

CHAPTER 15.20: STORMWATER DRAINAGE AND DETENTION

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§ 15.20.010 AUTHORITY AND PURPOSE.

(A) The ordinance codified in this chapter is enacted pursuant to the police powers granted to the city by ILCS Ch. 65, Act 5, § 11-111-1 et seq.

(B) The purpose of this chapter is to diminish threats to public health, safety and welfare caused by runoff of excessive stormwater from new development and redevelopment. This excessive stormwater could result in the inundation of damageable properties, the erosion and destabilization of downstream channels, and the pollution of valuable stream and lake resources. The cause of increases in stormwater runoff quantity and rate and impairment of quality is the development and improvement of land, and as such this chapter regulates these activities to prevent adverse impacts.

(C) The ordinance codified in this chapter is adopted to accomplish the following objectives:

(1) To assure that new development does not increase the drainage or flood hazards to others, or create unstable conditions susceptible to erosion;

(2) To protect new buildings and major improvements to buildings from flood damage due to increased stormwater runoff;

(3) To protect human life and health from the hazards of increased flooding on a watershed basis;

(4) To lessen the burden on the taxpayer for flood control projects, repairs to flood-damaged public facilities and utilities, correction of channel erosion problems, and flood rescue and relief operations caused by increased stormwater runoff quantities from new development;

(5) To protect, conserve and promote the orderly development of land and water resources;

(6) To preserve the natural hydrologic and hydraulic functions of watercourses and floodplains and to protect water quality and aquatic habitats;

(7) To preserve the natural characteristics of stream corridors in order to moderate flood and stormwater impacts, improve water quality, reduce soil erosion, protect aquatic and riparian habitat, provide recreational opportunities, provide aesthetic benefits and enhance community and economic development.

(78 Code, § 15.20.020) (Ord. 853, passed - -92)

§ 15.20.020 DEFINITIONS.

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

ADVERSE IMPACTS. Any deleterious impact on water resources or wetlands affecting their beneficial uses, including recreation, aesthetics, aquatic habitat, quality and quantity.

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 city.

BASE FLOOD ELEVATION. The elevation at all locations delineating the level of flooding resulting from the 100-year frequency flood event.

BYPASS FLOWS. Stormwater runoff 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 manmade drainageway, which has a definite bed and bank or shoreline, in or into which surface water or groundwater flows, either perennially or intermittently.

CHANNEL MODIFICATION. Alteration of a channel by changing the physical dimensions or materials of its bed or banks. Channel modifications include damming, riprapping (or other armoring), widening, deepening, straightening, relocating, lining, and significant removal of bottom or woody rooted vegetation. Channel modification does not include the clearing of debris or removal of trash.

COMPENSATORY STORAGE. An artificially excavated, hydraulically equivalent volume of storage within the floodplain used to balance the loss of natural flood storage capacity when fill or structures are placed within the floodplain.

CONDUIT. Any channel, pipe, sewer or culvert used for the conveyance or movement of water, whether open or closed.

DETENTION BASIN. A facility constructed or modified to provide for the temporary storage of stormwater runoff and the controlled release by gravity of this runoff at a prescribed rate during and after a flood or storm.

DETENTION TIME. The mean residence time of stormwater in a detention basin.

DEVELOPMENT. Any manmade change to real estate including:

- (1) Preparation of a plot of subdivision;
- (2) Construction, reconstruction or placement of a building or any addition to a building;
- (3) Installation of 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;
- (4) Construction of roads, bridges, or similar projects;
- (5) Redevelopment of a site;
- (6) Filing, dredging, grading, clearing, excavating, paving or other nonagricultural alterations of the ground surface;
- (7) Storage of materials or deposit of solid or liquid waste;
- (8) Any other activity that might alter the magnitude, frequency, deviation, direction or velocity of stormwater flows from a property.

DRAINAGE PLAN. A plan, including engineering drawings and support calculations, which describes the existing stormwater drainage system and environmental features, as well as the drainage system and environmental features which are proposed after development of a property.

DRY BASIN. A detention basin designed to drain completely after temporary storage of stormwater flows and to normally be dry over the majority of its bottom area.

EROSION. The general process whereby earth is removed by flowing water or wave action.

EXCESS STORMWATER RUNOFF. The volume and rate of flow of stormwater discharged from an urbanized drainage area which is or will be in excess of that volume and rate which pertained before urbanization.

FLOOD FRINGE. That portion of the floodplain outside of the regulatory floodway.

FLOODPLAIN. That land adjacent to a body of water with ground surface elevations at or below the base flood or the 100-year frequency flood elevation. The floodplain is also known as the special flood hazard area (SFHA).

FLOODWAY. The channel and that portion of the floodplain adjacent to a stream or watercourse which is needed to store and convey the anticipated existing and future 100-year frequency flood discharge with no more than a 0.1 foot increase in stage due to any loss of flood conveyance or storage and no more than a 10% increase in velocities.

HYDROGRAPH. A graph showing for a given location on a stream or conduit, the flow rate with respect to time.

INFILTRATION. The passage or movement of water into the soil surfaces.

MAJOR DRAINAGE SYSTEM. That portion of a drainage system needed to store and convey flows beyond the capacity of the minor drainage system.

MINOR DRAINAGE SYSTEM. That portion of a drainage system designed for the convenience of the public. It consists of street gutters, storm sewers, small open channels, and swales and, where manmade, is usually designed to handle the ten-year runoff event or less.

MITIGATION. Includes those measures necessary to minimize the negative effects which stormwater drainage and development activities might have on the public health, safety and welfare. Examples of mitigation include compensatory storage, soil erosion and sedimentation control, and channel restoration.

NATURAL. Conditions resulting from physical, chemical and biological processes without intervention by man.

ONE-HUNDRED-YEAR (100-YEAR) EVENT. A rainfall, runoff or flood event having a 1% chance of occurring in any given year.

PEAK FLOW. The maximum rate of flow of water at a given point in a channel or conduit.

POSITIVE DRAINAGE. Provisions for overland paths for all areas of a property, including depressional areas that may also be drained by storm sewer.

PROPERTY. A parcel of real estate.

REGULATORY FLOODWAY. The channel, including on stream lakes, and that portion of the floodplain adjacent to a stream or watercourse as designated by DWR, which is needed to store and convey the existing and anticipated future 100-year frequency flood discharge with no more than a 0.1-foot increase in stage due to the loss of flood conveyance or storage, and no more than a 10% increase in velocities. The regulatory floodways are designated for Des Plaines River, Tributary A Des Plaines River, Rockrun Creek, St. Francis Academy Creek, St. Anne School Tributary on the flood boundary and floodway map prepared by FEMA (or department of housing and urban development) and dated April 3, 1984. The regulatory floodways for those parts of unincorporated Will County that are within the extraterritorial jurisdiction of the city that may be annexed into the city are designated for Des Plaines River, Mink Creek, Sunnyland Drain, and Sunny Drain Tributary, the flood boundary and floodway map prepared by FEMA (or department of housing and urban development) and dated April 15, 1982.

To locate the regulatory floodway boundary on any site, the regulatory floodway boundary should be scaled off the regulatory floodway map and located on a site plan, using reference marks common to both maps. Where interpretation is needed to determine the exact location of the regulatory floodway boundary, the division should be contacted for the interpretation.

RETENTION BASIN. A facility designed to completely retain a specified amount of stormwater runoff without release except by means of evaporation, infiltration, emergency bypass or pumping.

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

STORMWATER DRAINAGE SYSTEM. All means, natural or manmade, used for conducting stormwater to, through or from a drainage area to the point of final outlet from a property. The stormwater drainage system includes but is not limited to any of the following: conduits and appurtenance features, canals, channels, ditches, streams, culverts, streets, storm sewers, on basins, swales and pumping stations.

STORM SEWER. A closed conduit for conveying collected stormwater.

STORMWATER RUNOFF. The waters derived from melting snow or rain falling within a tributary drainage basin which are in excess of the infiltration capacity of the soils of that basin, which flow over the surface of the ground or are collected in channels or conduits.

TIME OF CONCENTRATION. The elapsed time for stormwater to flow from the most hydraulically remote point in a drainage basin to a particular point of interest in that watershed.

TRIBUTARY WATERSHED. All of the land surface area that contributes runoff to a given point.

TWO-YEAR EVENT. A runoff, rainfall or flood event having a 50% chance of occurring in any given year.

WET BASIN. A detention basin designed to maintain a permanent pool of water after the temporary storage of stormwater runoff.
('78 Code, § 15.20.020) (Ord. 853, passed - -92)

§ 15.20.030 STORMWATER DETENTION REQUIRED WHEN.

A combination of detention storage and controlled release of stormwater runoff shall be required for the following:

(A) All new construction of nonresidential developments of two acres or more;

(B) All residential developments of five acres or more;

(C) All new construction and parking area improvements which have and will have impervious areas of 50% or greater.

(1) In the situation where improvements will be made to facilities existing prior to the date of the ordinance codified in this chapter, the percent of imperviousness will be based upon the entire parcel. If this percentage is 50% or greater, this detention will be required but only on the portion of the parcel being improved.

(2) In the situation where improvements will be made to facilities constructed after the date of the ordinance codified in this chapter, where detention was not required, the percent of imperviousness will be based upon the entire parcel. If this percentage is 50% or greater, this detention will be required for the entire parcel.

('78 Code, § 15.20.030) (Ord. 853, passed - -92)

§ 15.20.040 DRAINAGE PLAN SUBMITTAL REQUIREMENTS.

(A) Each applicant shall submit the following information, depending on a development size, to ensure that the provisions of this chapter are met. The submittal shall include sufficient information to evaluate the environmental characteristics of the property, the potential adverse impacts of the development on water resources, both on-site and downstream, and the effectiveness of the proposed drainage plan managing stormwater runoff. The applicant shall certify on the drawings that all clearing, grading, drainage and construction will be accomplished in strict conformance with the drainage plan. The following information shall be submitted for both existing and proposed property conditions. All information and data required and submitted shall be prepared by and bear the seal of a registered Illinois professional engineer.

(B) Properties smaller than ten acres shall submit only the basin drainage plan called for in § 15.20.050. Properties larger than ten acres shall comply with the submittal requirements of both the basin drainage plan and the advanced drainage plan of § 15.20.060 of this chapter.

('78 Code, § 15.20.040) (Ord. 853, passed - -92)

§ 15.20.050 BASIN DRAINAGE PLAN; DEFINITIONS.

As used in this chapter:

DRAINAGE SYSTEM. The mapping and descriptions, where relevant, of existing and proposed drainage system features of the property and immediate vicinity including:

- (1) The banks and centerlines of streams and channels;
- (2) Shorelines of lakes, ponds, and detention basins;
- (3) Farm drains and tiles;
- (4) Subwatershed boundaries within the property;
- (5) Watershed soils classifications;
- (6) The property's location within the larger watershed;
- (7) Location, size and slope of stormwater conduits and drainage swales;

- (8) Sanitary sewers;
- (9) Depressional storage areas;
- (10) Delineation of upstream and downstream drainage features and watersheds which might be affected by the development;
- (11) Detention facilities;
- (12) Roads and streets and associated stormwater inlets;
- (13) Base flood elevation, and regulatory floodways where identified for the property; and
- (14) Basis of design for the final drainage network components.

ENVIRONMENTAL FEATURES. A depiction of environmental features of the property and immediate vicinity including the following:

- (1) The limits of wetland areas;
- (2) Any designated natural areas; and
- (3) Any proposed environmental mitigation features.

TOPOGRAPHIC MAP. A topographic survey of the property at one-foot contours under existing and proposed conditions, and areas upstream and downstream, necessary to determine off-site impacts of the proposed drainage plan. The map shall be keyed to a consistent datum specified by the city. ('78 Code, § 15.20.050) (Ord. 853, passed - -92)

§ 15.20.060 ADVANCED DRAINAGE PLAN.

The same information as required in § 15.20.050 is required for properties larger than ten acres, along with the following additional information of the minor drainage system's design runoff event and the 100-year runoff event of critical duration:

- (A) Elevations and maps of 100-year flooding;
 - (B) Cross-section data for open channel flow paths and designated overland flow paths;
 - (C) Direction of stormflows;
 - (D) Flow rates and velocities at representative points in the drainage system; and
 - (E) A statement by the design engineer of the drainage system's provisions for handling events greater than 100-year runoff.
- ('78 Code, § 15.20.060) (Ord. 853, passed - -92)

§ 15.20.070 MINIMIZATION OF INCREASES IN RUNOFF VOLUMES AND RATES.

In the selection of a drainage plan for a development, the applicant shall evaluate and implement, where practicable, site design features which minimize the increase in runoff volumes and rates from the site. The applicant's drainage plan submittal shall include evaluations of site design features which are consistent with the following hierarchy:

(A) Minimize impervious surfaces on the property, consistent with the needs of the project;

(B) Attenuate flows by use of open vegetated swales and natural depressions, and preserve existing natural stream channels;

(C) Infiltrate runoff on-site;

(D) Provide stormwater retention structures;

(E) Provide stormwater detention structures; and

(F) Construct storm sewers.

('78 Code, § 15.20.070) (Ord. 853, passed - -92)

§ 15.20.080 WATER QUALITY AND MULTIPLE USES.

(A) The drainage system should be designed to minimize adverse water quality impacts downstream and on the property itself. Detention basins shall incorporate design features to capture stormwater runoff pollutants. Retention and infiltration of stormwater shall be promoted throughout the property's drainage system to reduce the volume of stormwater runoff and to reduce the quantity of runoff pollutants.

(B) The drainage system should incorporate multiple uses where practicable. Uses considered compatible with stormwater management include open space, aesthetics, aquatic habitat, recreation (boating, trails, playing fields), wetlands and water quality mitigation. The applicant should avoid using portions of the property exclusively for stormwater management.

('78 Code, § 15.20.080) (Ord. 853, passed - -92)

§ 15.20.090 DESIGN CRITERIA, STANDARDS AND METHODS.

(A) In the event the downstream sewers, streams, and channels are inadequate to receive the release rate provided in this section, then the allowable release rate shall be reduced to that rate permitted by the receiving downstream sewers, streams and channels and additional detention (as determined by the city engineer) shall be required to store that portion of the runoff exceeding the capacity of the receiving sewers, streams and channels.

(B) *Release rates.*

(1) The drainage system for a property shall be designed to control the peak rate of discharge from the property for the two-year, 24-hour and 100-year, 24-hour event to levels which will not cause an increase in flooding or channel instability downstream when considered in aggregate with other

developed properties and downstream drainage capacities. The peak discharge from events less than or equal to the two-year event shall not be greater than 0.04 cfs per acre of property drained. The peak 100-year discharge shall not be greater than 0.15 cfs per acres of property drained.

(2) Backwater on the outlet structure from the downstream drainage system shall be evaluated when designing the outlet.

(C) *Detention storage requirements.* The design maximum storage to be provided in a detention basin shall be based on the runoff from the 100-year, 24-hour event and reservoir (also called “modified pulse” or “level pool”) routing or equal. Detention storage shall be computed using hydrograph methods as described in this section.

(D) *Drainage system design and evaluation.* The following criteria should be used in evaluating and designing the drainage system. The underlying objective is to provide capacity to pass the ten-year peak flow in the minor drainage system and an overload flow path for flows in excess of the design capacity.

(1) Major and minor conveyance systems for areas up to ten acres may be designed using the rational formula. The rational formula may also be used in sizing the minor drainage system for larger sites. Runoff hydrograph methods as described in division (E) of this section must be used for major drainage system design for all systems with greater than ten acres of drainage area and for the design of all detention basins except for those detention basins required under § 15.20.030(C) where less than two acres for nonresidential and less than five acres for residential development.

(2) Whenever practicable, all areas of the property must be provided an overland flow path that will pass the 100-year flow at a stage at least one foot below the lowest foundation grade in the vicinity of the flow path. Overland flow paths designed to handle flows in excess of the minor drainage system capacity shall be provided drainage easements. Street ponding and flow depths shall not exceed curb heights by more than one inch.

(E) *Methods for generating runoff hydrographs.* Runoff hydrographs shall be developed incorporating the following assumptions of rainfall amounts and antecedent moisture.

(1) Unless a continuous simulation approach to drainage system hydrology is used, all design rainfall events shall be based on the Illinois State Water Survey's Bulletin 70. The first quartile point rainfall distribution shall be used for the design and analysis of conveyance systems with critical durations less than or equal to 12 hours. The third quartile point rainfall distribution shall be used for the design and analysis of detention basins and conveyance system with critical durations greater than 12 and less than or equal to 24 hours. The fourth quartile distribution shall be used in the design and analysis of systems with durations greater than 24 hours. The first, third and fourth quartile distributions described by Huff are presented in Table 37 of Bulletin 70. The SCS Type II distribution may be used as an alternate to the Huff distributions.

(2) Computations of runoff hydrographs which do not rely on a continuous accounting of antecedent moisture conditions shall assume a minimum wet antecedent moisture condition of two.

(F) *Wet detention basin design.* Wet detention basins shall be designed to remove stormwater pollutants, to be safe, to be aesthetically pleasing, and as much as feasible to be available for recreational use.

(1) Wet basins shall be at least three feet deep, excluding near-shore banks and safety ledges. If a fish habitat is to be provided they shall be at least ten feet deep over 25% of the bottom area to prevent winter freeze out.

(2) The side slopes of wet basins at the normal pool elevation shall not be steeper than five to one, horizontal to vertical.

(3) The permanent pool volume in a wet basin at normal depth shall be equal to the runoff volume from its watershed for the two-year event.

(4) To the extent feasible, the distance between detention inlets and outlets shall be maximized. If possible, they should be at opposite ends of the basin.

(G) *Dry detention basin design.* In addition to the other requirements of this chapter, dry basins shall be designed to remove stormwater pollutants, to be safe, to be aesthetically pleasing and, as much as feasible, to be available for multiple uses.

(1) Dry basins shall be designed so that 80% of their bottom area shall have standing water no longer than 72 hours for any runoff event less than the 100-year event. Underdrains directed to the outlet control shall be used if necessary to accomplish this requirement.

(2) Velocity dissipation measures shall be incorporated into dry basin designs to minimize erosion at inlets and outlets and to minimize the resuspension of pollutants.

(3) To the extent feasible, the distance between detention inlets and outlets shall be maximized. If possible, they should be at opposite ends of the basin.
(78 Code, § 15.20.090) (Ord. 853, passed - -92)

§ 15.20.100 EARLY COMPLETION OF DETENTION FACILITIES.

Where detention, retention or depressional storage areas are to be used as part of the drainage system for a property, they shall be constructed as the first element of the initial earthwork program. Any eroded sediment captured in these facilities shall be removed by the applicant before project completion in order to maintain the design volume of the facilities.

(78 Code, § 15.20.100) (Ord. 853, passed - -92)

§ 15.20.110 FLOODPLAINS, FLOOD FRINGE AND ON-STREAM AREA DETENTION; REQUIREMENTS.

The placement of detention basins within the floodplain is strongly discouraged because of questions about their reliable operation during flood events. However, the stormwater detention requirements of this chapter may be fulfilled by providing detention storage within flood fringe areas on the project site provided the following provisions are met.

(A) *Detention in flood fringe areas.* The placement of a detention basin in a flood fringe area shall require compensatory storage for 1.5 times the volume below the base flood elevation occupied by the detention basin including any berms. The release from the detention storage provided shall still be controlled consistent with the requirements of this section. The applicant shall demonstrate its operation for all streamflow and floodplain backwater conditions. Excavations for compensatory storage along

watercourses shall be opposite or adjacent to the area occupied by detention. All floodplain storage lost below the ten-year flood elevation shall be replaced below the ten-year flood elevation. All floodplain storage lost above the existing ten-year flood elevation shall be replaced above the proposed ten-year flood elevation. All compensatory storage excavations shall be constructed to drain freely and openly to the watercourse.

(B) *Detention in floodways.* Detention basins shall be placed in the floodway only in accordance with division (C) of this section.

(C) *On-stream detention.* On-stream detention basins are discouraged but allowable if they provide regional public benefits and if they meet the other provisions of this chapter with respect to water quality and control of the two-year and 100-year, 24-hour events from the property. Further criteria are presented in § 5.20.165 of this chapter. If on-stream detention is used for watersheds larger than one square mile, it is recommended that the applicant use dynamic modeling to demonstrate that the design will not increase stage for any properties upstream or downstream of the property. Also, impoundment of the stream as part of on-stream detention:

- (1) Shall not prevent the mitigation of indigenous fish species, which require access to upstream areas as part of their life cycle, such as for spawning;
- (2) Shall not cause or contribute to the degradation of water quality or stream aquatic habitat;
- (3) Shall include a design calling for gradual bank slopes, appropriate bank stabilization measures, and a presedimentation basin;
- (4) Shall not involve any stream channelization or the filling of wetlands;
- (5) Shall require the implementation of an effective non-point-source management program throughout the upstream watershed;
- (6) Shall not occur downstream of a wastewater discharge; and
- (7) Shall comply with 92 Illinois Administrative Code Parts 702 and 708 and the floodplain ordinance of the city.
(78 Code, § 15.20.110) (Ord. 853, passed - -92)

§ 15.20.120 WETLAND AREAS; DRAINAGE AND SEDIMENT CONTROL PROVISIONS.

Wetlands shall be protected from damaging modifications and adverse changes in runoff quality and quantity associated with land developments. In addition to the other requirements of this chapter, the following requirements shall be met for all developments whose drainage flows into wetlands:

(A) *Detention in wetlands.* Existing wetlands shall not be modified for the purposes of stormwater detention unless it is demonstrated that the existing wet land is low in quality and the proposed modifications will maintain or improve its habitat and ability to perform beneficial functions. Existing depressional storage in wetlands shall be maintained and the volume of detention storage provided to meet the requirements of this section shall be in addition to this existing storage.

(B) *Sediment control.* The existing wetland shall be protected during construction by appropriate soil erosion and sediment control measures and shall not be filled.

(C) *Alteration of drainage patterns.* Site drainage patterns shall not be altered to substantially decrease or increase the existing area tributary to the wetland.

(D) *Detention/sedimentation.* All runoff from the development shall be routed through a preliminary detention/sedimentation basin designed to capture the two-year, 24-hour event and hold it for at least 24 hours, before being discharged to the wetland. The basin shall be constructed before property grading begins. In addition, the drainage hierarchy defined in § 15.20.070 should be followed to minimize runoff volumes and rates being discharged to the wetland.

(E) *Vegetated buffer strip.* A buffer strip of at least 25 feet in width, preferably vegetated with native plant species, shall be maintained or restored around the periphery of the wetland.
(78 Code, § 15.20.120) (Ord. 853, passed - -92)

§ 15.20.130 STREETS AND OTHER PUBLIC WAYS AS DRAINAGE FACILITIES.

(A) *Streets.* If streets are to be used as part of the minor or major drainage system, ponding depths shall not exceed curb heights by more than one inch and shall not remain flooded for more than eight hours for any event less than or equal to the 100-year event.

(B) *Parking lots.* The maximum stormwater ponding depth in any parking area shall not exceed six inches for more than four hours.

(C) *Culvert road and driveway crossings.* Sizing of culvert crossings shall consider entrance and exit losses as well as tailwater conditions on the culvert.
(78 Code, § 15.20.130) (Ord. 853, passed - -92)

§ 15.20.140 INFILTRATION BASINS, TRENCHES AND OTHER FACILITIES.

To effectively reduce runoff volumes, infiltration practices, including basins, trenches and porous pavement, should be located on soils in hydrologic soil groups A or B as designated by the U.S. Soil Conservation Service. Infiltration basins and trenches designed to recharge groundwater shall not be located within 75 feet of a water supply well or a building foundation. A sediment settling basin shall be provided to remove coarse sediment from stormwater flows before they reach infiltration basins or trenches. Stormwater shall not be allowed to stand more than 72 hours over 80% of a dry basin's bottom area for the maximum design event to be exfiltrated. The bottom of infiltration facilities shall be a minimum of four feet above seasonably high groundwater and bedrock.
(78 Code, § 15.20.140) (Ord. 853, passed - -92)

§ 15.20.150 SAFETY CONSIDERATIONS FOR DRAINAGE SYSTEMS.

The drainage system components, especially all detention basins, shall be designed to protect the safety of any children or adults coming in contact with the system during runoff events.

(A) *Side slopes.* The side slopes of all detention basins at 100-year capacity shall be as level as practicable to prevent accidental falls into the basin and for stability and ease of maintenance. Side slopes of detention basins and open channels shall not be steeper than three to one (3:1), horizontal to vertical.

(B) *Safety ledge.* All wet detention basins shall have a level safety ledge at least four feet in width and 2.5 to three feet below the normal water depth.

(C) *Velocity.* Velocities throughout the surface drainage system shall be controlled to safe levels taking into consideration rates and depths of flow.

(D) *Overflow structures.* All stormwater detention basins shall be provided with an overflow structure capable of safely passing excess flows at a stage at least one foot below the lowest foundation grade in the vicinity of the detention basin. The design flow rate of the overflow structure shall be equivalent to the 100-year inflow rate.

('78 Code, § 15.20.150) (Ord. 853, passed - -92)

§ 15.20.160 MAINTENANCE CONSIDERATIONS FOR DRAINAGE SYSTEMS.

The stormwater drainage system shall be designed to minimize and facilitate maintenance. Turfed sideslopes shall be designed to allow lawn-mowing equipment to easily negotiate them. Wet basins shall be provided with alternate outflows which can be used to completely drain the pool for sediment removal (pumping may be considered if drainage by gravity is not feasible). Presedimentation basins shall be included where feasible, for localizing sediment deposition and removal. Access for heavy equipment shall be provided.

('78 Code, § 15.20.160) (Ord. 853, passed - -92)

§ 15.20.165 USE OF BEST MANAGEMENT PRACTICES (BMP).

When directed by the City Council or its appointed representatives, including the City Engineer, best management practices may be required for a facility under this chapter. Best management practices' selection, type and applicability, including but not limited to sedimentation loading calculations and the use of oil/grease separators, shall be evaluated on a case-by-case basis as deemed necessary by the City or its appointed representative. Best management practices as approved by the Northeastern Illinois Planning Commission, "Urban Stormwater BMP for Northern Illinois," "Designing Stormwater BMP in Northeast Illinois" in addition to other sources shall be considered in the design of stormwater management systems.

(Ord. 1372, passed 10-17-05)

§ 15.20.170 MAINTENANCE RESPONSIBILITY FOR DETENTION FACILITIES.

The maintenance and operation of the detention facility will be done by the owners of the facility, and the city will assume maintenance and operation upon dedication of the facility to the city.

('78 Code, § 15.20.170) (Ord. 853, passed - -92)

§ 15.20.180 ADMINISTRATION AND INSPECTIONS.

(A) *Inspections during construction.*

(1) General site grading shall not begin until the city Building Commissioner has certified in writing to the applicant that any necessary detention facilities are in place and operational. The Building Commissioner or his representative will also conduct periodic inspections of the work in progress to be

certain that the drainage system is being built as designed. If any violations of the provisions or requirements of this chapter are noted during such inspections, the Building Commissioner shall notify the property owner in writing of the items needing correction. The property owner shall have ten calendar days to make such corrections unless given a specific extension of time in writing by the Building Commissioner.

(2) Failure to complete such corrections within the specified time period shall constitute a violation of this chapter.

(B) *Final inspection.* Upon notification by the applicant that the drainage system is completed, the Building Commissioner or his representative shall conduct a final inspection. If the drainage system is found to contain deficiencies which require correction, the Building Commissioner or his representative shall notify the property owner of the necessary corrections. The property owner shall correct such deficiencies within ten calendar days unless given a specific extension of time in writing by the Building Commissioner. Failure to make necessary corrections within the specified time period shall constitute a violation of this chapter. Upon finding that the drainage system meets the provisions and requirements of this chapter, the Building Commissioner shall issue in writing a notice of drainage system completion to the property owner.

(C) *Routine inspections.* All privately owned drainage systems shall be inspected by representatives of the city not less often than once per year. A written report shall be filed of the results of any inspection and a copy sent to the property owner detailing any problems which need correction.
(78 Code, § 15.20.180) (Ord. 853, passed - -92)

§ 15.20.190 ENFORCEMENT.

The administration and enforcement of this chapter shall be the responsibility of the Building Department for the city or its representatives.
(78 Code, § 15.20.190) (Ord. 853, passed - -92)

§ 15.20.200 APPEALS.

All appeals to the director of the Building Department's decisions regarding the interpretation of this chapter shall be heard by the City Council.
(78 Code, § 15.20.200) (Ord. 853, passed - -92)

§ 15.20.205 INCORPORATION OF COUNTY STORMWATER MANAGEMENT ORDINANCE.

(A) To the extent that the substantive requirements of Crest Hill Ordinances 853, 854, and 855 are more restrictive than the substantive provisions of the Will County Stormwater Management Ordinance, the said Crest Hill Ordinances shall continue to be enforced. Where the substantive requirements of the Will County Stormwater Management Ordinance are more restrictive than those requirements of Ordinances 853, 854, and 855, then the substantive provisions of the Will County Stormwater Ordinance are adopted and are incorporated by reference herein.

(B) With respect to administration, the Crest Hill Building Commissioner shall continue to be designated as the city's Enforcement Officer under Ordinance 853, Section 1200.0, Ordinance 854, Sections 506.0-602.2, and the City Zoning Ordinance as amended. The provisions of the Will County Stormwater Management Ordinance with respect to administration are specifically not adopted as part of the city's administration and enforcement procedures.

(C) The City Engineer, the City Building Commissioner, and the City Clerk shall maintain copies of the Will County Stormwater Management Ordinance for reference by city officials and by the general public.

(Ord. 1325, passed 8-2-04)

§ 15.20.210 VIOLATION; PENALTY.

Any person convicted of violating any of the provisions or requirements of this chapter shall be guilty of a misdemeanor and shall be subject to a fine of not more than \$1,000. Each day the violation continues shall be considered a separate offense.

(78 Code, § 15.20.210) (Ord. 853, passed - -92)

CHAPTER 15.21: IMPROPER CONNECTIONS TO THE SANITARY SEWER SYSTEM

Section

15.21.010	Authorization
15.21.020	Limits of participation
15.21.025	Construction requirements
15.21.030	Participation by the city not required
15.21.040	Reimbursement of costs

§ 15.21.010 AUTHORIZATION.

The city in the sole discretion of the corporate authorities, may participate with homeowners in the funding of the elimination and correction of improper storm water drainage connections to the city's sanitary sewer system present at residential homes within the city limits.
(Ord. 1009, passed 1-6-97)

§ 15.21.020 LIMITS OF PARTICIPATION.

(A) Applications for potential reimbursement must be made to the city five days in advance of any work being done, and homeowners must notify the city a minimum of two working day(s) prior to the commencement of work to allow the city to schedule inspections of the work. Upon meeting these requirements, and upon receipt of an executed agreement described in § 15.21.030, the city may participate by reimbursing owner 50% of the cost for the various eligible improvements that eliminate storm water connections from the sanitary sewer system in order to attempt to protect homes from basement backups. Eligible improvements are set forth as follows:

- (1) Disconnection of improper discharges of storm water into the sanitary sewer system (i.e. downspouts, footing drains, separate storm water sump pumps, yard drains, window wells and other such devices);
- (2) Installation of a separate storm water sump pump that collects discharges from foundation perimeter tiles, footing drains, window wells and other discharge areas;
- (3) The installation of sanitary ejector pump (w/overhead sewer) if and only if such installation also includes all storm water disconnection described in divisions (1) and (2) above, and/or verification that no improper storm water connections exist on the property;
- (4) Verification of storm water disconnections by means of closed circuit televising of sewer service lateral.

(B) Sanitary ejector pump installations that fail to eliminate storm water (i.e. footing drain) connections to the ejector pump and/or private sewer service lateral shall be deemed a private benefit only and be ineligible for reimbursement funding participation.

(C) The amount of said reimbursement shall not exceed a maximum limit of \$4,000 per residential home. Further, the city shall not participate in any reimbursements which would cause the city to exceed the funds appropriated for this purpose in the city's annual appropriation ordinance for each fiscal year. City participation and contributions under this permit for the improvements has been issued by the city on or after August 18, 2009.

(Ord. 1009, passed 1-6-97; Am. Ord. 1326, passed 8-2-04; Am. Ord. 1402, passed 5-15-06; Am. Ord. 1501, passed 8-17-09)

§ 15.21.025 CONSTRUCTION REQUIREMENTS.

All construction work will be performed in substantial compliance with the Illinois Plumbing Code (IAC Title 77, Ch. I, Sub. r, Part 890) and shall be subject to approval by the Building Department.

(Ord. 1326, passed 8-2-04; Am. Ord. 1402, passed 5-15-06; Am. Ord. 1501, passed 8-17-09)

§ 15.21.030 PARTICIPATION BY THE CITY NOT REQUIRED.

All requests for city participation in the costs of removing an improper connection for the discharge of storm water drainage into the sanitary system shall be submitted by the homeowner to the city in advance of any work being performed through the Building Department. All homeowners desiring to participate shall enter into an agreement with the city regarding the reimbursement and the homeowners obligations on a form approved by the City Attorney. The city is under no obligation to accept every request for participation/reimbursement. All requests for city participation shall be made prior to the commencement of work. City participation shall be based upon the availability of funding appropriated for such purpose.

(Ord. 1009, passed 1-6-97; Am. Ord. 1501, passed 8-17-09)

§ 15.21.040 REIMBURSEMENT OF COSTS.

In all cases where the city agrees to participate with the homeowner in the repair and disconnection of an improper connection for the discharge of storm water drainage into the sanitary sewer system, and/or the installation of overhead sewage discharge lines subject to the conditions of § 15.21.020, the homeowner is required to pay in full the charges the homeowner incurs and present proof of their payment for the repairs made prior to the city reimbursing the homeowner for its share of the costs of the repair and disconnection. City permit fees shall not be eligible for reimbursement under the terms of this chapter or under the terms of any agreement drafted by the City Attorney.

(Ord. 1009, passed 1-6-97; Am. Ord. 1326, passed 8-2-04; Am. Ord. 1402, passed 5-15-06; Am. Ord. 1501, passed 8-17-09)

CHAPTER 15.24: SOIL EROSION AND SEDIMENT CONTROL

Section

15.24.010	Findings; purpose of provisions
15.24.020	Definitions
15.24.030	General principles
15.24.040	Site development permit; required when
15.24.050	Site development permit; application; contents
15.24.060	Site development permit; application; information required
15.24.070	Bonds
15.24.080	Review and approval
15.24.090	Expiration of permit
15.24.100	Appeals
15.24.110	Site development plans; filed where
15.24.120	Design and operation; standards and specifications
15.24.130	Erosion and sediment control requirements
15.24.140	Handbooks adopted by reference
15.24.150	Maintenance of control measures
15.24.160	Inspection
15.24.170	Additional precautions; unusual site conditions
15.24.180	Amendment of plans; field modifications
15.24.190	Exceptions; authorized when
15.24.200	Revocation of permit
15.24.210	Violations and penalties

§ 15.24.010 FINDINGS; PURPOSE OF PROVISIONS.

(A) *Findings.* The City Council of the city hereby finds that:

(1) Excessive quantities of soil may erode from areas undergoing development for certain nonagricultural uses including, but not limited to, the construction of dwelling units, commercial buildings and industrial plants, the building of roads and highways, the modification of stream channels and drainageways, and the creation of recreational facilities;

(2) The washing, blowing and falling of eroding soil across and upon roadways endangers the health and safety of users thereof, by decreasing vision and reducing traction of road vehicles;

(3) Soil erosion necessitates the costly repairing of gulleys, washed-out fills, and embankments;

(4) Sediment from soil erosion tends to clog sewers and ditches and to pollute and silt rivers, streams, lakes, wetlands and reservoirs;

(5) Sediment limits the use of water and waterways for most beneficial purposes, promotes the growth of undesirable aquatic weeds, destroys fish and other desirable aquatic life, and is costly and difficult to remove; and

(6) Sediment reduces the channel capacity of waterways and the storage capacity of floodplains and natural depressions, resulting in increased chances of flooding at risk to public health and safety.

(B) *Purpose.* The City Council therefore declares that the purpose of this chapter is to safeguard persons, protect property, prevent damage to the environment, and promote the public welfare by guiding, regulating and controlling the design, construction, use and maintenance of any development or other activity which disturbs or breaks the topsoil or otherwise results in the movement of earth on land situated in the city. It is the intention of this chapter that the delivery of sediment from sites affected by land-disturbing activities be limited, as closely as practicable, to that which would have occurred if the land had been left in its natural undisturbed state.
(78 Code, § 15.24.010) (Ord. 854, passed - -92)

§ 15.24.020 DEFINITIONS.

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

BUILDING PERMIT. A permit issued by the city for the construction, erection or alteration of a structure or building.

CERTIFY or CERTIFICATION. Formally attesting that the specific inspections and tests where required have been performed, and that such tests comply with the applicable requirements of this chapter.

CLEARING. Any activity which removes vegetative ground cover.

CUBIC YARDS. The amount of material in excavation and/or fill measured by the method of ***AVERAGE AND AREAS.***

EXCAVATION. Any act by which organic matter, earth, sand, gravel, rock or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated or bulldozed and shall include the conditions resulting therefrom.

EXISTING GRADE. The vertical locating of the existing ground surface prior to excavation or filling.

FILL. Any act by which, earth, sand, gravel, rock or any other material is deposited, placed, replaced, pushed, dumped, pulled, transported or moved by man to a new location and shall include the conditions resulting therefrom.

FINAL GRADE. The vertical locating of the ground or pavement surface after the grading work is completed in accordance with the site development plan.

GRADING. Excavation or fill or any combination thereof and shall include the conditions resulting from any excavation or fill.

NATURAL DRAINAGE. Channels formed in the existing surface topography of the earth prior to changes made by unnatural causes.

PARCEL. All contiguous land in one ownership.

PERMITTEE. Any person to whom a site development permit is issued.

PERSON. Any individual, firm or corporation, public or private, the state of Illinois and its agencies or political subdivisions, and the United States, its agencies and instrumentalities, and any agent, servant, officer or employee of any of the foregoing.

REMOVAL. Cutting vegetation to the ground or stumps, complete extraction, or killing by spraying.

SITE. A lot or parcel of land, or a contiguous combination thereof, where grading work is performed as a single unified operation.

SITE DEVELOPMENT. Altering terrain and/or vegetation and constructing improvements.

SITE DEVELOPMENT PERMIT. A permit issued by the city for the construction or alteration of ground improvements and structures for the control of erosion, runoff and grading.

STREAM. Any river, creek, brook, branch, flowage, ravine, or natural or manmade drainageway which has a definite bed and banks or shoreline, in or into which surface water or ground water flows, either perennially or intermittently.

STRIPPING. Any activity which removes the vegetative surface cover, including tree removal, clearing, and storage or removal of top soil.

VACANT. Land on which there are no structures or only structures which are secondary to the use or maintenance of the land itself.

VILLAGE. The city of Crest Hill, Will County, Illinois.

WETLANDS. Areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.
(78 Code, § 15.24.020) (Ord. 854, passed - -92)

§ 15.24.030 GENERAL PRINCIPLES.

It is the objective of this chapter to control soil erosion and sedimentation caused by development activities, including clearing, grading, stripping, excavating and filling of land, in the city. Measures taken to control soil erosion and off-site sediment runoff should be adequate to assure that sediment is not transported from the site by a storm event of ten-year frequency or less. The following principles shall apply to all development activities within the city and to the preparation of the submissions required under § 15.24.040 of this chapter: Illinois Procedure and Standards for Urban Soil Erosion and Sedimentation Control, and standards and Specifications for Soil Erosion and Sedimentation Control.

Crest Hill - Buildings and Construction

(A) Development should be related to the topography and soils of the site so as to create the least potential for erosion. Areas of steep slopes where high cuts and fills may be required should be avoided wherever possible, and natural contours should be followed as closely as possible.

(B) Natural vegetation should be retained and protected wherever possible. Areas immediately adjacent to natural watercourses, lakes, ponds and wetlands should be left undisturbed wherever possible. Temporary crossings of watercourses, when permitted, must include appropriate stabilization measures.

(C) Special precautions should be taken to prevent damages resultant from any necessary development activity within or adjacent to any stream, lake, pond or wetland. Preventative measures should reflect the sensitivity of these areas to erosion and sedimentation.

(D) The smallest practical area of land should be exposed for the shortest practical time during development.

(E) Sediment basins or traps, filter barriers, diversions, and any other appropriate sediment or runoff control measures should be installed prior to site clearing and grading and maintained to remove sediment from runoff waters from land undergoing development.

(F) The selection of erosion and sedimentation control measures should be based on assessment of the probable frequency of climatic and other events likely to contribute to erosion, and on evaluation of the risks, costs and benefits involved.

(G) In the design of erosion control facilities and practices, aesthetics and the requirements of continuing maintenance should be considered.

(H) Provision should be made to accommodate the increased runoff caused by soil and surface conditions during and after development. Drainageways should be designed so that their final gradients and the resultant velocities and rates of discharge will not create additional erosion on-site or downstream.

(I) Permanent vegetation and structures should be installed and functional as soon as practical during development.

(J) Those areas being converted from agricultural purposes to other land uses should be vegetated with an appropriate protective cover prior to development.

(K) All waste generated as a result of site development activity should be properly disposed of and should be prevented from being carried off the site by either wind or water.

(L) All construction sites should provide measures to prevent sediment from being tracked onto public or private roadways.

('78 Code, § 15.24.030) (Ord. 854, passed - -92)

§ 15.24.040 SITE DEVELOPMENT PERMIT; REQUIRED WHEN.

(A) *Permit required.* Except as otherwise provided in this chapter, no person shall commence or perform any clearing, grading, stripping, excavating or filling of land which meets the following provisions, without having first obtained a site development permit from the Building Department of the city.

(1) Any land disturbing activity (such as, clearing, grading, stripping, excavation, fill, or any combination thereof) that will affect an area in excess of 5,000 square feet;

(2) Any land disturbing activity that will affect an area in excess of 500 square feet if the activity is within 25 feet of a lake, pond, stream or wetland; or

(3) Excavation, fill or any combination thereof that will exceed 100 cubic yards.

(B) *Exceptions.* A permit shall not be required for any of the following, provided that the person responsible for any such development shall implement necessary soil erosion and sediment control measures to satisfy the principles set forth in § 15.24.030:

(1) Excavation below final grade for the basement and footings of a single-family residence and appurtenant structures on a site in excess of two acres for which a building permit has been issued by the city;

(2) Agricultural use of land, including the implementation of conservation measures included in a farm conservation plan approved by the Soil and Water Conservation District, and including the construction of agricultural structures;

(3) Installation, renovation, or replacement of a septic system to serve an existing dwelling or structure.

('78 Code, § 15.24.040) (Ord. 854, passed - -92)

§ 15.24.050 SITE DEVELOPMENT PERMIT; APPLICATION; CONTENTS.

An application for a site development permit shall be made by the owner of the property or his authorized agent to the Building Department on a form furnished for that purpose. Each application shall bear the name(s) and address(es) of the owner or developer of the site and of any consulting firm retained by the applicant together with the name of the applicant's principal contact at such firm, and shall be accompanied by a filing fee of \$50. Each application shall include certification that any land clearing, construction, or development involving the movement of earth shall be in accordance with the plans approved upon issuance of the permit.

('78 Code, § 15.24.050) (Ord. 854, passed - -92)

§ 15.24.060 SITE DEVELOPMENT PERMIT; APPLICATION; INFORMATION REQUIRED.

(A) Each application for a site development permit shall be accompanied by the following information:

(1) A vicinity map in sufficient detail to enable easy location in the field of the site for which the permit is sought, and including the boundary line and approximate acreage of the site, existing zoning, and a legend and scale;

(2) A development plan of the site showing:

(a) Existing topography of the site and adjacent land within approximately 100 feet of the boundaries, drawn at no greater than two-foot contour intervals and clearly portraying the conformation and drainage pattern of the area;

(b) The location of existing buildings, structures, utilities, streams, lakes, floodplains, wetlands and depressions, drainage facilities, vegetative cover, paved areas, and other significant natural or manmade features on the site and adjacent land within one hundred feet of the boundary;

(c) A general description of the predominant soil types on the site, their location, and their limitations for the proposed use;

(d) Proposed use on the site, including present development and planned utilization; areas of clearing, stripping, grading, excavation and filling; proposed contours, finished grades, and street profiles; provisions for storm drainage, including storm sewers, swales, detention basins and any other measures to control the rate of runoff, with a drainage area map, indications of flow directions, and computations; kinds and locations of utilities; and areas and acreages proposed to be paved, covered, sodded or seeded, vegetatively stabilized, or left undisturbed.

(3) An erosion and sediment control plan showing all measures necessary to meet the objectives of this chapter throughout all phases of construction, and permanently after completion of development of the site, including:

(a) Location and description, including standard details, of all sediment control measures and design specifics of sediment basins and traps, including outlet details;

(b) Location and description of all soil stabilization and erosion control measures, including seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding dates, type and rate of lime and fertilizer application, kind and quantity of mulching for both temporary and permanent vegetative control measures, and types of nonvegetative stabilization measures;

(c) Location and description of all runoff control measures, including diversions, waterways and outlets;

(d) Location and description of methods to prevent tracking of sediment off-site, including construction of entrance details, as appropriate;

(e) Description of dust and traffic control measures;

(f) Locations of stockpiles and description of stabilization methods;

(g) Description of off-site fill or borrow volumes, locations, and methods of stabilization;

(h) Provisions for maintenance of control measures, including type and frequency of maintenance, easements, and estimates of the cost of maintenance;

(i) Identification (name, address, and telephone) of the person(s) or entity which will have legal responsibility for maintenance of erosion control structures and measures during development and after development is completed.

(4) The proposed phasing of development of the site, including stripping and clearing, rough grading and construction, and final grading and landscaping. Phasing should identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, and the sequence of installation of temporary sediment control measures (including perimeter controls), clearing and grading, installation of temporary soil stabilization measures, installation of storm drainage, paving streets and parking areas, final grading and the establishment of permanent vegetative cover, and the removal of temporary measures. It shall be the responsibility of the applicant to notify the Building Department of any significant changes which occur in the site development schedule after the initial erosion and sediment control plan has been approved.

(B) These submissions shall be prepared in accordance with the requirements of this chapter and the standards and requirements contained in standards and Specifications for Soil Erosion and Sediment Control (the Yellow Book) published by the Illinois Environmental Protection Agency and the Illinois Procedures and standards for Urban Soil Erosion and Sedimentation Control (the Green Book) prepared by the Northeastern Illinois Soil Erosion and Sedimentation Control Steering Committee and adopted by the Will County Soil and Water Conservation District, which standards and requirements are hereby incorporated into this chapter by reference.

(C) The Building Department may waive specific requirements for the content of submissions upon finding that the information submitted is sufficient to show that the work will comply with the objectives and principles of this chapter.
(78 Code, § 15.24.060) (Ord. 854, passed - -92)

§ 15.24.070 BONDS.

The applicant is required to file with the city a faithful performance bond or bonds, letter of credit, or other improvement security satisfactory to the Building Department in an amount deemed sufficient by the Building Department to cover all costs of improvements, landscaping, maintenance of improvements and landscaping, and soil erosion and sediment control measures for such period as specified by the city, and engineering and inspection costs to cover the cost of failure or repair of improvements installed on the site.
(78 Code, § 15.24.070) (Ord. 854, passed - -92)

§ 15.24.080 REVIEW AND APPROVAL.

Each application for a site development permit shall be reviewed and acted upon according the following procedures:

(A) The Building Department will review each application for a site development permit to determine its conformance with the provisions of this chapter. The Building Department may also refer any application to the Will County Soil and Water Conservation District and/or any other local government or public agency within whose jurisdiction the site is located for review and comment. Within 30 days after receiving an application, the Building Department shall in writing:

(1) Approve the permit application if it is found to be in conformance with the provisions of this chapter, and issue the permit;

(2) Approve the permit application subject to such reasonable conditions as may be necessary to secure substantially the objectives of this chapter, and issue the permit subject to these conditions; or

(3) Disapprove the permit application, indicating the deficiencies and the procedure for submitting a revised application and/or submission.

(B) No site development permit shall be issued for an intended development site unless:

(1) The development including but not limited to subdivisions and planned unit development, has been approved by the city, where applicable; or

(2) Such permit is accompanied by or combined with a valid building permit issued by the city;
or

(3) The proposed earth moving is coordinated with any overall development program previously approved by the city for the area in which the site is situated; and

(4) All relevant federal and state permits (such as, for floodplains and wetlands) have been received for the portion of the site subject to soil disturbance.

(C) Failure of the Building Department to act on an original or revised application within 30 days of receipt shall authorize the applicant to proceed in accordance with the plans as filed unless such time is extended by agreement between the Building Department and the applicant. Pending preparation and approval of a revised plan, development activities shall be allowed to proceed in accordance with conditions established by the Building Department.

('78 Code, § 15.24.080) (Ord. 854, passed - -92)

§ 15.24.090 EXPIRATION OF PERMIT.

Every site development permit shall expire and become null and void if the work authorized by such permit has not been commenced within 180 days, or is not completed by a date which shall be specified in the permit; except that the Building Department may, if the permittee presents satisfactory evidence that unusual difficulties have prevented work being commenced or completed within the specified time limits, grant a reasonable extension of time if written application is made before the expiration date of the permit. The Building Department may require modification of the erosion control plan to prevent any increase in erosion or off-site sediment runoff resulting from any extension.

('78 Code, § 15.24.090) (Ord. 854, passed - -92)

§ 15.24.100 APPEALS.

The applicant, or any person or agency which received notice of the filing of the application, may appeal the decision of the Building Department as provided in § 15.24.080 to the City Council. Upon receipt of an appeal, the City Council shall schedule and hold a public hearing, after giving 15 days notice thereof. The City Council shall render a decision within 30 days after the hearing. Factors to be

considered on review shall include, but need not be limited to, the effects of the proposed development activities on the surface water flow to tributary and downstream lands, any comprehensive watershed management plans, or the use of any retention facilities; possible saturation of fill and unsupported cuts by water, both natural and domestic; runoff surface waters that produce erosion and silting of drainageways; nature and type of soil or rock which when disturbed by the proposed development activities may create earth movement and produce slopes that cannot be landscaped; and excessive and unnecessary scarring of the natural landscape through grading or removal of vegetation.
(78 Code, § 15.24.100) (Ord. 854, passed - -92)

§ 15.24.110 SITE DEVELOPMENT PLANS; FILED WHERE.

Plans, specifications and reports for all site developments shall be retained in original form or on microfilm by the Building Department.
(78 Code, § 15.24.110) (Ord. 854, passed - -92)

§ 15.24.120 DESIGN AND OPERATION; STANDARDS AND SPECIFICATIONS.

(A) *Applicability.* All clearing, grading, stripping, excavating and filling which is subject to the permit requirements of this chapter shall be subject to the applicable standards and requirements set forth in §§ 15.24.120 through 15.24.180.

(B) *Responsibility.* The permittee shall not be relieved of responsibility for damage to persons or property otherwise imposed by law, and the city or its officers or agents will not be made liable for such damage, by the issuance of a permit under this chapter, compliance with the provisions of that permit or which conditions attached to it by the Building Department, failure of the city officials to recommend denial of or to deny a permit, or exceptions from the permit requirements of this chapter.
(78 Code, § 15.24.120) (Ord. 854, passed - -92)

§ 15.24.130 EROSION AND SEDIMENT CONTROL REQUIREMENTS.

(A) On-site sediment control measures, as specified by the following criteria, shall be constructed and functional prior to initiating clearing, grading, stripping, excavating or fill activities on the site.

(1) For disturbed areas draining less than one acre, filter barriers (including filter fences, straw bales, or equivalent control measures) shall be constructed to control all off-site runoff as specified in referenced handbooks. Vegetated filter strips, with a minimum width of 25 feet, may be used as an alternative only where runoff in sheet flow is expected.

(2) For disturbed areas draining more than one but less than five acres, a sediment trap or equivalent control measure shall be constructed at the downslope point of the disturbed area.

(3) For disturbed areas draining more than five acres, a sediment basin or equivalent control measure shall be constructed at the downslope point of the disturbed area.

(4) Sediment basins and sediment trap designs shall provide for both detention storage shall be composed of equal volumes of wet detention storage and dry detention storage, and each shall be sized for the two-year, 24-hour runoff from the site under maximum runoff conditions during construction.

The release rate of the basin shall be that rate required to achieve minimum detention times of at least ten hours. The elevation of the outlet structure shall be placed such that it only drains the dry detention storage.

(5) The sediment storage shall be sized to store the estimated sediment load generated from the site over the duration of the construction period with a minimum storage equivalent to the volume of sediment generated in one year. For construction periods exceeding one year, the one-year sediment load and a sediment removal schedule may be substituted.

(B) Stormwater conveyance channels, including ditches, swales and diversions, and the outlets of all channels and pipes, shall be designed and constructed to withstand the expected flow velocity from the ten-year frequency storm without erosion. All constructed or modified channels shall be stabilized within 48 hours, consistent with the following standards:

(1) For grades up to four percent, seeding in combination with mulch, erosion blanket, or an equivalent control measure shall be applied. Sod or erosion blanket or mat shall be applied to the bottom of the channel;

(2) For grades of 4% to 8%, sod or an equivalent control measure shall be applied in the channel;

(3) For grades greater than 8%, rock, riprap, or an equivalent control measure shall be applied, or the grade shall be effectively reduced using drop structures.

(C) Disturbed areas shall be stabilized with temporary or permanent measures within seven calendar days following the end of active disturbance, or redisturbance, consistent with the following criteria:

(1) Appropriate temporary or permanent stabilization measures shall include seeding, mulching, sodding, and/or nonvegetative measures;

(2) Areas having slopes greater than 12% shall be stabilized with sod, mat or blanket in combination with seeding, or equivalent.

(D) Land disturbance activities in stream channels shall be avoided, where possible. If disturbance activities are unavoidable, the following requirements shall be met:

(1) Construction vehicles shall be kept out of the stream channel to the maximum extent practicable. Where construction crossings are necessary, temporary crossings shall be constructed of nonerosive material, such as riprap or gravel;

(2) The time and area of disturbance of stream channels shall be kept to a minimum. The stream channel, including bed and banks, shall be restabilized within 48 hours after channel disturbance is completed, interrupted or stopped;

(3) Whenever channel relocation is necessary, the new channel shall be constructed in the dry and fully stabilized before flow is diverted.

(E) Storm sewer inlets and culverts shall be protected by sediment traps or filter barriers meeting accepted design standards and specifications.

(F) Soil storage piles containing more than ten cubic yards of material shall be not located with a downslope drainage length of less than 25 feet to a roadway or drainage channel. Filter barriers, including straw bales, filter fence, or equivalent, shall be installed immediately on the downslope side of the piles.

(G) If dewatering devices are used, discharge locations shall be protected from erosion. All pumped discharges shall be routed through appropriately designed sediment traps or basins, or equivalent.

(H) Each site shall have graveled (or equivalent) entrance roads, access drives, and parking areas of sufficient length and width to prevent sediment from being tracked onto public or private roadways.

(I) All temporary and permanent erosion and sediment control practices must be maintained and repaired as needed to assure effective performance of their intended function.
(’78 Code, § 15.24.130) (Ord. 854, passed - -92)

§ 15.24.140 HANDBOOKS ADOPTED BY REFERENCE.

The standards and specifications contained in Standards and Specifications for Soil Erosion and Sediment Control (the Yellow Book) and the Illinois Procedures and Standards for Urban Soil Erosion and Sedimentation Control (the Green Book) cited in § 15.24.060(B) are hereby incorporated into this section and made a part by reference for the purpose of delineating procedures and methods of operation under site development and erosion and sedimentation control plans approved under §§ 15.24.040 through 15.24.110 of this code. In the event of conflict between provisions of said manuals and of this chapter, the chapter shall govern.
(’78 Code, § 15.24.140) (Ord. 854, passed - -92)

§ 15.24.150 MAINTENANCE OF CONTROL MEASURES.

All soil erosion and sediment control measures necessary to meet the requirements of this chapter shall be maintained periodically by the applicant or subsequent land owner during the period of land disturbance and development of the site in a satisfactory manner to ensure adequate performance.
(’78 Code, § 15.24.150) (Ord. 854, passed - -92)

§ 15.24.160 INSPECTION.

(A) The Building Department shall make inspections as hereinafter required and shall either approve that portion of the work completed or shall notify the permittee wherein the work fails to comply with the site development or erosion and sedimentation control plan as approved. Plans for grading, stripping, excavating and filling work, bearing the stamp of approval of the Building Department, shall be maintained at the site during progress of the work. In order to obtain inspections and to ensure compliance with the approved erosion and sediment control plan, the grading or building permit, and this chapter, the permittee shall notify the Building Department within two working days of the completion of the construction stages specified below:

(1) Upon completion of installation of sediment and runoff control measures (including perimeter controls and diversions), prior to proceeding with any other earth disturbance or grading;

- (2) After stripping and clearing;
- (3) After rough grading;
- (4) After final grading;
- (5) After seeding and landscaping deadlines; and
- (6) After final stabilization and landscaping, prior to removal of sediment controls.

(B) If stripping, clearing, grading and/or landscaping are to be done in phases or areas, the permittee shall give notice and request inspection at the completion of each of the above work stages in each phase or area. If an inspection is not made and notification of the results given within five working days after notice is received by the city from the permittee, the permittee may continue work at his/her own risk, without presuming acceptance by the city. Notification of the results of the inspection shall be given in writing at the site.

('78 Code, § 15.24.160) (Ord. 854, passed - -92)

§ 15.24.170 ADDITIONAL PRECAUTIONS; UNUSUAL SITE CONDITIONS.

(A) If at any stage of the grading of any development site, the Building Department determines by inspection that the nature of the site is such that further work authorized by an existing permit is likely to imperil any property, public way, stream, lake, wetland or drainage structure, the Building Department may require, as a condition of allowing the work to be done, that such reasonable special precautions to be taken as is considered advisable to avoid the likelihood of such peril. **SPECIAL PRECAUTIONS** may include, but shall not be limited to, a more level exposed slope, construction of additional drainage facilities, berms, terracing, compaction, or cribbing, installation of plant materials for erosion control, and recommendations of a registered soils engineer and/or engineering geologist which may be made requirements for further work.

(B) Where it appears that storm damage may result because the grading on any development site is not complete, work may be stopped and the permittee required to install temporary structures or take such other measures as may be required to protect adjoining property or the public safety. On large developments or where unusual site conditions prevail, the Building Department may specify the time of starting grading and time of completion or may require that the operations be conducted in specific stages so as to insure completion of protective measures or devices prior to the advent of seasonal rains.

('78 Code, § 15.24.170) (Ord. 854, passed - -92)

§ 15.24.180 AMENDMENT OF PLANS; FIELD MODIFICATIONS.

Major amendments of the site development or erosion and sedimentation control plans shall be submitted to the building department and shall be processed and approved or disapproved in the same manner as the original plans. Field modifications of a minor nature may be authorized by the Building Department by written authorization to the permittee.

('78 Code, § 15.24.180) (Ord. 854, passed - -92)

§ 15.24.190 EXCEPTIONS; AUTHORIZED WHEN.

The City Council may, in accordance with the following procedures, authorize exceptions to any of the requirements and regulations set forth in this chapter:

(A) Application for any exception shall be made by a verified petition of the applicant for a site development facts relied upon by the applicant. Such petition shall be filed with the site development permit application. In order for the petition to be granted, it shall be necessary that the City Council find all of the following facts with respect to the land referred to in the petition:

(1) That the land is of such shape or size or is affected by such title limitations of record, that it is impossible or impractical for the applicant to comply with all of the requirements of this chapter;

(2) That the exception is necessary for the preservation and enjoyment of a substantial property right of the applicant; and

(3) That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the vicinity of the subject property;

(B) Each application for an exception shall be referred to the Building Department for review. The Building Department shall transmit its recommendations to the City Council which shall review such recommendations prior to granting or denying the exception.

(C) The City Council shall hold a public hearing on each application for exception, within 30 days after receiving application, in the manner provided with respect to appeals. After public hearing, the City Council may approve such site development permit application and exception application or it may take such other action as appropriate.

('78 Code, § 15.24.190) (Ord. 854, passed - -92)

§ 15.24.200 REVOCATION OF PERMIT.

(A) In the event any person holding a site development permit pursuant to this chapter violates the terms of the permit, or carries on site development in such a manner as to materially adversely affect the health, welfare or safety of persons residing or working in the neighborhood of the development site or so as to be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, the Building Department may suspend or revoke the site development permit.

(B) Suspension of a permit shall be by a written stop-work order issued by the Building Department and delivered to the permittee or his agent or the person performing the work. The stop-work order shall be effective immediately shall state the specified violations cited, and shall state the conditions under which work may be resumed. A stop-work order shall remain in effect until the next regularly scheduled meeting of the City Council at which the conditions of division (C) below can be met.

(C) (1) No site development permit shall be permanently suspended or revoked until a hearing is held by the City Council. Written notice of such hearing shall be served on the permittee, either personally or by registered mail, and shall state:

(a) The grounds for complaint or reasons for suspension or revocation, in clear and concise language; and

(b) The time when and place where such hearing will be held.

(2) Such notice shall be served on the permittee at least five days prior to the date set for the hearing. At such hearing, the permittee shall be given an opportunity to be heard and may call witnesses and present evidence on his behalf. At the conclusion of the hearing the City Council shall determine whether the permit shall be suspended or revoked.

('78 Code, § 15.24.200) (Ord. 854, passed - -92)

§ 15.24.210 VIOLATIONS AND PENALTIES.

No person shall construct, enlarge, alter, repair or maintain any grading, excavation or fill, or cause the same to be done, contrary to or in violation of any terms in this chapter. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and each day during which any violation of any of the provisions of this chapter is committed, continued or permitted shall constitute a separate offense. Upon conviction of any such violation, such person, partnership or corporation shall be punished by a fine of not more than \$500 for each offense. In addition to any other penalty authorized by this section, any person, partnership or corporation convicted of violating any of the provisions of this chapter shall be required to restore the site to the condition existing prior to commission of the violation, or to bear the expense of such restoration.

('78 Code, § 15.24.210) (Ord. 854, passed - -92)

CHAPTER 15.26: CREST HILL LOWLAND CONSERVANCY OVERLAY DISTRICT

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I. GENERAL PROVISIONS**§ 15.26.010 AUTHORITY.**

The Lowland Conservancy Overlay District is adopted by the City Council of Crest Hill, Illinois, under the authority of the Illinois Compiled Statutes.
(Ord. 855, passed 9-21-92)

§ 15.26.020 SHORT TITLE.

This chapter shall be known and cited as the Crest Hill Lowland Conservancy Overlay District Ordinance.
(Ord. 855, passed 9-21-92)

§ 15.26.030 PURPOSE; INTENT.

(A) It is the purpose and intent of this chapter to promote the health, safety and general welfare of the present and future residents of the City of Crest Hill and downstream drainage areas by providing for the protection, preservation, proper maintenance, and use of the city's watercourses, lakes, ponds, floodplain and wetland areas. This chapter is more specifically adopted:

- (1) To prevent flood damage by preserving storm and flood water storage capacity;
- (2) To maintain the normal hydrologic balance of streams, floodplains, ponds, lakes, wetlands, and groundwater by storing and providing for infiltration of wet-period runoff in floodplains and wetlands, and releasing it slowly to the stream to maintain in-stream flow;
- (3) To manage stormwater runoff and maintain natural runoff conveyance systems, and minimize the need for major storm sewer construction and drainageway modification;
- (4) To improve water quality, both by filtering and storing sediments and attached pollutants, nutrients, and organic compounds before they drain into streams or wetlands, and by maintaining the natural pollutant-assimilating capabilities of streams, floodplains and wetlands;
- (5) To protect shorelines and stream banks from soil erosion, using natural means and materials wherever possible;
- (6) To protect wildlife fish spawning, breeding, nursery and feeding grounds;

- (7) To protect wildlife habitat;
- (8) To preserve areas of special recreational scenic, or scientific interest, including natural areas and habitats of endangered species;
- (9) To maintain and enhance the aesthetic qualities of developing areas; and
- (10) To encourage the continued economic growth and high quality of life of the City of Crest Hill which depends in part on an adequate quality of water, a pleasing natural environment, and recreational opportunities in proximity to the city.

(B) In order to achieve the purpose and intent of this chapter, the City of Crest Hill hereby designates the Lowland Conservancy Overlay District which shall be considered as an overlay to the zoning districts created by the Crest Hill zoning ordinances as amended. Provided, however, that jurisdiction for any matters or issues raised by virtue of this chapter shall not vest in the Crest Hill Plan Commission, nor shall the existence of or development activities in the above Overlay District be the subject of any decisions or recommendations by the Plan Commission or any future revisions or amendments of the zoning ordinances. Rather, any proposed development activity within the District is permissible only where a special use permit as generically approved by the City Council is obtained from the Crest Hill Building Commissioner.

(Ord. 855, passed 9-21-92)

§ 15.26.040 DEFINITIONS.

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

ARMORING. A form of channel modification which involves the placement of materials (concrete, riprap, bulkheads, and the like) within a stream channel or along a shoreline to protect property above streams, lakes and ponds from erosion and wave damage caused by wave action and stream flow.

BULKHEAD. A retaining wall that protects property along water.

CHANNEL. A natural or artificial watercourse of perceptible extent that periodically or continuously contains moving water, or which forms a connecting link between two bodies of water. It has a definite bed and banks that serve to contain the water.

CHANNEL MODIFICATION or **CHANNELIZATION.** To alter a watercourse by changing the physical dimension or materials of the channel. **CHANNEL MODIFICATION** includes damming, riprapping (or other armoring), widening, deepening, straightening, relocating, lining and significant removal of bottom or wood vegetation. **CHANNEL MODIFICATION** does not include the clearing of debris or trash from the watercourse. **CHANNELIZATION** is a severe form of channel modification involving a significant change in the channel cross-section and typically involving relocation of the existing channel (e.g., straightening).

CONTROL STRUCTURE. A structure designed to control the rate of stormwater runoff that passes through the structure, given a specific upstream and downstream water surface elevation.

CULVERT. A structure designed to carry drainage water or small streams below barriers such as roads, driveways, or railway embankments.

DEPRESSIONAL AREA. Any area which is lower in elevation on all sides than surrounding properties (i.e., does not drain freely), or whose drainage is severely limited such as by a restrictive culvert. A

DEPRESSIONAL AREA will fill with water on occasion when runoff into it exceeds the rate of infiltration into underlying soil or exceeds the discharge through its controlled outlet. Large **DEPRESSIONAL AREAS** may provide significant stormwater or floodplain storage.

DEVELOPMENT. The carrying out of any building, agricultural, or mining operation, or the making of any change in the use or appearance of land. The following activities or uses shall be taken, for purposes of this chapter, to involve development as defined herein:

- (1) Any construction, reconstruction, or alteration of a structure to occupy more or less ground area, or the on-site preparation for same;
- (2) Any change in the intensity of use of land, such as an increase in the number of dwelling units on land, or a material increase in the site coverage of businesses, manufacturing establishments, offices, and dwelling units, including mobile homes, campers, and recreational vehicles, on land;
- (3) Any agricultural use of land including, but not limited to, the use of land in horticulture, floriculture, forestry, dairy, livestock, poultry, beekeeping, pisciculture, and all forms of farm products and farm production;
- (4) The commencement of drilling, except to obtain soil samples, or the commencement of mining, filling, excavation, dredging, grading or other alterations of the topography;
- (5) Demolition of a structure or redevelopment of a site;
- (6) Clearing of land as an adjunct of construction for agricultural, private residential, commercial or industrial use;
- (7) Deposit of refuse, solid or liquid waste, or fill on a parcel of land, or the storage of materials;
- (8) Construction, excavation, or fill operations relating to the creation or modification of any road, street, parking facility or any drainage canal, or to the installation of utilities or any other grading activity that alters the existing topography;
- (9) Construction or erection of dams, levees, walls, fences, bridges or culverts; and
- (10) Any other activity that might change the direction, height, or velocity of flood or surface waters.

DISTRICT. The Lowland Conservancy Overlay District as defined in § 15.26.220.

EROSION. The general process whereby soils are moved by flowing water or wave action.

FILTERED VIEW. The maintenance or establishment of wood vegetation of sufficient density to screen developments from a stream or wetland, to provide for streambank stabilization and erosion control, to serve as an aid to infiltration of surface runoff, and to provide cover to shade the water. The vegetation need not be so dense as to completely block the view. **FILTERED VIEW** means no clear cutting.

FLOODPLAIN. That land adjacent to a body of water with ground surface elevations at or below the 100-year frequency flood elevation.

FLOODWAY. That portion of the floodplain (sometimes referred to as the **BASE FLOODPLAIN** or **SPECIAL FLOOD HAZARD AREA**) required to store and convey the base flood. The **FLOODWAY** is the 100-year floodway as designated and regulated by the Illinois Department of Transportation/Division of Water Resources. The remainder of the floodplain which is outside the regulatory floodway is referred to as the "flood fringe" or "floodway fringe."

HYDRAULIC CHARACTERISTICS. The features of a watercourse which determine its water conveyance capacity. These features include but are not limited to: size and configuration of the cross-section of the watercourse and floodway; texture and roughness of materials along the watercourse; alignment of watercourse; gradient of watercourse; and size, configuration, and other characteristics of structures within the watercourse. In low-lying areas the characteristics of the overbank area also determine water conveyance capacity.

LOT. An area of land, with defined boundaries, that is designated in official assessor's records as being one parcel.

LAKE or POND. Any inland waterbody, fed by spring or surface water flow.

NATURAL. In reference to watercourses, means those stream channels, grassed waterways and swales formed by the existing surface topography of the earth prior to changes made by unnatural causes. A natural stream tends to follow a meandering path; its floodplain is not constrained by levees; the area near the bank has not been cleared, mowed or cultivated; the stream flows over soil and geologic materials typical of the area with no alteration of the course or cross-section of the stream caused by filling or excavating.

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 characteristics.

QUALIFIED PROFESSIONAL. A person trained in one or more of the disciplines of biology, geology, soil science, engineering, or hydrology whose training and experience ensure a competent analysis and assessment of stream, lake, pond and wetland conditions and impacts.

REGISTERED PROFESSIONAL ENGINEER. A person trained in one or more of the disciplines of biology, geology, soil science, engineering, or hydrology whose training and experience ensure a competent analysis and assessment of stream, lake, pond and wetland conditions and impacts.

RETENTION/DETENTION FACILITY. A facility that provides for storage of storm water runoff and controlled release of this runoff during and after a flood or storm.

RUNOFF. The portion of precipitation on the land that is not absorbed by the soil or plant material and which runs off the land.

SEDIMENTATION. The processes that deposit soils, debris, and other materials either on other ground surfaces or in water bodies or watercourses.

SETBACK. The horizontal distance between any portion of a structure or any development activity and the ordinary high water mark of a perennial or intermittent stream, the ordinary high water mark of a lake or pond, or the edge of a wetland, measured from the structure's or development's closest point to the ordinary high water mark, or edge.

STREAM. A body of running water flowing continuously or intermittently in a channel on or below the surface of the ground. 7.5 minute topographic maps of the U.S. Geological Survey are one reference for identifying perennial and intermittent streams. For purposes of this chapter, **STREAM** does not include storm sewers.

STRUCTURE. Anything that is constructed, erected or moved to or from any premise which is located above, on, or below the ground including, but not limited to roads, signs, billboards, and mobile homes. Temporary recreational facilities including, but not limited to, tents, camper trailers, and recreation vehicles are not considered **STRUCTURES** when used less than 180 days per year and located landward of the minimum setback provided as a natural vegetation strip.

VEGETATION. All plant growth, especially trees, shrubs, mosses, and grasses.

WATERCOURSE. Any river, stream, creek, brook, branch, natural or artificial depression, ponded area, slough, gulch, draw, ditch, channel, conduit, culvert, swale, grass waterway, gully, ravine, wash, or natural or man-made drainageway, which has a definite channel, bed and banks, in or into which stormwater runoff and floodwater flow either regularly or intermittently.

WETLAND. Those transitional lands between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. Classification of area as wetlands shall follow the "Classification of Wetlands and Deepwater Habitats of the United States" as published by the U.S. Fish and Wildlife Service (FWS/OBS-79/31) .
(Ord. 855, passed 9-21-92)

II. PERMITS

§ 15.26.100 SPECIAL USE PERMIT.

(A) To ensure that proposed development activity can be carried out in a manner which is compatible and harmonious with the natural amenities of the Lowland Conservancy Overlay District and with surrounding land uses, a request for a special use permit for such development activity must be submitted for approval by the City Council or by its designee, the Crest Hill Building Commissioner.

(B) No special use permit shall be issued unless the City of Crest Hill finds that:

(1) The development will not detrimentally affect or destroy natural features such as ponds, streams, wetlands, and forested areas, nor impair their natural functions, but will preserve and incorporate such features into the development's site;

(2) The location of natural features and the site's topography have been considered in the designing and siting of all physical improvements;

(3) Adequate assurances have been received that the clearing of the site of topsoil, trees, and other natural features will not occur before the commencement of building operations. Only those areas approved for the placement of physical improvements may be cleared;

(4) The development will not reduce the natural retention storage capacity of any watercourse, nor increase the magnitude and volume of flooding at other locations; and that in addition, the development will not increase stream velocities; and

(5) The soil and subsoil conditions are suitable for excavation and site preparation, and the drainage is designed to prevent erosion and environmentally deleterious surface runoff.

(C) There shall be no development, including the immediate or future clearing or removal of natural ground cover and/or trees, within the Lowland Conservancy Overlay District for any purpose, unless a special use permit is granted subject to the provisions of this chapter or the provisions of the City of Crest Hill zoning ordinance.

(D) Dumping, filling, mining, excavating, dredging, or transferring of any earth material within the District is prohibited unless a special use permit is granted.

(E) No ponds or impoundments shall be created nor other alterations or improvements shall be allowed in the District for recreational uses, storm water management, flood control, agricultural uses or as scenic features unless a special use permit is granted.
(Ord. 855, passed 9-21-92)

§ 15.26.110 APPLICATION FOR PERMIT.

Application for a special use permit shall be made by the owner of the property, or his or her authorized agent, to the City of Crest Hill on a form furnished for that purpose. Each application shall bear the name(s) and address(es) of the owner or developer of the site and or any consulting firm retained by the applicant together with the name of the applicant's principal contact at such firm, and shall be accompanied by a filing fee of \$50. Each application shall include certification that any land clearing, construction, or development involving the movement of earth shall be in accordance with the plans approved upon issuance of the permit.
(Ord. 855, passed 9-21-92)

§ 15.26.120 SUBMISSIONS.

Each applicant for a special use permit shall be accompanied by the following information as specified in the chapter sections cited:

(A) General provisions.

- (1) Site Development Plan, § 15.26.240.
- (2) Geologic and Soil Report, § 15.26.250.
- (3) Drainage Control Plan, § 15.26.260.
- (4) Site Grading and Excavation Plan, § 15.26.270.
- (5) Landscape Plan, § 15.26.280.

(B) Justification for watercourse relocation and minor modifications.

- (1) Stream Modification/Relocation Plan, § 15.26.320.
- (2) Channel and Bank Armoring, § 15.26.330.
- (3) Culverts, § 15.26.340.
- (4) On-Stream Impoundments, § 15.26.350.
- (5) Impact Assessment, § 15.26.400 (at option of the City of Crest Hill).

(C) Where a proposed development activity is less than two and one-half acres in area the City of Crest Hill, upon approval of the City of Crest Hill Engineer, may waive or simplify any or all of the submission requirements (§§ 15.26.240 through 15.26.280) provided that the person responsible for any such development shall implement necessary protection measures to satisfy the purpose and intent set forth in § 15.26.030. (See § 15.26.510, Variances.)
(Ord. 855, passed 9-21-92)

§ 15.26.130 BONDS.

The applicant may be required to file with the City of Crest Hill a faithful performance bond or bonds, letter of credit, or other improvement security satisfactory to the City of Crest Hill, in an amount deemed sufficient by the City of Crest Hill to cover all costs of improvements, landscaping, or maintenance of improvements and landscaping, for such period as specified by the City of Crest Hill, and engineering and inspection costs to cover the cost of failure or repair of improvements installed on the site.
(Ord. 855, passed 9-21-92)

§ 15.26.140 REVIEW AND APPROVAL.

Each application for a special use permit shall be reviewed and acted upon according to the following procedures:

(A) The City of Crest Hill will review each application for a special use permit to determine its conformance with the provisions of this chapter. The City of Crest Hill may also refer any application to the Will Soil and Water Conservation District and/or any other local government or public agency within whose jurisdiction the site is located for review and comments. Within 30 days after receiving an application, the City of Crest Hill shall in writing:

- (1) Approve the permit application, if it is found to be in conformance with the provisions of this chapter, and issue the permit;
- (2) Approve the permit application subject to such reasonable conditions as may be necessary to secure substantially the objectives of this chapter, and issue the permit subject to these conditions; or
- (3) Disapprove the permit application, indicating the deficiencies and the procedure for submitting a revised application and/or submission.

(B) No special use permit shall be issued for an intended development site unless:

- (1) The development, including but not limited to subdivisions and planned unit developments, has been approved by the City of Crest Hill where applicable; or
- (2) Such permit is accompanied by or combined with a valid building permit issued by the City of Crest Hill; or
- (3) The proposed development is coordinated with any overall development program previously approved by the City of Crest Hill for the area in which the site is situated.

(C) Failure of the City of Crest Hill to act on an original or revised application within 30 days of receipt shall authorize the applicant to proceed in accordance with the plans as filed, unless such time is extended by agreement between the City of Crest Hill and the applicant. Pending preparation and approval of a revised plan, development activities shall be allowed to proceed in accordance with conditions established by the City of Crest Hill.
(Ord. 855, passed 9-21-92)

§ 15.26.150 PERMIT EXCEPTIONS.

The provisions of this chapter shall not apply to:

(A) Emergency work necessary to preserve life or property; when emergency work is performed under this section, the person performing it shall report the pertinent facts relating to the work to the City of Crest Hill within ten days after commencement of the work and shall thereafter obtain a special use permit and shall perform such work as may be determined by the agency to be reasonably necessary to correct any impairment to the watercourse, lake, pond, floodplain or wetland (in terms of the purposes of § 15.26.030(A)).

(B) Work consisting of the operation, repair, or maintenance of any lawful use of land existing on the date of adoption of this chapter;

(C) (1) Lands adjacent to farm ditches if:

- (a) Such lands are not adjacent to a natural stream or river; or

(b) Those parts of such drainage ditches adjacent to such lands were not streams before ditching; or

(c) Such lands are maintained in agricultural uses without buildings and structures.

(2) Where farm ditches are found to contribute to adverse environmental impacts or hazards to persons or property, the City of Crest Hill may include designated farm ditches in the District. The City of Crest Hill may also require that linings, bulkheads, dikes and culverts be removed to mitigate hazards, or that other mitigative measures be taken, such as the maintenance of a natural vegetation buffer strip. (Ord. 855, passed 9-21-92)

§ 15.26.160 AFFECT ON OTHER PERMITS.

The granting of a special use permit under the provisions herein shall in no way affect the owner's responsibility to obtain the approval required by any other statute, ordinance, or regulation of any state agency or subdivision thereof, or to meet other City of Crest Hill ordinances and regulations. Where state and/or federal permits are required, a special use permit will not be issued until they are obtained. (Ord. 855, passed 9-21-92)

III. GENERAL REGULATIONS

§ 15.26.200 GENERAL PROVISIONS - AREA AFFECTED.

(A) This chapter applies to development in or near streams, lakes, ponds, and wetlands within the City of Crest Hill. Streams, lakes, and ponds (including intermittent streams) are those which are shown on the United States Department of the Interior Geological Survey (USGS) 7.5 minute quadrangle maps and those additional streams, lakes, and ponds delineated on maps adopted as part of this chapter. Those maps are hereby made a part of this chapter, and two copies thereof shall remain on file in the office of the City of Crest Hill Administrator for public inspection. Within the jurisdiction of the City of Crest Hill, those waterbodies and watercourses that are named and are subject to the provisions of this chapter are the DesPlaines River, Tributary A to DesPlaines River, Rock Run Creek, St. Anne School Tributary and St. Francis Creek. Wetlands are those designated in the U.S. Fish and Wildlife Service/Illinois Department of Conservation Wetland Inventory and those additional wetlands delineated on maps adopted as part of this chapter.

(B) If new drainage courses, lakes, ponds or wetlands are crated as part of a development, the requirements for setbacks and uses within setbacks, and the criteria for watercourse relocation and minor modification shall apply. The District shall be amended as appropriate to include these areas. (Ord. 855, passed 9-21-92)

§ 15.26.210 THE LOWLAND CONSERVANCY OVERLAY DISTRICT.

The Lowland Conservancy Overlay District shall be considered as an overlay to the zoning districts created by the City of Crest Hill zoning ordinance as amended. In addition to the requirements of this chapter, applicants for a special use permit within the District shall meet all requirements of the underlying zoning districts. In the event of a conflict between the Overlay District requirements and the underlying zoning district requirements, the most restrictive requirements prevail. (Ord. 855, passed 9-21-92)

§ 15.26.220 DISTRICT BOUNDARY.

(A) The procedures, standards and requirements contained in this chapter shall apply to all lots within wetlands and streams, and all lots lying wholly or in part:

(1) Within the Special Flood Hazard Area (SFHA) designated by the Federal Emergency Management Agency (FEMA); or

(2) Within 100 feet of the ordinary high water mark (OHWM) of a perennial stream or intermittent stream, the ordinary high water mark of a lake or pond, or the edge of a wetland; or

(3) Within depressional areas serving as floodplain or stormwater storage areas, as designated on the Lowland Conservancy District Map.

(B) The District is designated on a map labeled "Lowland Conservancy Overlay District Map," which is made to be part of this chapter and which has the same force and effect as if all the notations, references, and descriptions shown thereon were set forth or described herein. Designated areas are attached to Ordinance No. 855 as Exhibits 1 and 2 and additional areas may be approved from time to time and be made exhibits thereto.

(Ord. 855, passed 9-21-92)

§ 15.26.230 MINIMUM SETBACK OF DEVELOPMENT ACTIVITY FROM STREAMS, LAKES, PONDS AND WETLANDS.

(A) Absolutely no development activity (except as provided below) may occur within the minimum setback which is defined as 75 feet from the ordinary high water mark of streams, lakes and ponds, or the edge of wetlands, or within a designated depressional area. In no case shall the setback be less than the boundary of the 100-year floodway as defined by FEMA. These setback requirements do not apply to a stream in a culvert unless the stream is taken out of the culvert as part of development activity. If a culvert functions as a low-flow culvert, where water is intended to periodically flow over it, the setback requirements apply.

(B) The following development activities may be permitted, subject to issuance of a special use permit, within the minimum setback areas only if, as a practical matter, they cannot be located outside the setback area. Such development activities will only be approved based upon a report, prepared by a qualified professional, which demonstrates that they will not adversely affect water quality; destroy, damage or disrupt significant habitat area; adversely affect drainage and/or stormwater retention capabilities; adversely affect flood conveyance and storage; lead to unstable earth conditions, create erosion hazards, or be materially detrimental to any other property in the area of the subject property or the City of Crest Hill as a whole, including the loss of open space or scenic vistas:

(1) Minor improvements such as walkways, benches, comfort stations, informational displays, directional signs, foot bridges, observation decks, and docks;

(2) The maintenance, repair, replacement, and reconstruction of existing highways and bridges, electrical transmission and telecommunication lines, poles, and towers; and

(3) The establishment and development of public and private parks and recreation areas, outdoor education areas, historic natural and scientific areas, game refuges, fish and wildlife improvement projects, game bird and animal farms, wildlife preserves and public boat launching ramps.

(C) Review of the proposed development activity within the minimum setback area will consider the following:

(1) Only limited filling and excavating necessary for the development of public boat launching ramps, swimming beaches, or the development of park shelters or similar structures is allowed. The development and maintenance of roads, parking lots and other impervious surfaces necessary for permitted uses are allowed only on a very limited basis, and where no alternate location outside of the setback are is available.

(2) Land surface modification within the minimum setback shall be permitted for the development of stormwater drainage swales between the developed area of the site (including a stormwater detention facility on the site) and a stream, lake or pond, or wetland. Detention basins within the setback are generally discouraged, unless it can be shown that resultant modifications will not impair water quality, habitat, or flood storage functions.

(3) No filling or excavating within wetlands is permitted except to install piers for the limited development or walkways and observation decks. Walkways and observation decks should avoid high quality wetland areas, and should not adversely affect natural areas designated in the Illinois Natural Areas Inventory or the habitat of rare or endangered species.

(4) Wetland areas occupied by the development of decks and walkways must be mitigated by an equal area of wetland habitat improvement.

(5) Modification of degraded wetlands for purposes of stormwater management is permitted where the quality of the wetland is improved and total wetland acreage is preserved. Where such modification is permitted, wetlands shall be protected from the effects of increased stormwater runoff by measures such as detention or sedimentation basins, vegetated swales and buffer strips, and sediment and erosion control measures on adjacent developments. The direct entry of storm sewers into wetlands shall be avoided. Environmental impact analysis of wetland modification may be required in accordance with § 15.26.400.

(D) An applicant for a special use permit (§ 15.26.100) must stabilize areas left exposed after land surface modification with vegetation normally associated with that stream or wetland. The planting or native riparian vegetation is recommended as the preferred stabilization measure. Other techniques should be used only when and where vegetation fails to control erosion. The preferred alternative is riprap, using natural rock materials where practicable, installed on eroding bank areas in a manner that provides interstitial space for vegetative growth and habitat for macroinvertebrates and other stream organisms. Lining of the stream channel bottom is not permitted.

(E) The applicant shall minimize access to the applicant's proposed development activity within all or part of the Lowland Conservancy Overlay District where such access could adversely affect the stream, lake, pond, wetland, or related environmentally sensitive areas.
(Ord. 855, passed 9-21-92)

§ 15.26.240 SITE DEVELOPMENT PLAN.

(A) A site development plan must be prepared for any proposed development within, or partly within, the Lowland Conservancy Overlay District and must indicate:

(1) Dimension and are of parcel, showing also the vicinity of the site in sufficient detail to enable easy location, in the field, of the site for which the special use permit is sought, and including the boundary line, underlying zoning, a legend, a scale, and a north arrow. (This requirement may be satisfied by the submission of a separate vicinity map.);

(2) Location of any existing and proposed structures;

(3) Location of existing or proposed on-site sewage systems or private water supply systems;

- mark;
- (4) Location or any perennial or intermittent stream, lake, or pond, and its ordinary high water mark;
 - (5) Location and landward limit of all wetlands;
 - (6) Location of setback lines as defined in this chapter;
 - (7) Location of the 100-year floodway;
 - (8) Location of existing or future access roads;
 - (9) Specifications and dimensions of stream, wetland or other water areas proposed for alterations;
 - (10) Cross-sections and calculations indicating any changes in flood storage volumes; and
 - (11) Such other information as reasonably requested by the City of Crest Hill.

(B) The applicant shall present evidence, prepared by a qualified professional, that demonstrates that the proposed development activity will not endanger health and safety, including danger from the obstruction or diversion of flood flow. The developer shall also show, by submitting appropriate calculations and resource inventories, that the proposed development activity will not substantially reduce natural floodwater storage capacity, destroy valuable habitat for aquatic or other flora and fauna, adversely affect water quality or ground water resources, increase stormwater runoff velocity so that water levels on other lands are substantially raised or the danger from flooding increased, or adversely impact any other natural stream, floodplain, or wetland functions, and is otherwise consistent with the intent of this chapter.

(Ord. 855, passed 9-21-92)

§ 15.26.250 GEOLOGIC AND SOIL CHARACTERISTICS; GEOLOGIC AND SOIL REPORT.

The site proposed for development shall be investigated to determine the soil and geologic characteristics, including soil erosion potential. A report, prepared by a licensed professional engineer, geoscientist, or soil scientist experienced in the practice of geologic and soil mechanics, shall be submitted with every application for land development within the Lowland Conservancy Overlay District. This report shall include a description of soil type and stability of surface and subsurface conditions. Any area which the investigation indicates as being subject to geologic or soil hazards shall not be subjected to development, unless the engineer or soil scientist can demonstrate conclusively that these hazards can be overcome.

(Ord. 855, passed 9-21-92)

§ 15.26.260 HYDROLOGIC CONTROLS; DRAINAGE CONTROL PLAN.

(A) A drainage control plan that describes the hydraulic characteristics of on-site and nearby watercourses as well as the proposed drainage plan, prepared by a registered professional engineer experienced in hydrology and hydraulics, shall be submitted with each application for land development within the Lowland Conservancy Overlay District. Unless otherwise noted, the following restrictions, requirements and standards shall apply to all development within the Lowland Conservancy Overlay District:

- (1) Natural open-channel drainageways shall be preserved; and
- (2) Runoff from areas of concentrated impervious cover (e.g., roofs, driveways, streets, patios, and the like) shall be collected and transported to a drainageway (preferably a natural drainageway) with

sufficient capacity to accept the discharge without undue erosion or detrimental impact. Vegetated drainage swales are preferred over conveyances constructed of concrete or other manufactured materials.

(B) The drainage control plan shall identify appropriate measures, such as recharge basins and detention/retention basins, which will limit the quantitative and qualitative effects of stormwater runoff to pre-development conditions.

(Ord. 855, passed 9-21-92)

§ 15.26.270 SITE GRADING AND EXCAVATION PLAN.

(A) Section 15.26.270 applies to the extent that grading and excavation and erosion control plans, which satisfy the following requirements, are not already required by a jurisdiction.

(B) A site grading and excavation plan, prepared by a registered professional engineer, trained and experienced in civil engineering, shall be submitted with each application for a special use permit and shall include the following:

- (1) Details of the existing terrain and drainage pattern with one-foot contours;
- (2) Proposed site contours at one-foot intervals;
- (3) Dimensions, elevation and contours of grading, excavation and fill;

(4) A description of methods to be employed in disposing of soil and other material that is removed from allowable grading and excavation sites, including location of the disposal site if on the property;

(5) A schedule showing when each stage of the project will be completed, including the total area of soil surface to be disturbed during each stage, and estimated starting and completion dates. The schedule shall be prepared to as to limit, to the shortest possible period, the time soil is exposed and unprotected. In no case shall the existing natural vegetation be destroyed, removed or disturbed more than 15 days prior to initiation of the improvements; and

(6) A detailed description of the revegetation and stabilization methods to be employed, to be prepared in conjunction with the landscape plan per § 15.26.280. This description should include locations of erosion control measures such as sedimentation basins, straw bales, diversion swales, and the like.

(C) The grading and excavation plan must be consistent with all the provisions of this chapter.

(D) Unless otherwise provided in this chapter, the following restrictions, requirements and standards shall apply to all development within the District:

(1) Every effort shall be made to develop the site in such a manner so as to minimize the alteration of the natural topography;

(2) No grading, filing, cleaning, clearing, terracing or excavation of any kind shall be initiated until final engineering plans are approved and the special use permit is granted by the City of Crest Hill; and

(3) The depositing of any excavation, grading, or clearing material within a stream, lake, pond or wetland area (i.e. within the District) shall be prohibited.

(E) In addition to locating all site improvements on the subject property to minimize adverse impacts on the stream, lake, pond, or wetland, the applicant shall install a berm, curb or other physical barrier

during construction, and following completion of the project, where necessary, to prevent direct runoff and erosion from any modified land surface into a stream, lake, pond, or wetland. All parking and vehicle circulation areas should be located as far as possible from a stream, lake, pond or wetland.

(F) The City of Crest Hill may limit development activity in or near a stream, lake, pond, or wetland to specific months, and to a maximum number of continuous days or hours, in order to minimize adverse impacts. Also, the City of Crest Hill may require that equipment be operated from only one side of a stream, lake, or pond in order to minimize bank disruption. Other development techniques, conditions, and restrictions may be required in order to minimize adverse impacts on streams, lakes, ponds or wetlands, and on any related areas not subject to development activity.

(Ord. 855, passed 9-21-92)

§ 15.26.280 NATURAL VEGETATION BUFFER STRIP REQUIRED; VEGETATION AND REVEGETATION; LANDSCAPE PLAN.

(A) To minimize erosion, stabilize the streambank, protect water quality, maintain water temperature at natural levels, preserve fish and wildlife habitat, to screen man-made structures, and also to preserve aesthetic values of the natural watercourse and wetland areas, a natural vegetation strip shall be maintained along the edge of the stream, lake, pond or wetland. The natural vegetation strip shall extend landward a minimum of 25 feet from the ordinary high water mark of a perennial or intermittent stream, lake or pond and the edge of a wetland.

(B) Within the natural vegetation strip, trees and shrubs may be selectively pruned or removed for harvest of merchantable timber, to achieve a filtered view of the waterbody from the principal structure and for reasonable private access to the stream, lake, pond or wetland. Said pruning and removal activities shall ensure that a live root system stays intact to provide for streambank stabilization and erosion control.

(C) A landscape plan, prepared by a professional landscape architect, shall be submitted with each special use permit application for development activity within the Lowland Conservancy Overlay District and contain the following:

(1) A plan describing the existing vegetation cover of the property and showing those areas where the vegetation will be removed as part of the proposed construction; and

(2) A plan describing the proposed revegetation of disturbed areas specifying the materials to be used.

(D) The vegetation must be planned in such a way that access for stream maintenance purposes shall not be prevented.

(Ord. 855, passed 9-21-92)

IV. WATERCOURSE REGULATIONS

§ 15.26.300 WATERCOURSE RELOCATION AND MINOR MODIFICATIONS (INCLUDING CHANNELIZATION AND RELOCATION).

(A) Watercourse relocation or modification is generally not permitted because these activities are not usually consistent with the purposes of this chapter. Under certain circumstances, relocation and minor modification may be permitted through a special use permit where certain problems can be mitigated by relocation and/or minor modification, specifically when:

- (1) Off-site hydrologic conditions are causing erosion, flooding and related problems; or
 - (2) On-site soil and geologic conditions are resulting in unstable conditions that pose hazards to life, health, and existing structures or property; or
 - (3) The quality of previously modified or relocated streams can be improved through restoration; or
 - (4) Officially adopted stormwater management plans call for placement of detention or retention facilities in a stream; or
 - (5) Public utilities, including sanitary sewers, pipelines, and roadways require stream crossing or relocation where there are not practical alternatives.
- (B) Modification of watercourses as a convenience for site design purposes is not permitted.
(Ord. 855, passed 9-21-92)

§ 15.26.310 CONDITIONS AND RESTRICTIONS FOR PERMITTING STREAM MODIFICATION.

Stream modification, when permitted, is subject to the following conditions and restrictions:

- (A) Water quality, habitat and other natural functions must be significantly improved by the modification; no significant habitat area may be destroyed;
- (B) The amount of flow and velocity of a stream is not to be increased or decreased as the stream enters or leaves a subject property, unless this reflects an improvement over previous conditions in terms of reduced flooding, reduced erosion, or enhanced low-flow conditions;
- (C) Prior to diverting water into a new channel, a qualified professional approved by the City of Crest Hill shall inspect the stream modification, and issue a written report to the City of Crest Hill that the modified stream complies with the requirements in § 15.26.320; and
- (D) Stream channel enlargement, or other modifications that would increase conveyance, shall not be permitted if the intended purpose is to accommodate development activities in the floodplain.
(Ord. 855, passed 9-21-92)

§ 15.26.320 REQUIRED CONTENT OF STREAM MODIFICATION/RELOCATION PLAN.

Stream relocation may be permitted in accordance with a stream relocation plan which provides for:

- (A) The creation of a natural meander pattern, pools, riffles, and substrate;
- (B) The formation of gentle side slopes (at least three feet horizontally per one foot vertically), including installation of erosion control features;
- (C) The utilization of natural materials wherever possible;
- (D) The planting of vegetation normally associated with streams, including primarily native riparian vegetation;
- (E) The creation of spawning and nesting areas wherever appropriate;
- (F) The re-establishment of the fish population wherever appropriate;

(G) The restoration of water flow characteristics compatible with fish habitat areas, wherever appropriate;

(H) The filling and revegetation of the prior channel;

(I) A proposed phasing plan, specifying time of year for all project phases;

(J) Plans for sediment and erosion control; and

(K) Establishment of a low-flow channel which reflects the conditions of a natural stream.
(Ord. 855, passed 9-21-92)

§ 15.26.330 CRITERIA FOR PERMITTING ARMORING OF CHANNELS AND BANKS.

(A) Armoring in the form of bulkheads, riprap or other materials or devices is not permitted except in accordance with the following:

(1) Significant erosion cannot be prevented in any other way and the use of vegetation and gradual bank slopes has not sufficiently stabilized the shoreline or bank;

(2) The bulkhead or other device is not placed within a wetland, or between a wetland and a lake or pond;

(3) The bulkhead, riprap or other device will minimize the transmittal of wave energy or currents to other properties; and

(4) The change in the horizontal or vertical configuration of the land must be kept to a minimum.

(B) Where permission to install bulkheads or other armoring devices is requested as part of the special use permit application, documentation and certification pertaining to the items above must be submitted.

(Ord. 855, passed 9-21-92)

§ 15.26.340 CRITERIA FOR PERMITTING THE USE OF CULVERTS.

Culverts are not permitted in streams except in accordance with the following:

(A) Where a culvert is necessary for creating access to a property; use of culverts as a convenience, in order to facilitate general site design, is not to be considered;

(B) The culvert must allow passage of fish inhabiting the stream, and accommodate the 100-year flood event without increasing upstream floodings, except where a restricting culvert is desirable as part of an overall storm and floodwater management plan;

(C) The culvert must be maintained free of debris and sediment to allow free passage of water, and if applicable, fish; and

(D) The stream bottom should not be significantly widened for the placement of a culvert as this increases siltation; if multiple culverts must be installed, one culvert should be at the level of the bottom of the stream and the others at or above normal water elevation.

(Ord. 855, passed 9-21-92)

§ 15.26.350 CRITERIA FOR PERMITTING ON-STREAM IMPOUNDMENTS.

Impoundment of streams is not permitted except in accordance with the following:

(A) The impoundment is determined to be in the public interest by providing regional stormwater detention, flood control, or public recreation;

(B) The impoundment will not prevent the upstream migration of indigenous fish species;

(C) A non-point source control plan has been implemented in the upstream watershed to control the effects of sediment runoff as well as minimize the input of nutrients, oil and grease, metals, and other pollutants;

(D) Impoundments without permanent low-flow pools are preferred except where a permanent pool is necessary to achieve the intended benefits of the impoundment (e.g. recreation or water quality mitigation); and

(E) Impoundment design shall include gradual bank slopes, appropriate bank stabilization measures, and a pre-sedimentation basin.
(Ord. 855, passed 9-21-92)

V. OTHER REQUIREMENTS

§ 15.26.400 IMPACT ASSESSMENT.

City of Crest Hill may ask an applicant to submit a report prepared by a qualified professional, and approved by the City of Crest Hill, in order to assess the potential impact of proposed development on a lake, stream or wetland and associated environmentally sensitive areas, including loss of flood storage potential, loss of habitat, changes in species diversity and quantity, impacts on water quality, increases in human intrusion, and impacts on associated streams, lakes, ponds, wetlands or downstream areas.
(Ord. 855, passed 9-21-92)

§ 15.26.410 STREAM MAINTENANCE EASEMENT.

The applicant shall grant an access easement for stream maintenance purposes to the City of Crest Hill over 25 feet parallel to the stream bank.
(Ord. 855, passed 9-21-92)

§ 15.26.420 NONCONFORMING USES.

(To conform with the appropriate section of the City of Crest Hill zoning ordinance.)
(Ord. 855, passed 9-21-92)

VI. ENFORCEMENT; APPEALS

§ 15.26.500 BOARD OF APPEALS.

(To conform with the appropriate section of the City of Crest Hill zoning ordinance.)
(Ord. 855, passed 9-21-92)

§ 15.26.510 VARIANCES.

(To conform with the appropriate section of the City of Crest Hill zoning ordinance.)
(Ord. 855, passed 9-21-92)

§ 15.26.520 APPEALS.

(To conform with the appropriate section of the City of Crest Hill zoning ordinance.)
(Ord. 855, passed 9-21-92)

§ 15.26.530 BONDS.

City of Crest Hill may require the posting of a bond or surety to ensure compliance with any aspect of this chapter.
(Ord. 855, passed 9-21-92)

§ 15.26.540 LIABILITY.

Prior to issuance of a construction permit, the applicant shall enter into an agreement with the City of Crest Hill which runs with the property, in a form acceptable to the City of Crest Hill attorney, indemnifying the City of Crest Hill for any damage resulting from development activity on the subject property which is related to the physical condition of the stream or wetland.
(Ord. 855, passed 9-21-92)

§ 15.26.550 SEPARABILITY.

Every section, provision, or part of this chapter is declared separable from every other section, provision, or part; and if any section, provision, or part thereof shall be held invalid, it shall not affect any other section, provision, or part.
(Ord. 855, passed 9-21-92)

§ 15.26.560 RETROACTIVITY.

The requirements of this chapter apply to all platted and unplatted lands within the jurisdiction of the City of Crest Hill.
(Ord. 855, passed 9-21-92)

§ 15.26.570 ENFORCEMENT.

Authority for administration of this chapter resides with the Zoning Administrator.
(Ord. 855, passed 9-21-92)

§ 15.26.580 STOP-WORK ORDER; REVOCATION OF PERMIT.

In the event any person holding a special use permit pursuant to this chapter violates the terms of the permit, or carries on site development in such a manner so as to materially and adversely affect the health, welfare, or safety of persons residing or working in the neighborhood of the development site, or so as to be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, the City of Crest Hill may suspend or revoke the special use permit.

(A) Suspension of a permit shall be by a written stop-work order issued by the City of Crest Hill and delivered to the permittee or his or her agent or the person performing the work. The stop-work order shall be effective immediately, shall state the specific violations cited, and shall state the conditions under which work may be resumed. A stop-work order shall remain in effect until the next regularly scheduled meeting of the Board of Appeals, at which the conditions of division (B) below can be met.

(B) (1) No special use permit shall be permanently suspended or revoked until a hearing is held by the Board of Appeals. Written notice of such hearing shall be served on the permittee, either personally or by registered mail, and shall state:

(a) The grounds for complaint or reasons for suspension or revocation, in clear and concise language; and

(b) The time when and place where such hearing will be held.

(2) Such notice shall be served on the permittee at least five days prior to the date set for the hearing. At such hearing, the permittee shall be given an opportunity to be heard and may call witnesses and present evidence on his or her behalf. At the conclusion of the hearing the Board of Appeals shall determine whether the permit shall be suspended or revoked.

(Ord. 855, passed 9-21-92)

§ 15.26.590 VIOLATIONS; PENALTIES.

No person shall undertake or continue any development activity contrary to or in violation of any terms of this chapter. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and each day during which any violation of any of the provisions of this chapter is committed, continued, or permitted shall constitute a separate offense. Upon conviction of any such violation, such person, partnership, or corporation shall be punished by a fine of not more than \$500 for each offense. In addition to any other penalty authorized by this section, any person, partnership, or corporation convicted of violating any of the provisions of this chapter shall be required to restore the site to the condition existing prior to commission of the violation, or to bear the expense of such restoration.

(Ord. 855, passed 9-21-92)

CHAPTER 15.28: FIRE CODE

Section

15.28.010 Adoption of International Fire Code

§ 15.28.010 ADOPTION OF INTERNATIONAL FIRE CODE.

The 2000 International Fire Code and all Appendices thereto shall be known as the Fire Code of the City of Crest Hill, Illinois and is hereby adopted as the Fire Code of the city, a copy of which is on file with the Building Commissioner.
(Ord. 1670, passed 7-7-14)

CHAPTER 15.30: DISCRIMINATION

Section

15.30.010	Declaration of policy
15.30.020	Definitions
15.30.030	Prohibited acts
15.30.040	Penalty

§ 15.30.010 DECLARATION OF POLICY.

(A) In furthering the policy of the State of Illinois as expressed in its constitution and other laws; in order that the safety and general welfare, peace and health of all the inhabitants of the city may be ensured, it is hereby declared the policy of the city to assure equal opportunity to all residents, regardless of race, color, religion, national origin or ancestry, sex, creed, or physical disability to live in decent, sanitary, healthful, standard living quarters.

(B) It is the policy of the city that no owner, lessee, sub-lessee, assignee, managing agent, or other person, firm or corporation having the right to sell, rent, lease or otherwise control) any housing accommodation and/or real property within the city, or any agent of these shall refuse to sell, rent, lease, or otherwise deny to or withhold from any person or group of persons such housing accommodations and/or real property because of race, color, religion, national origin or ancestry, sex, creed, or disability of such person or persons or discriminate against any person or persons because of race, color, religion, national origin or ancestry, sex, creed or disability in the conditions, terms, privileges of the sale, rental or lease of any housing accommodation and/or real property or in the furnishing of facilities and/or services in connection therewith.

(C) Relocation shall be carried out in a manner that will promote maximum choice within the community's total housing supply; lessen racial, ethnic, and economic concentrations; and facilitate desegregation and racially inclusive patterns of occupancy and use of public and private facilities.
(Ord. 1845, passed 6-15-20)

§ 15.30.020 DEFINITIONS.

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

DECENT, SANITARY, HEALTHFUL STANDARD LIVING QUARTERS. Housing which is in sound, clean, and weather-tight condition in conformance with applicable local, state, and national codes.

DISCRIMINATE. Any difference expressed in any way toward a person or persons in the terms of the sale, exchange, lease, rental or financing for housing accommodation and/or real property in regard to such sale, exchange, rental, lease or finance because of race, color, religion, national origin or ancestry, sex, creed, or disability of such person.

FINANCIAL INSTITUTION. Any person, institution or business entity of any kind which loans money to persons and receives as security for said loans a secured interest of any kind in the real property of the borrower.

HOUSING ACCOMMODATION. Any building, structure, or portion thereof which is used or occupied, maintained, arranged or designed to be used or occupied as a home, residence or sleeping place of one or more human beings, or any real estate so used, designed or intended for such use.

OWNER. Any person/persons who hold legal or equitable title to, or own any beneficial interest in any real property or who hold legal or equitable title to shares of, or hold any beneficial interest in any real estate cooperative which owns any real property and/or housing accommodations.

REAL ESTATE BROKER. Any person, partnership, association, corporation and/or agent thereof, who for a fee or other valuable consideration offers, sells, purchases, exchanges or rents, or negotiates for the sale, purchase, exchange or rental of a housing accommodation and/or real property of another, or collects rental for the use of housing accommodation and/or real property of another.

REAL PROPERTY. Any real estate, vacant land, building, structure or housing accommodations within the corporate limits of the City of Crest Hill, Illinois.
(Ord. 1845, passed 6-15-20)

§ 15.30.030 PROHIBITED ACTS.

(A) It shall be unlawful for any owner of real estate, lessee, sub-lessee, real estate broker or salesman, financial institution or employee of the financial institution, advertiser, or agent of any or all of the foregoing, to discriminate against any person or persons because of their race, color, religion, national origin or ancestry, sex, creed, or disability with regard to the sale, exchange or rental, or any dealing concerning any housing accommodation and/or real property.

(B) In addition to the foregoing, it shall also be unlawful for any real estate broker or employee thereof, owner or other person, or financial institution dealing with housing or real property in the city:

(1) To discriminate against any person in the availability of or the price, terms, conditions, or privileges of any kind relating to the sale, rental, lease, or occupancy of any housing accommodation or real property in the city or in furnishing of any facilities or services in connection therewith;

(2) To publish or circulate, or cause to be published or circulated, any notice, statement or advertisement, or to announce a policy, or to use any form of application, for the purchase, lease, rental or financing of real property, or to make any record of inquiry in connection with the prospective purchase, rental or lease of such real estate, which expresses directly or indirectly any discrimination as to race, color, religion, national origin or ancestry, sex, creed or disability of any person;

(3) To discriminate in connection with lending money, guaranteeing loans, accepting mortgages or otherwise obtaining or making available funds for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation and/or real property;

(4) To solicit for sale, lease, or listing for the sale or lease, of any housing accommodation and/or real property on the grounds of loss of value because of the present or prospective entry into any neighborhood of any person or persons of any particular race, color, religion, national origin or ancestry, sex, creed, or disability;

(5) To distribute or cause to be distributed written material or statements designed to induce any owner or any housing accommodation and/or real property to sell or lease his or her property because of any present or prospective change in the race, color, religion, national origin or ancestry, sex, creed, or disability of persons in the neighborhood;

(6) To make any misrepresentations concerning the listing for sale or the anticipated listing for sale or the sale of any housing accommodation and/or real property for the purpose of inducing or attempting to induce the sale or listing for sale of any housing accommodation and/or real property by representing that the presence or anticipated presence of persons of any particular race, color, religion, national origin or ancestry, sex, creed, or disability in the area will or may result in the lowering of property values in the block, neighborhood or area in which the property is located;

(7) For an owner to solicit any real estate broker to sell, rent or otherwise deal with such owner's housing accommodations and/or real property with any limitation on its sale based on race, color, religion, national origin or ancestry, sex, creed, or disability;

(8) For an owner to refuse to sell, rent, or otherwise deal with any housing accommodation and/or real property because of race, color, religion, national origin or ancestry, sex, creed, or disability of the proposed buyer or tenant.
(Ord. 1845, passed 6-15-20)

§ 15.30.040 PENALTY.

Any person convicted of violating any of the provisions of this chapter shall be punished by a fine of not less than \$100 nor more than \$750. Each day a violation continues shall constitute a separate violation. This section shall in no way abrogate or impair the right of the city to specifically enforce, by any legal means, any of the provisions of this chapter.
(Ord. 1845, passed 6-15-20)

