

ORDINANCE No. 771

LAND SUBDIVISION ORDINANCE OF THE VILLAGE OF TEUTOPOLIS, EFFINGHAM COUNTY, ILLINOIS, ORDINANCE REPEALING ORDINANCE NO. 681, AS AMENDED

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF TEUTOPOLIS, EFFINGHAM COUNTY, ILLINOIS, as follows:

**ARTICLE 1**

**TITLE AND PURPOSE**

This Ordinance shall be known as the "Land Subdivision Ordinance of the Village of Teutopolis."

**ARTICLE 2**

**DEFINITIONS**

2.1. For purposes of this Ordinance, certain terms are herein defined as follows:

1. ***Alley.*** A public right-of-way primarily designated to serve as access to the side or rear of those properties whose principal frontage is on some other street.
2. ***Arterial Street.*** A street designated as a highway, major arterial or minor arterial on the adopted Major Street Plan of the Village of Teutopolis ("Village").
3. ***Block.*** A tract of land bounded by street or by a combination of streets, public parks, cemeteries, railroad rights-of-way, waterways, or boundary lines of the corporate limits of the Village.
4. ***Building Line.*** A line within a lot, so designated on a plat of subdivision, between which line and the street line of any abutting street, no building or structure may be erected.
5. ***Collector Street.*** A street designated as a collector on the adopted Major Street Plan of the Village or a street in a proposed subdivision which is intended to collect traffic to arterial thoroughfares, in addition to providing access to properties abutting thereon.

6. ***Cul-de-sac.*** A minor street having but one end open for vehicular traffic and with the other end permanently terminated by a turnaround or backaround for vehicles.

7. ***Driveway.*** Private accessway leading from a public street to a dwelling unit or building.

8. ***Easement.*** An accessway over, under or across land, for which the owner of the servient tenement grants a right of use to the owner of a dominant tenement for one or more designated purposes, which purposes are consistent with the property rights of the servient owner.

9. ***Improvement; Public Improvement.*** Street work and utilities including water, sewer, electric, gas, and storm water, to be installed by the subdivider on land to be used for public streets or easements, as are necessary for the general use of lot owners in the subdivision and the public at large, and as a condition precedent to the approval and acceptance of the Final Plat thereof.

10. ***Land Use.*** The plan or any portion thereof adopted by the Village for the coordinated physical development of the Village and its environs.

11. ***Lot.*** A portion of a subdivision or other parcel of land intended of the transfer of ownership or for building development, whether immediate or future.

12. ***Local Street.*** A street other than an arterial or collector street and intended primarily for providing low volume traffic access to abutting properties of limited number.

13. ***Owner.*** Any person, firm, association, syndicate, partnership, corporation, trust, or any other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this Ordinance.

14. ***Plat.*** A map or drawing showing the lot, easement and street arrangement, and other features or details of the area being subdivided, as required in this Ordinance for preliminary and final approval and recording.

15. **Plans.** All drawings, including general plans, cross sections, profiles, working details and specifications, which the subdivider prepares or has prepared to show the character, extent, and details of the public improvements required in this Ordinance.

16. **Street.** A public thoroughfare which affords the principal means of access to abutting properties, and whether designated as a freeway, expressway, thoroughfare, highway, road, parkway, avenue, boulevard, lane, place, circle, or however otherwise designated.

17. **Subdivide.** The process of dealing with land so as to establish a subdivision as defined herein.

18. **Subdivider.** Any individual, firm, partnership, association, corporation, estate, trust, or any other group or combination, acting as a unit, dividing or proposing to divide land so as to constitute a subdivision as defined herein, and including any agent of the subdivider.

19. **Subdivision.** Either:

(a) The division of land into two or more tracts, sites or parcels resulting in any such tract being less than five acres in area; or,

(b) The establishment or dedication of a road, highway, street or alley through a tract of land regardless of area; provided, however, that the following shall not be considered a subdivision of land:

(i) The division or subdivision of land into parcels or tracts of five acres or more in size that does not involve any new streets or means of access;

(ii) The sale or exchange of parcels of land between owners of adjoining and contiguous land unless such action creates a lot or lots that violate the terms of the Teutopolis Zoning Ordinance, as amended;

(iii) The conveyance of parcels of land or interests therein for use as right-of-way for railroads or public utility facilities (e.g. pipelines) that does not involve any new streets or means of access;

(iv) The conveyance of land owned by a railroad or other public utility that does not involve any new streets or means of access;

(v) The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use, or instruments relating to the vacation of land impressed with a public use; or

(vi) Conveyances made solely to correct descriptions in prior conveyances.

20. ***Village Board.*** Board of Trustees of the Village of Teutopolis.

21. ***Planning Commission.*** Planning Commission of the Village of Teutopolis.

2.2 Unless the context requires otherwise, terms not defined herein, but defined in the Teutopolis Zoning Ordinance, shall have the meaning therein indicated.

### ARTICLE 3

#### JURISDICTION AND PROCEDURE

3.1. **Plat, When Required.** It shall be unlawful for the owner or person having control of any land within either the corporate limits of the Village or within one and one-half (1½ ) miles of its corporate limits, to subdivide or lay out such land into lots, blocks, streets, avenues, alleys or public ways, unless by a subdivision plat in accordance with the laws of the State of Illinois and the provisions of this Ordinance.

3.2. **Pre-Application Conference.** The subdivider shall meet with the Building Official prior to submitting the preliminary plat. The purpose of this meeting is to discuss the applicability of this Ordinance, and the subdivision process and procedure, the criteria and standards contained therein; and

to familiarize the developer with the Village's Land Use Plan and those portions of the Plan affecting the area in which the proposed subdivision lies.

3.3. **Preliminary Plat.** Any person proposing to subdivide land shall submit to the Planning Commission, for its consideration, a preliminary plat prepared in accordance with this Ordinance. The design and layout of the subdivision shall conform to the requirements of ARTICLE 4 herein. Following consideration of the plat, the Planning Commission shall report its findings and recommendations in writing to the Village Board for its consideration, and its approval or disapproval.

3.4. **Requisites for Final Plat Approval.** Following approval of the preliminary plat by the Village Board, the subdivider shall (1) install the required improvements, or (2) furnish a bond for such installation, all in accordance with the requirements of ARTICLE 6 herein. Upon approval of the improvements, or arrangements therefor, the final plat shall be submitted in accordance with the provisions and requirements of ARTICLE 7 herein. No plat shall be filed for record in the office of the Recorder of Deeds of Effingham County, Illinois, unless and until the approval of the Village Board endorsed thereon by the President and Village Clerk.

3.5. **Transfer of Land; Building Permits.** No Parcel of land in a subdivision created after the effective date of this Ordinance shall be transferred, sold, or offered for sale; nor shall a building permit be issued for any structure thereon; until a plat of subdivision shall have been filed for record in the office of the Recorder of Deeds of Effingham County, Illinois in accordance with these regulations. Any person who violates this Ordinance shall be subject to the penalties contained herein.

## ARTICLE 4

### SUBDIVISION DESIGN STANDARDS

4.1. The arrangement of streets and lots shall be designed with due regard to the topography and other physical features of the property and shall meet the following requirements and standards.

4.2. **Relation to Adjoining Street System.** The arrangement of streets in new subdivisions shall make provision for the continuation of the existing streets in adjoining areas (or their proper projection where adjoining land is not subdivided) insofar as they may be deemed necessary for public requirements. The street and alley arrangements shall not be such to cause hardship to owners of adjoining property in developing their own land and providing convenient access to it. Offset streets shall be avoided. The angle of intersection between minor streets and major streets shall not vary by more than five degrees from a right angle. Streets in alignment with existing streets shall bear the names of the existing streets. Proposed street names that are inconsistent or conflicting with existing street names shall not be approved.

4.3 **Street and Alley Width:**

1. Rights-of-way (“ROW”) and pavement widths for streets shall be based on the Major Streets Plan and Recommended Street Cross Sections, adopted by the Village, and as outlined below.

	Minimum ROW	Minimum Pavement Width
Arterial	70	32’
Collector	60	30’
Local	60	26’

2. Alleys shall not be provided in a residential block. Provisions shall be made for service and deliveries for all business lots.

3. At street intersections, the lots shall be day lighted to provide an additional 20’ x 20’ triangle dedicated to right-of-way.

4.4 **Private Streets.** There shall be no private streets platted in any subdivision within the Village of Teutopolis and every subdivided property shall be served from a publicly dedicated street.

4.5. **Easements.** Easements of at least fifteen (15) feet in width shall be dedicated on each side of all rear lot lines and five (5) feet along side lot lines, where necessary, for poles, wires, conduits,

storm and sanitary sewers, gas, water or other utilities. Easements of greater width may be required along or across lots where necessary for the extension of main sewers or other utilities or where both water and sewer lines are located in the same easements.

**4.6 Blocks.**

1. No Block shall be longer than 1,200 feet; and, where blocks are over 750 feet in length, a cross walk with a right-of-way of at least 10 feet in width may be required near the center of the block.

2. Courts, dead end streets, or other street space may be provided if proper access is given to all lots from a dedicated street or court. All dead end streets shall terminate in a dedicated street space having a minimum radius of 60 feet, or other satisfactory arrangement for turning of vehicles. Dead end streets shall not exceed 750 feet in length.

**4.7. Lots.**

1. The lot arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, properly related to topography and to the character of surrounding development.

2. All sidelines of lots shall be at right angles to straight street lines and radial to curved street lines except where a variation of this standard will result in a better street and lot layout. Lots with double frontage shall be avoided.

3. No lot shall have a depth of less than 100 feet nor shall its depth be in excess of three times its width; and, no lot shall have an area or dimensions of less than that required by any zoning ordinance or resolution in effect within the area.

4. Corner lots shall have a width sufficient to permit the establishment of front building lines of both of the adjoining streets.

4.8 **Maintenance of Improvements Outside Corporate Limits.** Where a

subdivision outside the corporate limits contains sewage disposal or treatment systems, water supply systems, park areas, or other facilities necessary or desirable for the welfare of the subdivision area, which neither the Village nor any other governmental body having jurisdiction can or elects to maintain, adequate provision shall be made by a trust agreement or other means made a part of the deed restrictions acceptable to the Village, for the proper and continuous maintenance and supervision of such facilities by or for the benefit of the parties served by such facilities.

4.9 **Easements Along Streams.** Whenever any stream or other area surface drainage course

is located in an area being subdivided, the subdivider shall provide an adequate easement along each side of the waterway for the purpose of widening, deepening, sloping, improving, or protecting the waterway and such easement shall be dedicated to the Village or other appropriate governmental body.

4.10 **Storm Water.** Downstream property owners, water courses, channels or conduits shall

not receive storm water runoff from any proposed upstream developments at a higher peak flow rate than would have resulted from the same storm event occurring over the site of the proposed development with the land in its natural, undeveloped conditions, nor shall storm water runoff exceed the capacity of the natural drainage system; and, accordingly, the Village does hereby regulate storm water runoff as follows:

1. Storm water runoff resulting from a proposed development shall be detained on-site:
  - a. By wet or dry bottom reservoirs;
  - b. By underground reservoirs;
  - c. On flat roofs, parking lots; or
  - d. By other detention methods approved by the Village Engineer.

2. Storm water detention facilities shall have sufficient capacity to store flows up to the 100-year, twenty-four (24) hour rainstorm.
3. For purposes of designing adequate on-site detention facilities, the Illinois State Water Survey rainfall data for this region shall be used.
4. The provisions of this section shall be applicable to the following areas:
  - a. Any residential development having a gross aggregate area of ten (10) acres or more;
  - b. Any residential development of less than ten (10) acres with a fifty percent (50%) impervious surface, including roads, buildings, utility rights-of-way, and other improvements; or
  - c. Any commercial, industrial, institutional or utility development.
5. Any development subject to the regulations herein imposed must be certified by the Village Engineer as being in compliance herewith, at developer's expense,

## ARTICLE 5

### PRELIMINARY PLAT

5.1. **Where Filed, Exception.** Nine copies of the preliminary plat, drawn to a scale of not more than 100 feet to an inch, shall be submitted to the Planning Commission. The plat shall be accompanied by a filing fee of \$50.00, or the sum of \$5.00 for each lot within the proposed subdivision, whichever is greater. The preliminary plat shall be reviewed by the Planning Commission with due regard to applicable zoning. Plats containing three (3) lots or less, and not involving new streets, may be exempted from the provision of this Article, upon application to the Planning Commission.

5.2. The Preliminary Plat Shall Show:

1. The location of the present property lines, section lines and streets, buildings, water courses and other existing features within the area to be subdivided and similar information

regarding land immediately adjacent thereto, the complete right of way and improvements of all existing streets including sidewalks adjacent to the subdivision;

2. The proposed location and width of streets, sidewalks, lots, building lines and easements;
3. Existing sanitary and storm sewers, water mains, culverts and other underground structures within the tract immediately abutting thereto; the location and size of the nearest water main and sewer outlet;
4. The title under which the proposed subdivision is to be recorded and the name of the Professional Engineer, the registered land surveyor, and the subdivider developing the tract;
5. Contours referred to the Village datum with intervals of two feet or less;
6. The north point, scale, date and location map, existing zoning;
7. Flood plain boundaries as shown on the Village's flood hazard map;
8. Plans or written statements describing the grades or profiles of the streets, the proposed grades and facilities for all required improvements and the subdivider's proposal to the Village for accomplishing their installation in accordance herewith; and
9. Listing of all proposed deviation from existing subdivision or zoning ordinances, or ordinances of similar import.

**5.3. Approval of Preliminary Plat.** If the Planning Commission finds that the preliminary plat satisfies the requirements of this Ordinance, it shall approve the plat and recommend approval of the plat to the Village Board. If the Planning Commission finds otherwise, it shall specify in writing the objections found to such plat and may either recommend disapproval or recommend approval conditioned upon specific changes in the plat. One copy of the proposed plat, together with a copy of the findings of the Planning Commission, shall be filed by the Planning Commission with the Village Clerk

for submission to the Village Board. One copy of the proposed plat and findings shall be retained by the Planning Commission and one copy and findings shall be given the subdivider.

## ARTICLE 6

### MINIMUM IMPROVEMENTS

6.1. **Authority to Proceed.** Receipt by the subdivider of the approval of the Village Board shall constitute authority for the subdivider to proceed with final plans and specifications for the installation of the required improvements and preparation of the final plat. Prior to the construction of any of the required improvements, the subdivider shall submit such final plans and specifications to the Village Engineer. If said Village Engineer shall find such plans and specifications to be in accordance with applicable policies and standards of the Village, he shall authorize construction and recommend the amount of bond, if required. Following the approval of the plans and specifications by the Village Engineer and the bond by the Village Board, construction may be started.

6.2. **Improvements to be Installed Before Approval of Final Plat.** No final plat of any subdivision shall be approved unless:

1. The improvements listed hereinafter have been installed prior to such approval; or
2. The subdivider shall have filed with the Village Board bond with satisfactory surety (e.g. cash, commercial bank certificate of deposit or a reputable commercial surety), to insure the construction of the required improvements to the standard and within the period specified by the Village Board, such period not to exceed two (2) years. No bond shall be accepted unless it is enforceable by or payable to the Village in a sum at least equal to the cost of constructing the improvements as estimated by the Village Engineer and approved by the Village Board. All improvements to be made under the provision of this article shall be inspected during the course of the construction by the Village Engineer as designated by the Village Board and no subdivision shall be finally accepted as to any of such improvements until its approval by the Village Board.

3. A fee equal to the fee paid by the Village to its Village Engineer for like services shall be paid to the Village to defray the Village's cost of reviewing and approving plans and specifications for public improvements and the on-site inspection of construction of said public improvements by the Village Engineer. These fees shall be borne by the subdivider. All engineering plans, specifications and construction contracts shall be subject to the approval of the Village Engineer. When the Village has ascertained that all improvements have been completed by the subdivider and that said improvements conform to the required standards of the Village, the Village shall accept the improvements by resolution and shall return the bond to the subdivider.

6.3. **Installation of Part of Improvements.** The owner of a tract may prepare and secure approval of a preliminary plat for the entire tract and may install the required improvements only in a portion of such tract, but the improvements must be installed or provision made for their installation in any portion of the area for which a final plat is approved for recording; provided, however, that any water mains, storm sewers, trunk sewers and any sewage treatment facilities shall be designated and built to serve all the area owned by the subdivider, or designated and built in such a manner that they can economically be expanded or extended to serve the entire area.

6.4. **Survey Monuments.** All subdivision boundary corners shall be marked with permanent survey monuments set flush with the ground. A permanent monument shall be deemed to be an iron rod at least thirty inches long with a minimum size of three-quarter inch diameter. Should conditions prohibit the placing of monument on the line, off-set marking will be permitted provided, however, that exact off-set courses and distances are shown on the subdivision plat. Iron pipes or steel rods of a minimum of one-half inch diameter shall be set at all lot corners. If survey monuments are removed during construction, they shall be replaced before the final plat is approved.

**6.5 Streets, Curb and Gutter, and Sidewalks.**

1. All streets and public ways shall be graded to their full width (as specified herein) including side slopes, and to the appropriate grade, and shall be surfaced according to Village specifications with one of the following alternates:

a. Seven and one-half (7½) inches of compacted crushed stone or gravel and prime coat seal with an A-3 seal treatment;

b. Six (6") inches of compacted gravel or crushed stone base course with two (2") inches of hot plant mix bituminous surface; or

c. Six (6) inches of Portland Cement Concrete pavement without mesh.

The Village may specify a higher construction standard for arterial and collector streets; however, in such instances the Village shall assume the difference in cost.

2. Curbs, gutters or combination curb and gutters shall be constructed along the outside pavement line in accordance with Village standards and specifications.

3. Unless waived by the Village Board, concrete sidewalks shall be constructed. All sidewalks in residential areas shall be a minimum of four feet (4') in width. All sidewalks in commercial areas shall be a minimum of five feet (5') in width, unless the sidewalk is adjacent to the curb where traffic is allowed to park in the street, in which case, the sidewalk shall be a minimum of six feet (6') in width. All sidewalks shall be located in general conformity to the Standard Street Cross-Section, and shall be installed in accordance with Village standards and specifications and conforming to all applicable laws, ordinances, rules and regulations of every governmental body having jurisdiction thereof, including but not limited to the Americans with Disabilities Act, and any act of similar import. Sidewalks shall be separated from the back of the curb or gutter by a minimum four (4') feet wide earthen area in residential areas.

4. Where lots are 20,000 square feet or more in area, a twenty-four (24') foot wide surface may be installed without curb or gutter, provided that four (4') foot wide shoulders and adequate drainage facilities approved by the Village's Engineer are constructed.

6.6. **Water Lines.** Where a subdivision is located within the Village limits, each lot therein shall be provided with access to the Village water system, across the entire lot width. Fire hydrants shall also be installed in all subdivisions, within the corporate limits, and the location of the same shall be approved by the Village. The water supply system shall be constructed under the direction and control of, and all construction shall be subject to, the approval of the Village. Dead end water mains shall be avoided. When running parallel with sidewalk or curbing, no water main or sewer main shall be installed so as to be directly under or within two (2') feet of either side of sidewalk or curbing as to inhibit access to said water main or sewer main. In subdivisions outside the Village limits, pending availability of a public water supply the subdivider shall construct wells or a private water supply system in such a manner that an adequate supply of potable water will be available to every lot in the subdivision at the time improvements are erected thereon. The installation shall conform to standards and requirements and be subject to the approval of any governmental bodies having jurisdiction thereof.

6.7. **Sanitary Sewers.** Where the subdivision is located within the Village limits, each lot therein shall be provided with a connection to a sanitary sewer, said sewer connection to terminate not less than two (2') feet inside the curb line or easement line. All connections to the Village sewer system and the subdivision sewer system shall comply with applicable ordinances of the Village pertaining to sewers and all construction of the system shall be subject to direction and approval of the Village. In subdivisions beyond the Village limits in which the lots are less than 20,000 square feet and where plans for the installation of sanitary sewers in the vicinity of the subdivision have been prepared by the Village, the subdivider may be required to install sewers in conformity with such plans. In such cases, until a connection can be made with the public sewer system, the use of an alternate central treatment

facility will be permitted, provided such facilities are approved by the Village and any other governmental bodies having jurisdiction thereof. When running parallel with sidewalk or curbing, no water mains or sewer mains shall be installed as to be directly under or within two (2') feet of either side of sidewalk or curbing as to inhibit access to said water main or sewer main. In subdivisions beyond the Village limits where the lots are 20,000 square feet or more and have a minimum width of 100 feet. The subdivider may install individual disposal devices for each lot at the time improvements are erected thereon. All such individual sewage disposal systems shall be approved by and constructed in accordance with regulations and requirements of the Village and any other governmental body having jurisdiction thereof.

6.8. **Drainage.** The subdivision plat shall be laid out so as to provide drainage of the area being subdivided including facilities such as curb and gutter, catch basins, culverts, bridges and natural drainage ways. The design of the storm drainage system shall be based on a 2 ½ inches per hour maximum rainfall intensity and the system designed according to accepted engineering practices, Village specifications and the following general standards:

1. The minimum street grade shall be 0.3 percent; provided, that whenever possible, the Village shall encourage a minimum street grade of 0.5 percent.
2. Curb and gutter shall be provided as outlined above.
3. No transport of runoff across a street by use of a swale shall be permitted.
4. Runoff may be transported from lots to the public storm water drainage system by swales.
5. Inlets shall be provided as required by Sections 6-410.06 and 6-401.07 of State of Illinois, Department of Transportation Design Manual (current edition) for a 10-year flood frequency.
6. Runoff collected at inlets shall be piped to or discharged to a natural watercourse.

**ARTICLE 7****FINAL PLAT**

7.1. **Final Plat.** The final plat shall be drawn on reproducible mylar, or similar durable material at a scale of not more than 100 feet to the inch from an accurate survey and appear on one or more sheets whose maximum dimensions shall not exceed 24 inches by 36 inches. If more than two sheets are required, an index sheet of the same dimensions shall be filed showing the entire subdivision on one sheet and the component areas shown on other sheets. The original and nine (9) prints of the final plat shall be submitted to the Planning Commission. If the final plat conforms to the approved preliminary plat, and the requirements of Articles 6 and 7 have been accomplished, certification to this effect shall be endorsed on the final plat by the Chairman of the Planning Commission, and the plat shall thereupon be submitted to the Village Board with its recommendation for approval. If the final plat fails to conform to the approved preliminary plat, the Planning Commission shall submit its recommendations to the Village Board for disapproval of the final plat.

7.2. **Information Required.** The final plat and accompanying documents shall show:

1. The boundary lines of the area being subdivided with accurate distances and angles.
2. The correct legal description of the property being subdivided shall be shown on the plat, or on an accompanying certificate.
3. The lines of all proposed streets and alleys with their widths and the names of all streets.
4. An accurate outline and designation of any portions of the property intended to be dedicated or granted for public use.
5. Flood plain boundaries as determined by the flood hazard map.

6. The lines of all adjoining properties and the lines of adjoining streets and alleys with their widths and the names of all streets.

7. All lot lines, together with an identification of all lots and blocks.

8. The location of all easements provided for public use, service or utilities.

9. All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision, lots, streets, alleys, easements, and other areas for public or private use. Linear dimensions are to be given to the nearest 1/100th of a foot. The radii, arcs or chords, points of tangency and central angles for all curvilinear streets, and radii for rounded corners.

10. The location of all survey monuments and their descriptions.

11. The name of the subdivision, the scale of the plat, points of the compass, and the name of the owner or owners, or subdivider.

12. The certificate of a registered Illinois land surveyor attesting the accuracy of the survey and the correct location of all monuments shown.

13. Private restrictions, covenants, and trusteeships, if any, and their periods of existence. Should these restrictions, covenants, or trusteeships be of such length as to make their inclusion on the plat impracticable and thus necessitate the preparation of a separate instrument, reference to such instrument shall be made on the plat.

14. Calculations showing the error of linear closure which error shall, in no case be greater than one in 5,000.

15. Acknowledgment of the owner or owners of the plat and restrictions, including dedication to public use of all streets, alleys, parks or other open spaces shown thereon, and the granting of easements required.

16. A receipt or certificate showing that there are no unpaid taxes or assessments upon any part of the area within the subdivision.

17. Statement certifying that the subdivision is or is not within 500 feet of any surface drain or water course serving a tributary area of 640 acres or more.

18. Other information, as required by any applicable law, rule, regulation, ordinance or similar requirement.

19. Village of Teutopolis approval endorsement.

7.3. **Approved Plat Filed with Recorder of Deeds.** After the approval of the final plat by the Village Board, said plat shall be recorded in the Effingham County Recorder's Office within the time provided by law or within sixty (60) days, whichever is the shorter period of time; and, if not so filed, such plat shall have no validity and shall not be later recorded without the approval of the Village Board.

## **ARTICLE 8**

### **EXCEPTIONS**

Whenever the tract to be subdivided is of such an unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in this Ordinance would result in real difficulties or substantial hardship or injustice, the Board of Appeals, upon petition and after a public hearing as in zoning variance cases provided for, may vary or modify such requirements so that the subdivider may develop the property in a reasonable manner; provided, however, that the public welfare and interests of the Village and surrounding area are protected and the general intent and spirit of this Ordinance preserved.

## **ARTICLE 9**

### **VALIDITY**

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or void, such decision shall not affect the validity of the remaining portions of this Ordinance.

**ARTICLE 10**

**PENALTY**

It shall be illegal to sell or offer to sell any lot, tract, or property which does not conform to the requirements and regulations of this Ordinance and every such sale or attempt to sell shall be subject to a fine of not less than \$100.00 for each lot or tract.

**ARTICLE 11**

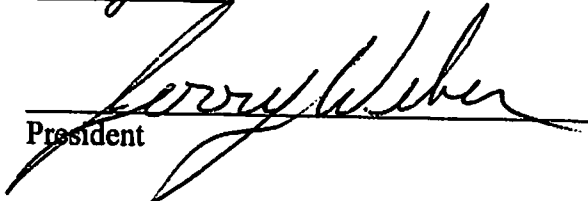
**EFFECTIVE DATE; PUBLICATION**

This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law. The Clerk of the Village is hereby authorized and directed to publish this Ordinance in pamphlet form pursuant to the statutes in such case made and provided, and the cover of said pamphlet shall show that said Ordinance is published in pamphlet form pursuant to the authority of the Village Board, given for said publication.


Presented, read, and filed this 20 day of February, 2008.

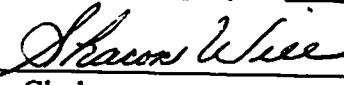
Passed and approved this 20 day of February, 2008.

Recorded this 20 day of February, 2008.

  
\_\_\_\_\_  
President

ATTEST:

  
\_\_\_\_\_  
Village Clerk  
(Corporate Seal)

Published this 20 day of February, 2008.  
  
\_\_\_\_\_  
Village Clerk

STATE OF ILLINOIS                    )  
  ) ss.  
COUNTY OF EFFINGHAM            )

**CERTIFICATE**

I, Sharon Will, Clerk of the Village of Teutopolis, Effingham County, Illinois, do hereby certify that I am the keeper of the records, files and seal of said Village.

I further certify that on February 20, 2008, the President and Board of Trustees of such municipality passed and approved Ordinance No. 771, entitled " LAND SUBDIVISION ORDINANCE OF THE VILLAGE OF TEUTOPOLIS, EFFINGHAM COUNTY, ILLINOIS, AND AN ORDINANCE REPEALING ORDINANCE NO. 681, AS AMENDED." which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 771 was prepared, and a copy of such Ordinance was posted in the Village Hall, commencing on February 21, 2008, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

Dated at Teutopolis, Illinois, this 20 day of February, 2008.

Sharon Will  
Village Clerk

(SEAL)

STATE OF ILLINOIS                    )  
  ) ss.  
COUNTY OF EFFINGHAM            )

I, Sharon Will, Clerk of the Village of Teutopolis, Effingham County, Illinois, do hereby certify that I am the keeper of the records, files and seals of said Village. I do also certify that the foregoing is a true and complete copy of:

Ordinance No. 771 " LAND SUBDIVISION ORDINANCE OF THE VILLAGE OF TEUTOPOLIS, EFFINGHAM COUNTY, ILLINOIS, AND AN ORDINANCE REPEALING ORDINANCE NO. 681, AS AMENDED."

The aforesaid Ordinance was passed by the President and Board of Trustees of the Village by aye and nay vote at a meeting of the Board of Trustees held on the 20 day of February, 2008, as the same appears from the records and files in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Village of Teutopolis, Illinois, this 20 day of February, 2008.

Sharon Will  
Village Clerk

(SEAL)