square inch for every one square foot of enclosed area subject to flooding below the BFE. The lowest inside grade must match the lowest existing outside grade adjacent to the structure. The foundation and supporting members shall be anchored and aligned in relation to flood flows and adjoining structures so as to minimize exposure to known hydrodynamic forces such as current, waves, ice and floating debris. All areas below the FPE shall be constructed of materials resistant to flood damage. The lowest floor (including basement) for the residential structure and all electrical, heating, ventilating, plumbing and air conditioning equipment and utility meters shall be located at or above the FPE. An attached garage must be elevated to at least 0.1 feet above the BFE. Water and sewer pipes, electrical and telephone lines, submersible pumps and other waterproofed service facilities may be located below the FPE. No area below the FPE shall be used for storage.

(2) The lowest floor including the basement of all new or substantially improved nonresidential buildings shall be elevated at least to the FPE as described above or be structurally dry floodproofed to at least the FPE. A nonresidential building may be structurally dry floodproofed (in lieu of elevation) provided that a professional engineer or registered structural engineer shall certify that the building has been structurally dry floodproofed below the FPE and the structure and attendant utility facilities are watertight and capable of resisting the effects of the base flood. The building design shall take into account flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, the effects of buoyancy and impacts from debris or ice. Floodproofing measures shall be operable without human intervention and without an outside source of electricity. (Levees, berms, floodwalls and similar works are not considered floodproofing for the purpose of this division).

(3) Manufactured homes and recreational vehicles to be installed on a site for more than 180 days shall be at or above the FPE and shall be anchored to resist flotation, collapse or lateral movement in accordance with the State Manufactured Home Tie-Down Code (77 Ill. Adm. Code 870), as amended.

(4) (a) Accessory structures, such as tool sheds and detached garages which are not substantial improvements on an existing single-family lot, may be constructed with the lowest floor below the FPE in accordance with the following criteria.

1. The building shall not be used for human habitation.
2. All areas below the FPE shall be constructed with waterproof material. Structures located in a regulatory floodway shall meet the floodway standards in § 1452.064.
3. The structure shall be anchored to prevent flotation and movement.
4. Service facilities such as electrical and heating equipment shall be elevated or floodproofed to the FPE.
5. The building shall be no greater than 600 square feet in floor size and be valued at less than $7,500. The building shall meet the permanent opening criteria of division (C)(1)(b) above.
6. The building shall be used only for the storage of vehicles or tools and may not contain basements or other rooms, workshops, greenhouses or similar uses.

(b) Accessory structures that do not meet all the above criteria may be
constructed if they are dry floodproofed or elevated at least one-half of one foot above the BFE.

(D) Nonconforming structures. A nonconforming structure damaged by flood, fire, wind or other disaster may be restored unless the damage meets or exceeds 50% of its market value before it was damaged, in which case it shall conform to the building protection standards of this chapter.

(E) LOMR-F. The Village may utilize FEMA Technical Bulletin 10-01 for the issuance of LOMR-Fs.

§ 1452.063 COMPENSATORY STORAGE VOLUME STANDARDS.

The following standards apply within the regulatory floodplain.

(A) Hydraulically equivalent compensatory storage volume will be required for development in a riverine regulatory floodplain and shall be at least equal to one and one-half (1.5) times the regulatory floodplain flood storage volume displaced. The storage volume displaced below the existing ten-year frequency flood elevation must be replaced below the proposed ten-year frequency flood elevation. The storage volume displaced above the ten-year existing frequency flood elevation must be replaced above the proposed ten-year frequency flood elevation. The additional compensatory storage required beyond a one to one (1:1) ratio may be placed above or below the proposed ten-year flood elevation.

(B) Compensatory storage volume for development in a non-riverine regulatory floodplain area that is also adjacent to a lake shall be equal to one and one-half (1.5) times the storage volume displaced.

(C) Compensatory storage volume requirements for development in a non-riverine regulatory floodplain that is not adjacent to a lake shall be replaced in accordance with the requirements for the loss of depressional storage in § 1452.021(F).

(D) Compensatory storage areas shall be designed to drain freely and openly to the channel and shall be located adjacent to the development. This standard does not apply to non-riverine regulatory floodplain.

(E) A recorded covenant running with the land is required to maintain the compensatory storage volume in areas modified to provide compensatory storage volume.

§ 1452.064 FLOODWAY STANDARDS.

(A) The only development in a regulatory floodway which will be allowed are appropriate uses which will not cause an increase in flood heights or velocities for all flood events up to and including the base flood. Only those appropriate uses listed below will be allowed in the regulatory floodway.

(B) Appropriate uses do not include the construction or placement of any new structures, fill, building additions, buildings on stilts, fencing (including landscaping or planting designed to act as a fence) and storage of materials except as specifically defined below as an appropriate use. If the development is proposed for the regulatory floodway portion of the regulatory floodplain, the following standards apply in addition to the standards for the regulatory floodplain.

(1) Only the construction, modification, repair or replacement of the following appropriate uses will be allowed in the regulatory floodway:

(a) Public flood control structures and private improvements relating to the control of drainage and flooding of existing buildings, erosion, water quality or habitat for fish and wildlife;
(b) Structures or facilities relating to functionally water dependent uses such as additions, modifications and improvements to existing wastewater treatment plants (except for additions to habitable structures on the site) and facilities and improvements relating to recreational boating (this does not include new wastewater treatment plants);

c) Storm and sanitary sewer outfalls;

d) Underground and overhead utilities;

e) Recreational facilities such as playing fields, open pavilions and trail systems including any related fencing (at least 50% open when viewed from any one direction) built parallel to the direction of flood flows;

f) Detached garages, storage sheds, boat houses or other non-habitable structures without sanitary facilities that are accessory to existing buildings and will not block flood flows nor reduce regulatory floodway storage;

g) Bridges, culverts and associated roadways, sidewalks and railways, required for crossing the regulatory floodway or for access to other appropriate uses in the regulatory floodway and any modification thereto;

h) Parking lots built at or below existing grade provided that either:
   1. The BFE is less than one foot above the proposed parking lot; or
   2. The parking lot is accessory to short-term outdoor recreational facilities and the owner agrees to restrict access during periods of inundation and agrees to accept liability for all damage caused by vehicular access during flooding events.

i) Regulatory floodway grading, without fill, to create a positive non-erosive slope toward a channel;

j) Floodproofing activities to protect previously existing lawful structures including the construction of water-tight window wells, elevating structures or the construction of flood walls or berms around residential, commercial or industrial principal structures where the outside toe of the floodwall or berm shall be no more than ten feet away from the exterior wall of the existing structure, and, which are not considered to be substantial improvements to the structure;

k) The repair, replacement or reconstruction of a damaged building, provided that none of the outside dimensions of the building are increased and provided that the cost of repair is less than 50% of the building’s value before it was damaged. When damage is 50% or more (a substantial improvement), the activity shall conform to § 1452.062(C) of this chapter; and

l) Modifications to an existing building that would not increase the enclosed floor area of the building below the BFE and which will not block flood flows. These modifications include fireplaces, bay windows, decks, patios and second story addition. No enclosed floor areas may be built on stilts. The modifications may not singularly or cumulatively equal 50% or more of the building’s market value.

(2) Additions or changes to the above list of appropriate uses must be approved by the Administrator prior to the adoption by the Village Board and IDNR/OWR.

(3) All development in the regulatory floodway shall require a permit from IDNR-OWR and must be in accordance with all provisions of this chapter.

(4) Construction of an appropriate use will be considered permissible provided that the proposed project meets the following engineering and mitigation criteria and is so stated in writing with supporting plans, calculations and data prepared and signed by a professional engineer.

(a) All effective regulatory floodway conveyance lost due to the development of appropriate uses, other than bridge or culvert crossings or on-stream structures or dams, shall be
replaced for all flood events up to and including the base flood.

(b) The following expansion and contraction ratios shall be used to determine transition sections in calculations of effective regulatory floodway conveyance.

1. Flowing water will expand no faster than at a rate of one foot horizontal for every four feet of the flooded stream’s length.

2. Flowing water will contract no faster than at a rate of one foot horizontal for every one foot of the flooded stream’s length.

3. Flowing water will not expand or contract faster than one foot vertical for every ten feet of flooded stream length.

4. All cross-sections used in the calculations shall be located perpendicular to flood flows.

5. Transition sections must be used to determine the effective conveyance areas on adjacent properties.

(c) Development of an appropriate use will not result in an increase in the average channel or regulatory floodway velocities or stage. However, in the case of bridges or culverts or on-stream structures built for the purpose of backing up water in the stream during normal or flood flows, velocities may be increased at the structure site if scour, erosion and sedimentation will be avoided by the use of rip-rap or other design measures.

5. In the case of on-stream structures built for the purpose of backing up water during normal or flood flows, the increase in flood stage when compared to existing conditions for all storm events up to and including the base flood event shall be contained within recorded easements or the channel banks. A dam safety permit or letter indicating a dam safety permit is not required must be obtained from IDNR/OWR for the structures.

6. IDNR/OWR will issue permits for any IDNR/OWR projects, dams and the like and for all other state, WCSMC or Village projects.

§ 1452.065 RIVERINE FLOODPLAIN.

(A) These standards apply to riverine regulatory floodplains without a regulatory floodway.

(B) The applicant shall obtain approval from IDNR/OWR for all development any portion of which is located partially or completely within the regulatory floodplain (without a delineated regulatory floodway) with a tributary drainage area of 640 acres or more.

1. The development shall not singularly or cumulatively result in an obstruction of flood flows or potential flood damages outside the site due to an increase in flood heights, velocities or loss of floodplain area storage.

2. A professional engineer shall submit a study that demonstrates one of the following:

   (a) Determine a floodway which meets the definition of a regulatory floodway and demonstrate that the proposed development meets the floodway standards in § 1452.064; or

   (b) Determine a BFE and demonstrate that the proposed development will maintain the existing conditions conveyance, will not increase flood velocities, will not increase flood profiles and will compensate for any lost floodplain storage.

§ 1452.066 BRIDGE AND CULVERT STANDARDS.
These standards are for the reconstruction, modification or new construction of bridges, culvert
crossings and roadway approaches located in the regulatory floodplain.

(A) A proposed new structure shall not result in an increase of upstream flood stages greater
than one-tenth foot when compared to the existing conditions for all flood events up to and including
the base flood event unless contained within the channel banks or recorded easements. The evaluation
must be submitted to the IDNR-OWR for review and a permit obtained.

(B) If the proposed new structure will increase upstream flood stages greater than one-tenth
foot, the applicant must contact IDNR/OWR for a dam safety permit or waiver. The Administrator shall
be copied on all related correspondence.

(C) Lost regulatory floodplain storage must be replaced as required in § 1452.063,
compensatory storage volume standards, except that artificially created storage lost due to a reduction in
head loss behind an existing bridge or culvert crossing shall not be required to be replaced, provided no
flood damage will be incurred downstream.

(D) Velocity increases must be mitigated by use of appropriate measures to avoid scour,
erosion and sedimentation at the structure.

(E) For modification or replacement of existing structures, the existing structure must first be
evaluated in accordance with IDNR/OWR Rules (17 Ill. Adm. Code Part 3708) to determine if the existing
structure is a source of flood damage. If the structure is a source of flood damage, the applicant’s
engineer shall submit justification to allow the damage to continue and evaluate the feasibility of relieving
the structure’s impact. Modifications or replacement structures shall not increase flood stages (0.0 feet)
compared to the existing condition for all flood events up to and including the base flood event. The
evaluation must be submitted to IDNR/OWR, for review and concurrence before a permit is issued. The
Administrator shall be copied on all related correspondence.

(F) If any work is proposed in, near or over a public body of water, a permit or letter indicating
a permit is not required must be obtained from IDNR/OWR.

(G) The hydraulic analysis for the backwater caused by the bridge showing the existing
condition and proposed regulatory profile must be submitted to IDNR/OWR for concurrence that a
CLOMR is not required.

(H) (1) Construction vehicles shall cross-streams by the means of existing bridges or
culverts.

(2) Where an existing crossing is not available, a temporary crossing that has been
issued a permit or waiver by IDNR/OWR shall be constructed in which:

(a) The approach roads will be 0.5 feet or less above existing grade;

(b) The crossing will allow stream flow to pass without backing up the water
above the stream bank vegetation line or above any drainage tile or outfall;

(c) The top of the roadway fill in the channel will be at least two feet below the
top of the lowest bank. Any fill in the channel shall be non-erosive material, such as rip-rap or gravel; and

(d) The access road and temporary crossings will be removed within one year
after installation, unless an extension of time is granted by the Administrator.

STORMWATER MANAGEMENT PERMIT SUBMITTAL REQUIREMENTS

§ 1452.080 GENERAL REQUIREMENTS.

(A) Stormwater management and other permits required.

(1) A stormwater management permit shall be required if:
(a) The development or a substantial improvement is located in the regulatory floodplain or there is regulatory floodplain within the property boundary; or
(b) The development disturbs more than one acre (43,560 square feet) of ground cover, unless the development solely involves one or more of the following:
   1. Installation, renovation or replacement of a septic system, potable water service line or other utility to serve an existing structure;
   2. Excavation or removal of vegetation in rights-of-way or public utility easements for the purpose of installing or maintaining utilities not including storm sewers;
   3. Maintenance, repair or at grade replacement of existing lawn areas not otherwise requiring a stormwater permit under this chapter; or
   4. Maintenance of an existing stormwater facility, not requiring other state or federal permits or approvals.

(2) All development shall secure all appropriate stormwater management related approvals, including, without limitation, an IDNR-OWR floodway/floodplain construction permit, a USACOE 404 permit and an IDNR-OWR dam safety permit if required, from all federal, state and regional authorities and other appropriate federal, state and regional approvals prior to the issuance of a stormwater management permit for areas of a site requiring other approvals.

(B) Permit review fees. All permit fees shall be paid at the time of application. Fees may include, but are not limited to, the cost of permit administration, review and inspections prior to construction, during construction and within the permanent cover establishment period following construction.

(C) Professional seals and certifications required.

(1) The design of stormwater facilities, calculations for the determination of the regulatory floodplain or calculations of the impacts of development shall meet the standards of this chapter and shall be prepared, signed and sealed by a professional engineer. The professional engineer shall provide an opinion that the technical submittal meets the criteria required by this chapter.

(2) (a) For structures (not including earth embankments) that are subject to a differential water pressure greater than three feet, the submittal shall include evidence that the subject design has been reviewed by a qualified professional who shall, as a minimum, have registration as a professional engineer. The reviews shall include stability of the structure under design conditions considering the protection of downstream life and property in the event of a failure. When directed by the Administrator, the calculations submitted for the structures shall be reviewed, signed and sealed by a registered structural engineer.

(b) For projects which include earth embankments which are subjected to a differential water pressure, the submittal shall include evidence that the embankment design and construction specifications are adequate for the design conditions. This review shall include consideration of the existing foundation soils for the embankment, the materials from which the embankment is to be constructed, compaction requirements for the embankment, and protection of the embankment from failure due to overtopping. Construction and materials specifications for all embankments shall be included with the plan set submittal. When directed by the Administrator, or when the impounded water pressure differential exceeds three feet, or when appropriate considering the volume impounded and water surface elevation differential to which the embankment is subjected, these calculations may be required to be reviewed, signed and sealed by a qualified geotechnical or structural engineer.

(3) A topographical map of the site, record drawings and other required drawings shall be prepared, signed and sealed by a professional land surveyor or professional engineer and tied to
§ 1452.081 DURATION AND REVISION TO PERMITS.

   (A) Permit expiration. Permits expire December 31 of the third year following the date of permit issuance or upon expiration of state or federal permits required for stormwater management.

   (B) Permit extension. If the permitted activity has been started but is not completed by the expiration date of the permit, and the permittee intends to pursue the permitted activity, then the permittee may submit a written request that the expiration date be extended. Upon receipt of the request, the Administrator may extend the expiration date in one-year increments a maximum of three times for permitted activities outside regulatory floodplains and floodways. Expiration dates for permitted activities in regulatory floodplains and floodways may be extended in one-year increments a maximum of three times provided the activity is in compliance with the then current requirements of this chapter.

   (C) Permit revision. If, after permit issuance, the permittee decides to revise the approved plans, the permittee shall submit revised plans to the Administrator, along with a written request for approval. If the Administrator determines that the revised plans are in compliance with the then current requirements of this chapter, an approval of the revised plans may be issued.

§ 1452.082 REQUIRED SUBMITTALS.

   (A) Generally. All permit submittals shall include the material listed in the sections noted in Table 2 for the applicable type of development, unless the submittal requirements are specifically modified by the procedure in division (B) below.

<table>
<thead>
<tr>
<th>Required Submittals (refer to Sections listed for specific material)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section No./Description</td>
</tr>
<tr>
<td>Application and Project Overview</td>
</tr>
<tr>
<td>1452.082(C)</td>
</tr>
<tr>
<td>All requiring a permit</td>
</tr>
<tr>
<td>All developments on sites with floodplains</td>
</tr>
<tr>
<td>All developments on sites with or adjacent to waters of the United States</td>
</tr>
<tr>
<td>All applications requesting variances</td>
</tr>
<tr>
<td>All requiring detention/retention</td>
</tr>
</tbody>
</table>

Note: Corporations with a bond rating of "A" or higher from a major investment firm, (i.e. Standard and Poor, Moody or equivalent), would be judged to have met the long-term maintenance funding requirement

   (B) Modification of submittal requirements. The Administrator may, at his or her discretion, modify the submittal requirements on a case-by-case basis considering the size, complexity and likelihood that a development will affect the discharge of stormwater. The modifications shall be requested and
answered in writing. The Administrator’s response shall note the relevant findings and be specific as to what submittal requirements are changed. The Administrator may not modify submittal requirements for any aspect of the development requiring state or federal permits or approvals.

(C) Application and project overview. The applicant shall provide the following information as a minimum, on forms or in a format approved by the Administrator:

1. The name and legal address of the owner(s) of the site and the permit applicant;
2. The common address, legal description, property identification number (PIN) of the site;
3. The name of the project, area of the site in acres, type of development;
4. A general narrative description of the development, existing and proposed conditions, and project planning principles considered, including best management practices used;
5. Affidavits signed by the owner or the applicant’s authorized representative attesting to their understanding of the requirements of this chapter and their intent to comply therewith;
6. A statement of opinion by a qualified person either denying or acknowledging the presence of floodplain on the development site;
7. Copies of other stormwater related permits or permit applications as required;
8. A subsurface drainage investigation report; and
9. An engineer’s estimate of probable construction cost of the stormwater facilities.

(D) Plan set submittal. All applicants for a stormwater permit shall provide the following basic plan exhibits: site topographic map, general plan view drawing, sediment/erosion control plan and a vicinity topographic map. Each exhibit may be on more than one drawing for clarity. The specific information to be included on each exhibit shall be as noted below.

1. Site topographic map meeting the following requirements shall be submitted:
   a. Map scales as one-inch equals 100 feet (or less) and accurate to +/- 0.5 feet;
   b. Existing and proposed contours on-site and within 100 feet of site;
   c. Existing and proposed drainage patterns and watershed boundaries;
   d. Delineation of pre-development regulatory floodplain/floodway limits;
   e. Delineation of post-development regulatory floodplain/floodway limits;
   f. Location of cross-sections and any other hydrologic/hydraulic computer modeled features;
   g. Location of all on-site drain tiles;
   h. Boundary of all wetlands, lakes, ponds and the like with normal water elevation noted;
   i. Location of all existing buildings and those to remain on the site noted;
   j. Nearest base flood elevations;
   k. FEMA and any site-specific benchmarks (tied to County benchmarks) used;

   and

   l. Highlight all contours used in the calculation of depressional storage.

2. General plan view drawing meeting the following requirements shall be submitted:
   a. Drawing at the same scale as the site topographic map;
   b. Existing major and minor stormwater systems;
   c. Proposed major and minor stormwater systems;
   d. Design details for stormwater facilities (i.e. structure and outlet work detail drawings and the like);
   e. Scheduled maintenance program for permanent stormwater facilities including BMP measures;
(f) Planned maintenance tasks and schedule;
(g) Identification of entities responsible for maintenance;
(h) Permanent public access maintenance easements granted or dedicated to, and accepted by, a government entity;
(i) Proposed regulatory floodplain and floodway location (with the base flood and flood protection elevations noted); and
(j) Highlight all plan areas at elevations below the 100-year high water elevation of site runoff storage facilities.

(3) Sediment and erosion control plan meeting the following requirements shall be submitted:

   (a) Drawings at the same scale as the site topographic map;
   (b) Sediment/erosion control installation measures and schedule;
   (c) Existing and proposed roadways, structures, parking lots, driveways, sidewalks and other impervious surfaces;
   (d) Limits of clearing and grading;
   (e) Floodplain/floodway locations;
   (f) Proposed buffer location, existing soil types, vegetation and land cover conditions; and
   (g) List of maintenance tasks and schedule for sediment/erosion control measures.

(4) Vicinity topographic map meeting the following requirements shall be submitted:

   (a) Vicinity topographic map identifying all off-site areas draining to the development and downstream to the receiving intermittent or perennial stream. (A two-foot contour map is preferred at a scale readable by the reviewer but a USGS quadrangle map is acceptable);
   (b) Watershed boundaries for areas draining through or from the development;
   (c) Soil types related to hydrologic soils group, vegetation and land cover affecting runoff upstream of the site for any area draining through the site;
   (d) Location of development site within the major watershed(s); and
   (e) Show the overland flow path from the downstream end of the development to the receiving intermittent or perennial stream.

(E) *Stormwater submittal.* The stormwater submittal shall include narrative discussion and calculations to support a finding that the proposed development complies with the technical requirements of the permitting authority's ordinance. The submittal shall consist of, at a minimum, the following material:

(1) A narrative description of the existing and proposed site drainage patterns and conditions. Include description of off-site conditions, which help to identify stormwater issues considered in the design;

(2) A schedule for implementation of the site stormwater plan;

(3) On-site and off-site runoff calculations which address the following:

   (a) Documentation of the procedures/assumptions used to calculate hydrologic and hydraulic conditions for sizing major and minor systems;
   (b) Cross-section data for open channels;
   (c) Hydraulic grade line and water surface elevations under design flow conditions; and
   (d) Hydraulic grade line and water surface elevations under base flood flow conditions.
(4) Site runoff storage calculations, which address the following:
   (a) Calculation of hydraulically connected impervious area and corresponding retention volume;
   (b) Documentation of the procedures/assumptions used to calculate hydrologic and hydraulic conditions for determining the allowable release rate;
   (c) Documentation of the procedures/assumptions used to calculate on-site depressional storage;
   (d) Documentation of the procedures/assumptions used to calculate hydrologic and hydraulic conditions for determining the storage volume;
   (e) Elevation-area-storage data and calculations for site runoff storage;
   (f) Elevation-discharge data and calculations specifically related to the cutlet control structure depicted in the plan exhibits; and
   (g) The general plan view drawing of division (C)(2) above shall indicate the areas of directly connected impervious areas and any offsetting landscaped areas as defined in § 1452.022(E).

(F) Floodplain submittal. The applicant shall obtain approval from IDNR-OWR and FEMA for all new base flood and floodway determinations for those cases in which their permitting authority applies or as noted in § 1452.061 of this chapter. The stormwater management permit will not be issued until approval is received. Documentation supporting a finding that the proposed development is in compliance with §§ 1452.060 and 1452.061 shall be submitted with the application. At a minimum, the following material shall be submitted for approval with the application:

   (1) Regulatory floodplain boundary determination:
       (a) Provide source of flood profile information; and
       (b) Provide all hydrologic and hydraulic study information for site-specific floodplain studies, unnumbered Zone A area elevation determinations and floodplain map revisions.

   (2) Floodway hydrologic and hydraulic analyses for the following conditions:
       (a) Existing conditions (land used and stream systems);
       (b) Proposed conditions (land used and stream systems);
       (c) Tabular summary of 100-year flood elevations and discharges for existing and proposed conditions;
       (d) Calculations used for model development; and
       (e) Hydraulic/hydrologic computer model input/output.

   (3) Floodplain fill and compensatory storage calculations for below and above ten-year flood elevation up to the base flood elevation:
       (a) Tabular summary for below and above ten-year flood elevation of fill, compensatory storage and compensatory storage ratios provided in proposed plan; and
       (b) Cross-sections used for the above calculations.

   (4) Floodproofing measures: narrative discussion of floodproofing measures including material specifications, calculations and design details, operation summary; and

   (5) Flood easements when required by this chapter.

§ 1452.083 SUBMITTALS PRIOR TO PERMIT ISSUANCE.

The following additional submittals as noted in divisions (A) and (B) below are required prior to issuance of the stormwater permit.
(A) Performance security. Performance security in accordance with §§ 1452.200 through 1452.203 shall be required prior to permit issuance.

(B) Maintenance schedule and funding. A completed maintenance schedule for the stormwater management facilities and special management areas, in accordance with §§ 1452.100 through 1452.105 shall be submitted along with identification of the entity responsible for maintenance and funding and back-up funding sources for maintenance in accordance with § 1452.105.

§ 1452.084 RECORD DRAWINGS.

The developer is required to submit record drawings of all permitted stormwater facilities. The record drawings shall be signed and sealed by a professional engineer or professional land surveyor who shall state that the project as constructed is substantially in conformance with the project as permitted. The record drawings shall include calculations verifying that the volumes of detention and compensatory storage required in the permit have been provided.

§ 1452.085 ISSUANCE OR DENIAL OF PERMIT AND APPEAL OF PERMIT DENIAL.

(A) The Administrator shall either issue or deny a stormwater permit within 30 days of receiving a complete permit application and all required submittals and fees, unless additional time is granted by both the Administrator and the applicant. When a permit is denied, the applicant may appeal the Administrator’s decision to the Corporate Authorities provided the appeal is made in writing within 15 days of the date of the notification of denial. The Corporate Authorities shall render a decision to issue the stormwater permit, issue the permit with conditions, or uphold the Administrator’s denial of the permit. The Corporate Authorities shall render their decision within 30 days of the appeal. Failure to take action shall be deemed an action to uphold the denial of the permit by the Administrator.

LONG TERM MAINTENANCE

§ 1452.100 LONG-TERM MAINTENANCE.

(A) Unless maintenance responsibility has been delegated to and accepted by another qualified entity under this section, the owner shall maintain that portion of a stormwater drainage system located upon his or her land. With the approval of the Administrator, the stormwater drainage system, or specified portions thereof, may be:

(1) Dedicated or otherwise transferred to and accepted by the Village or other public entity;

(2) Conveyed or otherwise transferred to and accepted by a homeowner’s association, or similar entity, the members of which are to be the owners of all of the lots or parcels comprising the development; or

(3) Conveyed to one or more persons or in one or more undivided interests to one or more persons.

(B) Except for those portions of a stormwater drainage system to be dedicated or otherwise transferred to the Village or other public entity, included in the application for a stormwater permit shall
be a plan for the long-term management, operation and maintenance of the stormwater drainage system and a description of the sources of funding therefore. Amendments to the plan must be approved by the Administrator.

§ 1452.101 TRANSFER TO VILLAGE OR OTHER PUBLIC ENTITY.

If any portion of the stormwater drainage system is to be dedicated or otherwise transferred to the Village or another public entity under § 1452.100(A)(1), appropriate easements for ingress and egress to and maintenance of the portions shall be reserved for the benefit of the Village or entity on the final plat.

§ 1452.102 TRANSFER TO HOMEOWNER’S OR SIMILAR ASSOCIATION.

If any portion of the stormwater drainage system is to be conveyed or otherwise transferred to a homeowner’s or similar association under § 1452.100(A)(2) then:

(A) Appropriate easements for ingress and egress to and maintenance of the portions shall be reserved for the benefit of the association and the Village on the final plat;

(B) The association shall be duly incorporated and a copy of the certificate of incorporation, duly recorded and bylaws and any amendment to either of them, shall be delivered to the Administrator;

(C) The bylaws of the association shall, at a minimum, contain:

1. A provision acknowledging and accepting the association’s obligation to maintain certain portions of the stormwater drainage system as required by this chapter;

2. A mechanism for imposing an assessment upon the owners of all the lots or parcels comprising the development sufficient, at a minimum, to provide for the maintenance of those portions of the stormwater drainage system as required by this chapter and the payment of all taxes levied thereon;

3. A provision adopting the plan of long-term maintenance set forth in the application for a stormwater management permit, with approved amendments;

4. A provision identifying the officer of the association responsible for carrying out the obligations imposed upon the association under this chapter, and an obligation to inform the Administrator of the name, address and phone number of this officer and any changes thereto;

5. A provision requiring the consent of the Village to any amendment of the bylaws changing any of the provisions of the bylaws required by this chapter; and

6. A provision requiring the consent of the Village to the dissolution of the association.

(D) Any conveyance or other instrument of transfer delivered under § 1452.100(A)(2) shall include a covenant affirmatively imposing upon the association the obligations set forth in this section and the association’s affirmative acceptance thereof.

§ 1452.103 CONVEYANCE TO ONE OR MORE PERSONS.

If any portion of the stormwater drainage system is to be conveyed to one or more persons under § 1452.100(A)(3), then:
(A) Appropriate easements for ingress and egress to and maintenance of the portions shall be reserved for the benefit of the Village on the final plat;

(B) The final plat shall contain a legend imposing the maintenance obligations of this section upon the grantee and his or her successors in interest as a covenant running with the land and incorporating by reference the plan of long-term maintenance set forth in the application for a stormwater management permit, with approved amendments;

(C) The final plat shall contain a legend reserving the right of the Village to enter upon the land to perform the maintenance required in this section if the owner does not do so and to place a lien against the land for the cost thereof; and

(D) Any conveyance delivered under § 1452.100(A)(3), and any subsequent conveyance, shall include a covenant affirmatively imposing upon the grantee the obligations, restrictions and provisions set forth in this section and the grantee’s affirmative acceptance thereof.

§ 1452.104 INCORPORATION OF MAINTENANCE OBLIGATIONS IN STORMWATER MANAGEMENT PERMIT.

The provisions of this subchapter shall be incorporated by reference in the stormwater management permit and the applicant’s acceptance of the permit shall be deemed to be the applicant’s acceptance and assumption of the obligations imposed under this section. At the option of the Administrator, the stormwater management permit may be recorded.

§ 1452.105 FUNDING OF LONG-TERM MAINTENANCE OF STORMWATER FACILITIES.

(A) As a condition of approval of any application for a stormwater management permit, unless the maintenance responsibility for the stormwater drainage system to be constructed or installed in connection therewith has been accepted by a public entity, the Administrator will require assurance of long-term funding in a form found acceptable to the Village. A corporation with a bond rating of “A” or higher from a major investment firm (i.e. Standard and Poor, Moody or equivalent) will be considered to have met the long-term maintenance funding requirement. Absent some other form of agreement, then the Administrator shall require the establishment of a special service area pursuant to ILCS Ch. 35, Act 200, §§ 27-5 et seq., either as the primary means of providing for the long-term maintenance of the facilities, or as a backup vehicle in the event the entity designated by the applicant as having primary maintenance responsibility fails to adequately carry out its duties.

(B) If the establishment of a special service area is required, the Administrator shall make a good faith estimate of the tax rate required to produce a tax to be levied upon all taxable property within the area, sufficient for the long-term maintenance of the facilities and submit the same to the Village’s Corporate Authorities for incorporation into their enactment of the ordinances necessary for the establishment of the area.

(C) On or before August 1 of each year thereafter, the Administrator shall submit to the Village Corporate Authorities a good faith estimate of the amount of tax required to be levied upon all taxable property within the area for the next fiscal year for the continued maintenance of the stormwater drainage system.
GENERAL PROVISIONS

§ 1452.120 SCOPE OF REGULATION.

This chapter applies to all development within the Village, including that under the control of any governmental entity, agency or authority. A governmental entity undertaking development in the regulatory floodway, or regulatory floodplain where no regulatory floodway has been designated, shall obtain a permit from IDNR-OWR prior to issuance of a stormwater management permit.

§ 1452.121 EXEMPTIONS.

(A) This chapter does not apply to:
   (1) Development which has been substantially completed before the effective date of the chapter; and
   (2) Development, which has been determined to be exempt by the Village.
(B) Nonconforming structures shall not be replaced or enlarged in any manner unless the replacement or enlargement conforms to the requirements of this chapter.

§ 1452.122 INTERPRETATION.

(A) This chapter shall be liberally construed to protect the health, welfare, safety and the environment of the residents of the Village and to effectuate the purposes of this chapter and the enabling legislation.
(B) Nothing in this chapter shall be deemed to consent to, license, permit to locate, construct or maintain any structure, site, facility or operation, or to carry on any trade, industry, occupation or activity.
(C) When provisions of this chapter differ from any other applicable law, statute, ordinance, rule or regulation, the more stringent provision shall apply.
(D) The provisions of this chapter are cumulative of all other laws, statutes, ordinances, rules and regulations which relate to the subject matter hereof and, except as otherwise expressly provided herein, nothing in this chapter shall be construed as a limitation upon the application or enforcement of any law, statute, ordinance, rule or regulation. To the greatest extent possible, the provisions of this chapter shall be construed to be consistent with the provisions of other laws, statutes, ordinances, rules or regulations, and with each other, to the end that all provisions may be given their fullest application.

§ 1452.123 WARNING AND DISCLAIMER OF LIABILITY.

(A) The degree of flood protection provided by this chapter is considered reasonable for regulatory purposes and is based upon engineering experience and scientific methods of study. Increased flooding may result from causes beyond the control of any governmental authority. This chapter does not, therefore, guarantee that areas outside the floodplain or permitted land uses within the floodplain will be free from flooding and associated damages.
(B) Nothing in this chapter shall be construed or applied in any manner to create liability on
the part of or a cause of action against the County, the Village, any other municipality or other governmental authority, or any elected official, or any officer, agent or employee of any of the foregoing, or any certified review specialist for any flood damage resulting from reliance on the provisions of this chapter.

§ 1452.124 CHOICE OF PLANNING JURISDICTION.

(A) Pursuant to ILCS Ch. 55, Act 5, § 5-1062(h), a community that is located in more than one county may choose, based upon watershed boundaries, to participate in the stormwater management planning program of either or both of the counties.

(B) The Village hereby chooses to participate solely in the Will County Comprehensive Countywide Stormwater Management Plan.

§ 1452.125 VIOLATIONS.

(A) It shall be unlawful for any person to undertake any development without first securing a stormwater management permit as required by this chapter.

(B) It shall be unlawful for any person to violate, disobey, omit, neglect and refuse to comply with, or resist enforcement of any provision of this chapter or any condition of a stormwater management permit.

§ 1452.126 AMENDMENTS.

No amendment to this chapter may be passed without a public hearing first being held before the Land Use and Zoning Committee of the Village Board upon notice as provided in § 1452.165.

§ 1452.127 EFFECTIVE DATE.

This chapter shall take effect for all purposes and its effective date shall be February 1, 2019.

VARIANCES

§ 1452.140 PURPOSE.

In order to provide a narrowly circumscribed means by which relief may be granted when strict compliance with the requirements of this chapter is impossible or impracticable, variances from the specific provisions of this chapter may be granted according to the standards set forth in this subchapter.

§ 1452.141 APPLICATION FOR VARIANCE.

(A) Generally. An application for a variance, signed by the owner or developer of the development to which it relates, shall be filed with the Administrator. No application for a variance will
be accepted for filing unless it relates to a previously or contemporaneously filed application for a stormwater management permit. Applications for a variance shall be filed in the number of duplicate copies as the Administrator may designate. No action will be taken on an application for a variance unless it and the corresponding application for a stormwater management permit to which it relates are complete as determined by the Administrator.

(B) Form. Applications for a variance need not be made upon any specific form, but shall contain the information set forth in division (C) below.

(C) Application for variance. An application for variance shall set forth:

1. The common addresses and legal descriptions of all lands comprising the development;
2. The names and addresses of all owners of record of the legal title of all lands comprising the development;
3. If title to any of the land comprising the development is held in trust, the names and addresses of all beneficiaries of the trust;
4. The names and addresses of the developers of the land, if different from the owner;
5. The names and addresses of all consultants retained by the developer in connection with the application for a variance;
6. The names and addresses of all property owners within 250 feet of the development;
7. The specific feature or features of the development that require a variance;
8. The specific provision of this chapter from which a variance is sought and the precise extent of the variance therefrom;
9. A statement of the characteristics of the development that prevent compliance with the provisions of this chapter;
10. A statement that the variance requested is the minimum variance necessary to permit the development; and
11. A statement as to how the variance requested satisfies the standards set forth in § 1452.144 of this chapter.

§ 1452.142 APPLICATION FEE.

With the filing of the application for a variance, the applicant shall pay the prescribed fee.

§ 1452.143 PUBLIC HEARING.

When the application is complete, the Administrator will notify the applicant and will schedule a public hearing on the application before the Plan Commission. Not more than 30 nor less than 15 days before the hearing, notice of the hearing shall be sent by first class mail, postage prepaid, to the applicant, to the Administrator, to all property owners within 250 feet of the development as disclosed in the application, and to each village within the same watershed as the development. Within the same time period, notice of the hearing shall be published at least once in a newspaper published within the Village. If no newspaper is published within the Village, then the notice shall be published in a newspaper with a general circulation within the Village, which is published in the county. The notices given under this section shall set forth the common name, address and legal description of the development and a brief
description of the variance is requested.

§ 1452.144 GRANTING OF VARIANCES.

(A) The Plan Commission shall not recommend, nor shall the Village Board or Corporate Authorities grant, a variance for a project from the provisions of this chapter unless the variance is consistent with the purpose of this chapter (§ 1452.003) and meets the following standards based upon substantial evidence submitted at the hearing.

(1) The variance will not increase measurably the probability of flood damage to insurable structures.

(2) The variance requested is the minimum required considering each of the following statements of underlying intent of this chapter and there are no means other than the requested variance by which the alleged hardships can be avoided or remedied to a degree sufficient to permit the reasonable continuation of the development.

(a) Detention of stormwater shall also contribute to the improvement of the quality of stormwater runoff.

(b) The volume of detention storage provided in open air vegetated facilities is maximized consistent with other land use site constraints including zoning requirements essential for the proposed development.

(c) Conveyance of stormwater from the project shall not increase peak discharges from existing offsite conveyance facilities beyond design capacity for any storm event from the two-year to the 100-year flood frequency.

(d) High quality natural areas shall be preserved on the site, including without limiting the generality of the foregoing, stands of native trees, existing wetlands, natural floodplain storage or other valuable environmental and biological resources.

(3) The variance is not requested solely for the purpose of increasing the density of the development nor impervious areas on the site.

(4) The variance is not requested solely as a result of economic hardship.

(5) If applicable, the variance is required due to unique, natural topographical features of the site.

(6) The applicant’s circumstances are not self-imposed.

(B) No variance shall be granted for any development in the regulatory floodway, the effect of which would be to create regulation less restrictive than the federal or state minimum standards applicable to development in the areas.

(C) When a variance would lessen the degree of flood surface runoff protection to any structure, the Administrator shall notify the applicant that the variance, if granted, may result in increased rates for flood insurance.

§ 1452.145 RECOMMENDATIONS.

(A) The Administrator, or his or her designee, shall review the application for a variance and present his or her written recommendations to the Plan Commission at the public hearing.
(B) Not more than 45 days after the close of the hearing, the Plan Commission shall forward the application with its written recommendations to the Corporate Authorities. The written recommendations of the Plan Commission, when forwarded, shall be accompanied by written findings of fact with respect to each of the considerations set forth in § 1452.144 with citations to the evidence taken at the public hearing.

§ 1452.146 DECISION.

(A) The Village Board or Corporate Authorities shall grant the variation, grant the variation with modifications or conditions, or deny the variation in writing within 45 days after receipt of the written recommendations of the Plan Commission.

(B) In the event the Village Board or Corporate Authorities do not act as aforesaid, then the application is denied.

§ 1452.147 CONDITIONS.

(A) A variance less than or different from that requested may be granted when the record supports the applicant’s right to some relief, but not to the relief requested.

(B) In granting a variance, the Village Board or Corporate Authorities may impose specific conditions and limitations concerning any matter relating to the purposes and objectives of this chapter on the applicant as may be necessary or appropriate.

(C) Whenever any variance is granted subject to any condition or limitation to be met by the applicant, upon meeting the conditions, the applicant shall file evidence to that effect with the Administrator.

ADMINISTRATION

§ 1452.160 RESPONSIBILITY FOR ADMINISTRATION.

(A) The Village Board shall determine policy related to this chapter.

(B) The Administrator shall administer this chapter. In performing its duties, the Administrator may delegate and oversee enforcement of responsibilities to any named designee.

(C) The Village remains solely responsible for its standing in the National Flood Insurance Program, including:

(1) The maintenance of all records and the submission of all reports required for eligibility in the program, including elevation certificates, floodproofing certificates and lowest floor elevations; and

(2) The notification of the Will County Executive, FEMA and IDNR-OWR of any proposed amendment to this chapter.

§ 1452.161 DUTIES OF ADMINISTRATOR.

The Administrator shall:

(A) Supervise the enforcement of this chapter;
(B) Notify FEMA and IDNR-OWR of any amendments to this chapter;
(C) Review variance requests for the Plan Commission;
(D) Receive a listing of all required federal, state, regional and County permit applications filed for the project prior to issuing a permit under this chapter for areas covered by other stormwater related jurisdictions. The Administrator may request copies of the stormwater related permit applications;
(E) Ascertain whether any floodplains/floodways exist on any site which is the subject of an application for a permit under this chapter and whether or not any new development is within the SFIA;
(F) Review permit applications and determine whether to issue or deny permits;
(G) Ensure that the required notice of an application for a variance has been given in accordance with §§ 1452.164 and 1452.165;
(H) Notify an applicant for a variance that the variance may result in increased rates for flood insurance;
(I) Notify the Will County Executive of an application for a variance CLOMR or LOMR;
(J) Provide for inspections of developments as required by this chapter;
(K) Investigate complaints of violations of this chapter within the Village;
(L) Notify violators within regulatory floodplains that failure to comply with the provisions of the National Flood Insurance Program could make them ineligible to receive flood insurance;
(M) Initiate any proceeding necessary to enforce this chapter within the Village;
(N) Advise, consult and cooperate with other governmental agencies to promote the purposes of this chapter;
(O) Maintain copies of all applications and submittals, federal and state permits, variances, CLOMR, LOMR, CLOMA, LOMA and all documentation associated with any of the foregoing for public inspection;
(P) Maintain documentation and data on the cost of any improvement to a structure in the floodplain in order to enforce the provisions of this chapter pertaining to substantial improvements to the structures; and
(Q) Notify adjacent communities in writing 30 days prior to issuing a permit for the alteration or relocation of a watercourse.

§ 1452.162 REPRESENTATIVE CAPACITY.

In all cases when any action is taken by the Administrator, or his or her duly appointed designee, to enforce the provisions of this chapter, the action shall be taken either in the name of the Village, and the Administrator, nor his or her designee, in so acting shall be rendered personally liable.

§ 1452.163 OVERSIGHT COMMITTEE.

The Village Corporate Authorities shall be the oversight committee to oversee the implementation and enforcement of this chapter.

§ 1452.164 SERVICE.

Unless otherwise provided herein, service of any notice or instrument under this chapter may be made upon any person in one of the following manners:
(A) By certified mail/return receipt requested, postage prepaid and addressed to the address then on file for the person, if any, or if none, to the person’s last known address; or
(B) By any method prescribed under the State Code of Civil Procedure.

§ 1452.165 PUBLICATION.

Unless otherwise provided herein, publication of any notice or other instrument under this chapter shall be made by publishing the notice or other instrument once in a newspaper published within the Village (or, if no newspapers are published within the Village then a newspaper published in the County and having a general circulation within the Village), the publication being not less than 15 or more than 30 days before the hearing or other event to which the publication relates.

PERFORMANCE SECURITY

§ 1452.200 GENERAL SECURITY REQUIREMENTS.

(A) As security to the Village for the performance by the developer of the developer’s obligations to complete the construction of any stormwater facilities required by the stormwater management permit, to pay all costs, fees and charges due from the developer pursuant to this chapter and to otherwise faithfully perform the developer’s undertakings pursuant to this chapter, the developer shall, prior to issuance of a stormwater management permit:
   (1) Post a development security as provided in § 1452.201 of this chapter; and
   (2) Post a sediment and erosion control security as provided in § 1452.202 of this chapter, if a sediment and erosion control plan is required pursuant to § 1452.082 of this chapter.
(B) The developer shall bear the full cost and responsibility of securing and maintaining the securities required by this section.

§ 1452.201 DEVELOPMENT SECURITY.

(A) A development security shall be posted and shall include:
   (1) A schedule, agreed upon by the developer and the Administrator, for the completion of the construction of any stormwater facilities required by the permit;
   (2) An irrevocable letter of credit, or other adequate security as the Administrator may approve, in an amount equal to not less than 110% of the estimated probable cost to complete the construction of any stormwater facilities required by the stormwater management permit, which estimated probable cost shall be prepared by a registered professional engineer and shall be approved by the Administrator. A corporation with a bond rating of “A” or higher from a major investment firm (i.e., Standard and Poor, Moody or equivalent) would be deemed to have adequate credit worthiness and thus is not required to post a letter of credit for projects that are not required to be located in public easements;
   (3) A statement signed by the applicant granting the Administrator the right to draw on the security and the right to enter the development site to complete required work in the event that work is not completed according to the work schedule; and
   (4) A statement signed by the applicant that the applicant shall indemnify the Village
for any additional costs incurred attributable to the concurrent activities of or conflicts between the applicant’s contractor and the Village’s remedial contractor at the site.

(B) The security required by this section shall be maintained and renewed by the applicant and shall be held in escrow by the Administrator until the conditions set forth in this section or other applicable provisions are satisfied.

(C) The Administrator may approve periodic reductions in the letter of credit based on progress of construction. However, not more than 90% of the security provided for in this section may be released prior to approval of record drawings and final inspection. A minimum of 10% of the security shall be retained for a period of time not to exceed one year after completion of construction of all stormwater facilities required by the permit.

§ 1452.202 SEDIMENT AND EROSION CONTROL SECURITY.

(A) If a sediment and erosion control plan is required pursuant to § 1452.082 of this chapter, then a sediment and erosion control security shall be required. The security shall include:

(1) An irrevocable letter of credit, or other adequate security as the Administrator shall approve, in an amount equal to not less than 110% of the estimated probable cost to install and maintain the sediment and erosion control measures, which estimated probable cost shall be approved by the Administrator; and

(2) A statement signed by the applicant granting the Administrator, as applicable, the right to draw on the security and the right to enter the development site to complete sediment and erosion control measures in the event that the measures are not installed and/or maintained according to the established schedule.

(B) The security required by this section shall be maintained and renewed by the applicant and shall be held in escrow by the Administrator, as applicable, until the conditions set forth in this section are satisfied.

(C) After completion of construction, establishment of vegetation, removal of all sediment from stormwater facilities, and final inspection and approval by the Administrator, as applicable, 100% of the sediment and erosion control security shall be released.

§ 1452.203 LETTERS OF CREDIT.

(A) Letters of credit posted pursuant to §§ 1452.200 through 1452.203 of this chapter shall be in a form satisfactory to the Administrator, as applicable.

(B) Each letter of credit shall be from a lending institution:

(1) Acceptable to the Administrator, as applicable;

(2) Having capital resources of at least $10,000,000, or another amount acceptable to the Administrator;

(3) With an office in the Chicago metropolitan area; and

(4) Insured by the Federal Deposit Insurance Corporation.

(C) Each letter of credit shall, at a minimum, provide that:

(1) It shall not be canceled without the prior written consent of the Administrator; and shall not expire without written notification of the Administrator at least 45 days prior to expiration;

(2) It shall not require the consent of the developer prior to any draw on it by the
Administrator; and

(3) If at any time it will expire within 45 or any lesser number of days, and if it has not been renewed and the renewal submitted to the Administrator, and if any applicable obligation of the developer for which its security remains uncompleted or is unsatisfactory, then the Administrator may, without notice and without being required to take any further action of any nature whatsoever, call and draw down the letter of credit and thereafter either hold all proceeds as security for the satisfactory completion of all obligations or employ the proceeds to complete all obligations and reimburse the Village for any and all costs and expenses, including legal fees and administrative costs, incurred by the Village, as the Administrator shall determine.

(D) If at any time the Administrator determines that the funds remaining in the letter of credit are not, or may not be, sufficient to pay in full the remaining unpaid cost of all stormwater facility construction or sediment and erosion control measures, then, within ten days following a demand by the Administrator, the developer shall increase the amount of the letter of credit to an amount determined by the Administrator to be sufficient to pay the unpaid costs. Failure to so increase the amount of the security shall be grounds for the Administrator to draw down the entire remaining balance of the letter of credit.

(E) If at any time the Administrator determines that the bank issuing the letter of credit is without capital resources of at least $10,000,000, is unable to meet any federal or state requirements for reserves, is insolvent, is in danger of becoming any of the foregoing or is otherwise in danger of being unable to honor the letter of credit at any time during its term, or if the Administrator otherwise reasonably deems the bank to be insecure, then the Administrator shall have the right to demand that the developer provide a replacement letter of credit from a bank satisfactory to the Administrator. The replacement letter of credit shall be deposited with the Administrator not later than ten days following the demand. Upon the deposit, the Administrator shall surrender the original letter of credit to the developer.

(F) (1) If the developer fails or refuses to meet fully any of its obligations under this chapter, then the Administrator may, in his or her discretion, draw on and retain all or any of the funds remaining in the letter of credit.

(2) The Administrator thereafter shall have the right to take any action he or she deems reasonable and appropriate to mitigate the effects of the failure or refusal, and to reimburse the Village from the proceeds of the letter of credit for all of its costs and expenses, including legal fees and administrative expenses, resulting from or incurred as a result of the developer’s failure or refusal to fully meet its obligations under this chapter.

(3) If the funds remaining in the letter of credit are insufficient to repay fully the Village for all costs and expenses, and to maintain a cash reserve equal to the required letter of credit during the entire time the letter of credit should have been maintained by the developer, then the developer shall, upon demand of the Administrator therefore, immediately deposit with the Administrator additional funds as the Administrator determines are necessary to fully repay costs and expenses and to establish the cash reserve.

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**FEE-IN-LIEU OF ON-SITE DETENTION**

§ 1452.215 FEE-IN-LIEU OF ON-SITE DETENTION.

(A) The Administrator may require the payment of a fee-in-lieu of on-site detention to fulfill all or part of the on-site detention requirement for a development. Fee-in-lieu of on-site detention shall be
the lesser of:

1. The fee computed for each acre-foot or part thereof of detention required and approved in accordance with the procedures and schedules as approved and adopted by the Village; or

2. The estimated construction cost, as approved by the Village, of the applicant’s proposed and approved on-site detention, including land costs.

(B) The following fee-in-lieu of detention procedures apply:

1. The Administrator may require, or the applicant may submit, a written request for the payment of a fee-in-lieu of on-site detention to fulfill all of part of the on-site detention requirement in accordance with § 1452.022(B).

2. Approval of a request for fee-in-lieu of on-site detention on a development site shall be determined by the Administrator. A request for fee-in-lieu of on-site detention shall be either rejected or approved within 45 days of the written request unless additional engineering studies are required.

3. A fund will be maintained by the Village for each of the major watersheds for the purpose of identifying and controlling all revenues and expenses related to stormwater drainage services resulting from fee-in-lieu of on-site detention approvals. All moneys collected for fee-in-lieu of on-site detention shall be deposited in these funds and may only be used for purposes related to stormwater management as noted in division (B)(4) below.

4. Fee-in-lieu of on-site detention revenues from development site may be used to plan, design or construct an upgrade to existing or future stormwater management systems if the upgrade is consistent with a basin plan, floodplain study or stormwater system improvement that has been approved by the Village.

ENFORCEMENT

§ 1452.230 INSPECTION AND MAINTENANCE AUTHORITY.

Pursuant to the authority granted by 65 ILCS 5/11-111.1-1, and pursuant to its powers as a home rule municipality, the Village may enter upon any lands or waters within the Village for the purpose of inspecting and/or maintaining stormwater facilities, and may, after 10 days written notice to the owner or occupant, enter upon any lands or waters for the purpose of causing the removal of any obstruction to an affected watercourse.

§ 1452.231 REQUIRED INSPECTIONS.

Any development constructed pursuant to a stormwater management permit shall be subject to periodic inspections by the Administrator, or his or her designee to ensure conformity with permit provisions and conditions.

§ 1452.232 OFFENSES.

(A) Generally. Any person who violates, disobeys, omits, neglects, refuses to comply with, or resists the enforcement of any provision of this chapter ("ordinance violation") or any requirement or
condition in any permit issued pursuant to this chapter ("permit violation"), and, in the case of a permit violation, fails to correct the violation, omission or neglect, or cease the disobedience, refusal or resistance after notice and reinspection as provided in division (B) below, shall be guilty of an offense under this chapter.

(B) Permit violation; notice. Whenever the Administrator or determines that a permit violation exists, he or she shall give notice of the violation in the manner prescribed in § 1452.164 to the permittee. The notice shall state the nature of the violation and fix a date not less than ten days after the date of the notice when the site will be reinspected.

COUNTY STORMWATER MANAGEMENT TECHNICAL GUIDANCE MANUAL

§ 1452.245 ADOPTION BY REFERENCE.

(A) The purpose of the Technical Guidance Manual is to help applicants better understand the intent of this chapter and to allow for technical discussions and example to be given to help guide development in a manner that is consistent with this chapter.

(B) The Will County Stormwater Management Technical Guidance Manual, copies of which are on file in the office of the Will County Clerk, is adopted and incorporated as part of this code of ordinances as fully as if set out at length herein.

§ 1452.999 PENALTY.

(A) Any person found guilty of an offense under this chapter shall pay a civil fine in an amount not less than $50 and not more than $1,000. Each calendar day during which the violation continues to exist shall constitute a separate offense.

(B) In addition to any fine imposed under division (A) above, the Administrator may revoke any stormwater management permit.

(C) In addition to any fine imposed under division (A) above or action taken under division (B) above, the Administrator may issue an order requiring the suspension of any further work on the site. The stop-work order shall be in writing, shall indicate the reason for its issuance, and shall specify the action, if any, required to be taken in order to resume work. One copy of the stop-work order shall be posted on the site in a conspicuous place and one copy shall be delivered in the manner prescribed in § 1452.164 to the permittee, if any, or if none, to the person in whose name the site was last assessed for taxes as disclosed by the records of the Supervisor of Assessments.

(D) In the enforcement of this chapter, the Administrator may bring any action, legal or equitable, including an action for injunctive relief that may be necessary.

APPENDIX A

FEMA FIRM MAPS AND FLOOD INSURANCE STUDIES (FIS)
<table>
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<th>COMMUNITY</th>
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<th>WILL COUNTY PANEL NUMBERS</th>
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(Ord. xxxx-xx, passed l-xx-2019)
AGENDA SECTION: NEW BUSINESS

DOCKET NUMBER: F-2b:

Motion To Approve The Annual Meeting Schedule of the Board of Trustees, Committees and Commissions.

SUMMARY OF REQUESTED ACTION FOR THE MEETING COW OF: January 22, 2019

Presented For your consideration and approval Is the Annual Meeting Schedule of the Board of Trustees, Committees and Commissions.

This item was discussed at the meeting of the Committee Of The Whole on January 15, 2019, and the consensus of the Board was to move this forward to this agenda with changes as noted.

APPROVED: ________________

John E. Pate,
Village Manager

BOARD ACTION: Motion By: __________________________ Seconded By: __________________________

Ordinance Number: __________________________ Resolution Number: __________________________

Comments: __________________________
2019 MEETING DATES
Board of Trustees, Committees & Commissions

BOARD OF TRUSTEES
COMMITTEE OF WHOLE
2nd Tuesdays – 7:00 PM
Except July, August, & December
#90 Town Center Drive

January 8
February 12
March 12
April 9
May 14
June 11
July (No meeting)
August (No meeting)
September 10
October 8
November 12
December (No meeting)

BOARD OF TRUSTEES
REGULAR MEETING
4th Tuesdays – 7:00 PM
Except July, August, & December
(Meets 2nd Tuesdays – 7:00 PM
#90 Town Center Drive)

January 22
February 26
March 26
April 23
May 28
June 25
July 9
August 27
September 24
October 22
November 26
December 10

BOARD OF FIRE & POLICE
COMMISSIONERS
1st Thurs. – 7:30 p.m. – Village Hall

January 3
February 7
March 7
April 4
May 2
June 6
July 4
August 1
September 5
October 3
November 7
December 5

CODE ENFORCEMENT COMMITTEE
Date, Location, and Time To Be Determines***

ECONOMIC DEVELOPMENT
Date, Location, and Time To Be Determines***

EDUCATION ADVISORY COMMITTEE
Date, Location, and Time To Be Determines***
FINANCE COMMITTEE
3rd Wednesday 7:00 p.m. – 90 Town Center
Except July
January 16 Joint Meeting with Board of Trustees ***?
February 20
March 20
April 17 Joint Meeting with Board of Trustees ***?
May 15
June 19
July (No meeting)
August 21 Joint Meeting with Board of Trustees ***?
September 18
October 16
November 20 Joint Meeting with Board of Trustees ***?
December 18

HUMAN SERVICE & SPECIAL EVENTS COMMITTEE
2nd Thursday, 7:00 p.m. 90 Town Center
January 11
February 14
March 14
April 11
May 9
June 13
July 11
August 8
September 12
October 10
November 14
December 12

INFORMATION TECHNOLOGY & CABLE COMMITTEE
4th Monday, 7:00 p.m. Cable Studio -505 University Parkway
January 22
February 26
March 26
April 23
May 28
June 25
July 23
August 27
September 24
October 22
November 26
December 24??
PARKS & RECREATION ADVISORY COMMITTEE (Inactive)
***Date and Time To be Determined***

PLAN COMMISSION
2nd Wed. 7:30 p.m. - 90 Town Center
As Called (no regular schedule)

PUBLIC SAFETY COMMITTEE
1st Wednesday 7:00 p.m. – 90 Town Center
January 2
February 6
March 6
April 3
May 1
June 5
July
August 7
September 4
October 2
November 6
December 4

PUBLIC SERVICES & UTILITIES COMMITTEE
3rd Thursday 7:00 p.m. - Village Hall
January 17
February 21
March 21
April 18
May 23
June 20
July 18
August 22
September 19
October 17
November 21
December 26

SENIOR CITIZENS COMMITTEE
2nd Wed. 2:00 p.m. – U.P. Library
No Meetings November - January
February 13
March 13
April 10
May 8
June 12
July 10
August 14
September 11
October 9
November 13

VETERANS AFFAIRS
Date, Location, and Time To Be Determines***
With the concurrence of the Board of Trustees, I will be appointing Ms. Marva Hampton to the (HSSEC) Human Services and Special Events Committee as an associate member.

APPROVED:

________________________________________________________
John E. Pate, Village Manager
VILLAGE OF UNIVERSITY PARK

Request for Board Action

AGENDA SECTION: NEW BUSINESS
ITEM: Bills Payable (Paid & Payable)

DOCKET NUMBER: F-2d:

SUMMARY OF REQUESTED ACTION FOR THE MEETING OF: January 22, 2019

Attached for your approval is a listing of General Operating Expenses for the Village of University Park that occurred on December 11, 2018 thru January 22, 2019.

General Fund $ 409,798.67
Debt Service Fund $ 500.00
Road and Bridge Fund $ 877.08
Town Center Fund $ 818.97
Capital Project Fund $ 85,985.12
Payroll Fund $ 5,421.21

Total: $ 503,401.05

*Due to system error the payment for IRH Developments is listed twice in the list by fund. However, the invoices were only paid once.

APPROVED: ___________________________

John E. Pate
Village Manager

BOARD ACTION: Motion By: ___________________________ Seconded By: ___________________________
Ordinance Number: ___________________________ Resolution Number: ___________________________
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# Check Register Report

**VILLAGE OF UNIVERSITY PARK**

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**Total Payments:** 109

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**Total Payments:** 109

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- 100-010.00-545.001
- 100-010.00-545.027
- 100-010.00-545.027
- 100-010.00-545.027
- 100-010.00-545.027

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</table>

**Village of University Park**

**Department:** Finance - Support

**Invoice Approval List By Fund**

**Account:** General Fund

**Vendor Name:**

**Invoice Number:**

**Invoice Description:**

**Department:**

**Address:**

**Check:**

**Invoice:**

**Date:** 12/28/2018

**Time:** 5:45pm

**Page:** 5 of 6
**Grand Total**

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**Fund Total**

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**Total**

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**2004 Start**

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**Fund Total**

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**Fund: Road & Bridge Fund**

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**Invoice Approval List by Fund**

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**Note:** The table above represents an excerpt from a document, detailing financial transactions for December 2011. The transactions include fees for Hoyt, Attestation Fees, and other unspecified items. Each transaction is accompanied by a check number and invoice number, with the vendor name and department being 000-00-54.001. The transactions are recorded on 100-003.000-54.001, indicating the accounting code.
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Caption: INVOICE APPROVAL LIST BY FIND
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**Time:** 11:17AM