

United City of Yorkville

800 Game Farm Road Yorkville, Illinois 60560 Telephone: 630-553-4350

www.yorkville.il.us

AGENDA

PUBLIC WORKS COMMITTEE MEETING

Tuesday, February 16, 2016 6:00 p.m.

City Hall Conference Room 800 Game Farm Road, Yorkville, IL

Citizen Comments:

Minutes for Correction/Approval: January 19, 2016

New Business:

- 1. PW 2016-07 Countryside Subdivision Phase III Engineering Agreement
- 2. PW 2016-08 Fountainview Subdivision Lots 1 and 2 IDOT Highway Permit and Resolution
- 3. PW 2016-09 Raintree Village Units 4, 5 and 6 Acceptance of Improvements
- 4. PW 2016-10 Well No. 8 Rehabilitation Change Order No. 1
- 5. PW 2016-11 2016 Sanitary Sewer Lining Bid Award
- 6. PW 2016-12 Salt Usage Update

Old Business:

- 1. PW 2015-56 Maintenance of Stormwater Management Facilities
- 2. PW 2015-74 Mowing and Maintenance of Public Parkways
- 3. PW 2015-45 E-Waste Recycling
- 4. PW 2016-04 Countryside Subdivision Water Main and Roadway Improvements

Additional Business:

2015/2016 City Council Goals – Public Works Committee		
Goal	Priority	Staff
"Countryside Infrastructure"	4	Eric Dhuse & Brad Sanderson
"Vehicle Replacement"	5	Eric Dhuse
"Capital Infrastructure"	7	Bart Olson & Eric Dhuse
"Road Study (Update & Refresh)"	9	Eric Dhuse & Brad Sanderson
"Sidewalk Plan Funding"	18	Bart Olson & Rob Fredrickson

UNITED CITY OF YORKVILLE WORKSHEET PUBLIC WORKS COMMITTEE Tuesday, February 16, 2016 6:00 PM

CITY HALL CONFERENCE ROOM

CITIZEN COMMENTS:	
MINUTES FOR CORRECTION/APPROVAL	:
1. January 19, 2016 Approved As presented With corrections	
NEW BUSINESS:	
1. PW 2016-07 Countryside Subdivision Phase II Moved forward to CC Approved by Committee Bring back to Committee Informational Item	
Notes	

2. P	Moved forward to CC Approved by Committee Bring back to Committee Informational Item Notes	consent agenda?	Y	N
3. P	Moved forward to CC Approved by Committee Bring back to Committee Informational Item Notes	– Acceptance of consent agenda?	f Imp Y	N
 4. P	Moved forward to CC Approved by Committee Bring back to Committee Informational Item Notes	nge Order No. 1 consent agenda?	Y	N

5. PW 2	016-11 2016 Sanitary Sewer Lining	– Bid Award
	Moved forward to CC	consent agenda? Y N
	Approved by Committee	
	Bring back to Committee	
	Informational Item	
	Notes	
6. PW 2	 016-12 Salt Usage Update	
	Moved forward to CC	consent agenda? Y N
	Approved by Committee	
	Bring back to Committee	
	Informational Item	
	Notes	
OLD BU	SINESS:	
1. P	W 2015-56 Maintenance of Stormwa	ter Management Facilities
	Moved forward to CC	
	Approved by Committee	
	Bring back to Committee	
	Informational Item	
	Notes	
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☐ Moved forward to CC	nce of Public Parkways consent agenda? Y N
Approved by Committee	-
☐ Bring back to Committee	
☐ Informational Item	
□ Notes	
3. PW 2015-45 E-Waste Recycling	
☐ Moved forward to CC	consent agenda? Y N
☐ Approved by Committee	
☐ Bring back to Committee	
☐ Informational Item	
□ Notes	
4. PW 2016-04 Countryside Subdivision	on Water Main and Roadway Improvements
☐ Moved forward to CC	consent agenda? Y N
☐ Approved by Committee	
☐ Bring back to Committee	
☐ Informational Item	
☐ Notes	

ADDITIONAL BUSINESS:	 	



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Legal	
Finance	
Engineer	
City Administrator	
Human Resources	
Community Development	
Police	
Public Works	
Parks and Recreation	

Minutes

Tracking Number

Agenda Item Summary Memo

Title: Minutes of the	e Public Works Committ	ee – January 19, 2016
Meeting and Date:	Public Works Committee	ee – February 16, 2016
Synopsis:		
Council Action Prev	viously Taken:	
Date of Action:	Action 7	Гaken:
Item Number:		
Type of Vote Requi	red: Majority	
Council Action Req	uested: Committee App	proval
Submitted by:	Minute Taker	
	Name	Department
	Agenda	a Item Notes:

DRAFT

UNITED CITY OF YORKVILLE PUBLIC WORKS COMMITTEE Tuesday, January 19, 2016, 6:00pm Yorkville City Hall, Conference Room 800 Game Farm Road

IN ATTENDANCE:

Committee Members

Chairman Chris Funkhouser Alderman Ken Koch Alderman Jackie Milschewski Alderman Larry Kot

Other City Officials

City Administrator Bart Olson Community Development Director Krysti Barksdale-Noble Public Works Director Eric Dhuse Engineer Brad Sanderson, EEI

Other Guests: None

The meeting was called to order at 6:00pm by Chairman Chris Funkhouser.

Citizen Comments:

Previous Meeting Minutes: December 15, 2015

The minutes were approved as presented.

New Business:

1. PW 2016-01 Water Department Reports for September-December 2015

Mr. Dhuse said these were the standard reports with a few watermain breaks. He said the 10-year old outside readers are being replaced as some of the batteries are dying. This item moves to the consent agenda.

2. PW 2016-02 Bond/LOC Update

This is the quarterly update and concludes with December. The report covers only those bonds just released or reduced. A running spreadsheet of all bonds/LOC's is maintained and Mr. Olson will email to all committee members. This item is information only.

3. PW 2016-03 Nicor Franchise Agreement

Mr. Olson said the City has been part of a consortium to modernize the natural gas franchise agreement. There were 45 municipalities originally. Following some Nicor leadership changes, a new agreement was drafted. There are several components to the agreement, the most important being a more favorable compensation structure and signing bonus. It has been requested that the municipalities and Nicor approve the agreement by the end of the month and staff has reviewed it. A partial census might be considered for the most up-to-date population figures, thus allowing for additional money for the City. Mr. Olson will research this possiblity and present in 1-2 months. This moves to the next Council consent agenda

4. PW 2016-04 Countryside Subdivision Water Main and Roadway Improvements

Mr. Sanderson gave a general overview and then more specific details. He said an IEPA permit has been applied for, a February public meeting is planned, bid-letting will occur on March 3rd for an April start date and construction is expected to be completed by end of June 2017.

Engineer Sanderson said a roundabout is being considered for Countryside Park and Center since so much curb needs to be replaced. He said there are benefits including the safety of the intersection. Additional right of way would not be needed and would allow for a lane reduction, thus also saving money. However, he noted that about half of the LAFO funds (if approved) would be lost if a roundabout is built. Additionally, there are other decreases and increases resulting in a final savings over a 20-year period. Mr. Sanderson said he is seeking direction from the committee.

The following comments were made. Alderman Kot said he is concerned with the increased cost, however, there is money remaining from the Game Farm project. Alderman Funkhouser said he likes the roundabout concept though he would like to keep the islands and that a larger radius would make it more functional. Alderman Koch noted that if the LAFO funds are not received and the roundabout is built, the cost of the project is increased. Ms. Milschewski asked if the 4 lanes would be necessary as things get built out, but liked the idea of the roundabout.

A berm in the center of the roundabout was recommended to prevent drivers from driving over the intersection and to limit the visibility over the berm. Mr. Dhuse said plowing would not be a problem.

Mr. Sanderson said the construction budget is estimated to be \$5.4 million. Overall he said the curbs are in bad shape as well as very poor pavement thickness of only two inches, with four inches recommended. Mr. Dhuse noted that the water main bids have not been finalized yet and this work will be balanced with the road construction. The Courts were also discussed and some may be improved at a later time depending on bids.

The road aprons were also discussed. Asphalt wedges on the roll curb will be removed since they are not good for drainage. When the roll curb is replaced, it is difficult to not damage the apron, so a recommended 5 foot section will be replaced when necessary. A 3 inch roll curb will be installed along with the apron. Alderman Koch asked about the possibility of residents needing to replace more of the apron. Estimates will be based on the bids and additional work must be paid by the homeowners. Undamaged aprons can be replaced at owner's cost as well. Letters will be sent to residents in advance of a public meeting to be held in February. Alderman Kot suggested a flier be delivered to households as well. Social media and the website will also be used.

This item will come back to committee for further discussion.

5. PW 2016-05 Mill Street LAFO

Mr. Sanderson said the joint agreement has been received from IDOT. There will be a bid-letting on March 4 and work will be done June through August. The contract amount is \$32,500 for the engineering agreement. This item moves to the Council consent agenda.

6. PW 2016-06 Caledonia Subdivision – Proposed Dormant SSA

Ms. Noble said there was a re-clarification of the PUD agreement and a backup SSA will be activated. A Public Hearing will be held on February 23rd. This moves to the Council consent agenda.

Old Business:

1. PW 2015-56 Maintenance of Stormwater Management Facilities

Mr. Dhuse reported on plans for detention basin inspections. He said about 20% of the 130-150 basins could be inspected each year, based on staff time. A part-time person was suggested if needed, and Alderman Koch asked if an intern could assist. Alderman Milschewski suggested summer help. Chairman Funkhouser said that when a complete list of basins is made, the owners should be sent a letter to indicate the maintenance needed. It was noted that a safety ledge is built into the basins. This item will come back for discussion next month.

2. PW 2015-78 Shared Services Intergovernmental Agreement Template

Mr. Olson noted that a meeting was held with Oswego and Montgomery regarding the sharing of staff and both were in favor of the concept. More information will be brought back to this committee in February.

3. PW 2015-45 E-Waste Recycling

Discussions are ongoing regarding e-waste and the costs. An inside storage area is being considered also. It is hoped to fold this program into the next waste-hauler contract. This will come back to committee for more discussion when more information is available.

Additional Business:

Alderman Kot inquired again about the engine braking signs which Mr. Dhuse will check again. Mr. Kot also mentioned a letter to the editor written by a resident asking about a guard rail on the Rt. 47 curve at Apple Tree Ct. This was a result of a school bus landing his yard. Mr. Olson said this matter will be addressed.

There was no further business and the meeting was adjourned at 7:13pm.

Minutes respectfully transcribed by Marlys Young, Minute Taker



Reviewed By:	
Legal	
Finance	
Engineer	
City Administrator	
Human Resources	
Community Development	
Police	
Public Works	
Parks and Recreation	

Agenda Item Number	
NB #1	
Tracking Number	
PW 2016-07	

Agenda Item Summary Memo

Title: Countryside S	Subdivision Phase III Engineering	Agreement					
Meeting and Date: Public Works Committee – February 16, 2016							
Synopsis: See attacl	ned.						
Council Action Prev	viously Taken:						
Date of Action:	Action Taken:						
Item Number:							
Type of Vote Requi	red:						
Council Action Req	uested:						
Submitted by:	Brad Sanderson Name	Engineering Department					
	Agenda Item No	•					
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Memorandum

To: Public Works Committee From: Bart Olson, City Administrator

CC:

Date: February 11, 2016

Subject: Wrigley EDP Engineering Agreement

Summary

Approval of engineering agreements with EEI for construction engineering during the Countryside watermain and road project.

Background

The Countryside watermain and roadway rehabilitation projects are set to wrap up design engineering shortly, and be put out to bid this Spring for construction commencement in 2016. EEI has served as the design engineer on the project and we recommend them to continue as construction engineer.

The attached contract covers all construction engineering on the project for an estimated cost of \$548,109. All services will be billed hourly at the rates in Exhibit 3 and Exhibit 5. Given the scope of the project, the actual construction and expenditures will be accrued in FY 17 and FY 18. These expenditures are included within the five-year budget as approved in FY 16.

Recommendation

Staff recommends approval of the construction engineering agreements with EEI.

THIS AGREEMENT, by and between the United City of Yorkville, hereinafter referred to as the "City" or "OWNER" and Engineering Enterprises, Inc. hereinafter referred to as the "Contractor" or "ENGINEER" agrees as follows:

A. Services:

ENGINEER agrees to furnish to the City the following services: The ENGINEER shall provide any and all necessary engineering services to the City as indicated on the included exhibits. Construction engineering will be provided for street and water main improvements within the Countryside subdivision (see Exhibit 5 for project limits). Engineering will be in accordance with all City, Standard Specifications for Water and Sewer Construction in Illinois, Illinois Department of Transportation, and Illinois Environmental Protection Agency requirements.

B. Term:

Services will be provided beginning on the date of execution of this agreement and continuing, until terminated by either party upon 7 days written notice to the non-terminating party or upon completion of the Services. Upon termination the ENGINEER shall be compensated for all work performed for the City prior to termination.

C. Compensation and maximum amounts due to ENGINEER:

ENGINEER shall receive as compensation for all work and services to be performed herein, an amount based on the Estimate of Level of Effort and Associated Cost included in Exhibit 3. Construction Engineering will be paid for Hourly (HR) at the actual rates for services to be performed, currently estimated at \$517,609. Direct expenses are estimated at \$30,500. The hourly rates for this project are shown in the attached 2015 Standard Schedule of Charges (Exhibit 6). All payments will be made according to the Illinois State Prompt Payment Act and not less than once every thirty days.

D. Changes in Rates of Compensation:

In the event that this contract is designated in Section B hereof as an Ongoing Contract, ENGINEER, on or before February 1st of any given year, shall provide written notice of any change in the rates specified in Section C hereof (or on any attachments hereto) and said changes shall only be effective on and after May 1st of that same year.

E. Ownership of Records and Documents:

ENGINEER agrees that all books and records and other recorded information developed specifically in connection with this agreement shall remain the property of the City. ENGINEER agrees to keep such information confidential and not to disclose or disseminate the information to third parties without the consent of the City. This confidentiality shall not apply to material or information, which would otherwise be subject to public disclosure through the freedom of information act or if already previously disclosed by a third party. Upon termination of this agreement, ENGINEER agrees to return all such materials to the City. The City agrees not to modify any original documents produced by ENGINEER without contractors consent. Modifications of any signed duplicate original document not authorized by ENGINEER will be at OWNER's sole risk and without legal liability to the ENGINEER. Use of any incomplete, unsigned document will, likewise, be at the OWNER's sole risk and without legal liability to the ENGINEER.

F. Governing Law:

This contract shall be governed and construed in accordance with the laws of the State of Illinois. Venue shall be in Kendall County, Illinois.

G. Independent Contractor:

ENGINEER shall have sole control over the manner and means of providing the work and services performed under this agreement. The City's relationship to the ENGINEER under this agreement shall be that of an independent contractor. ENGINEER will not be considered an employee to the City for any purpose.

H. Certifications:

Employment Status: The Contractor certifies that if any of its personnel are an employee of the State of Illinois, they have permission from their employer to perform the service.

Anti-Bribery: The Contractor certifies it is not barred under 30 Illinois Compiled Statutes 500/50-5(a) - (d) from contracting as a result of a conviction for or admission of bribery or attempted bribery of an officer or employee of the State of Illinois or any other state.

Loan Default: If the Contractor is an individual, the Contractor certifies that he/she is not in default for a period of six months or more in an amount of \$600 or more on the repayment of any educational loan guaranteed by the Illinois State Scholarship Commission made by an Illinois institution of higher education or any other loan made from public funds for the purpose of financing higher education (5 ILCS 385/3).

Felony Certification: The Contractor certifies that it is not barred pursuant to 30 Illinois Compiled Statutes 500/50-10 from conducting business with the State of Illinois or any agency as a result of being convicted of a felony.

Barred from Contracting: The Contractor certifies that it has not been barred from contracting as a result of a conviction for bid-rigging or bid rotating under 720 Illinois Compiled Statutes 5/33E or similar law of another state.

Drug Free Workplace: The Contractor certifies that it is in compliance with the Drug Free Workplace Act (30 Illinois Compiled Statutes 580) as of the effective date of this contract. The Drug Free Workplace Act requires, in part, that Contractors, with 25 or more employees certify and agree to take steps to ensure a drug free workplace by informing employees of the dangers of drug abuse, of the availability of any treatment or assistance program, of prohibited activities and of sanctions that will be imposed for violations; and that individuals with contracts certify that they will not engage in the manufacture, distribution, dispensation, possession, or use of a controlled substance in the performance of the contract.

Non-Discrimination, Certification, and Equal Employment Opportunity: The Contractor agrees to comply with applicable provisions of the Illinois Human Rights Act (775 Illinois Compiled Statutes 5), the U.S. Civil Rights Act, the Americans with Disabilities Act, Section 504 of the U.S. Rehabilitation Act and the rules applicable to each. The equal opportunity clause of Section 750.10 of the Illinois Department of Human Rights Rules is specifically incorporated herein. The Contractor shall comply with Executive Order 11246, entitled Equal Employment Opportunity, as amended by Executive Order 11375, and as supplemented by U.S. Department of Labor regulations (41 C.F.R. Chapter 60). The Contractor agrees to incorporate this clause into all subcontracts under this Contract.

International Boycott: The Contractor certifies that neither it nor any substantially owned affiliated company is participating or shall participate in an international boycott in violation of the provisions of the U.S. Export Administration Act of 1979 or the regulations of the U.S. Department of Commerce promulgated under that Act (30 ILCS 582).

Record Retention and Audits: If 30 Illinois Compiled Statutes 500/20-65 requires the Contractor (and any subcontractors) to maintain, for a period of 3 years after the later of the date of completion of this Contract or the date of final payment under the Contract, all books and records relating to the performance of the Contract and necessary to support amounts charged to the City under the Contract. The Contract and all books and records related to the Contract shall be available for review and audit by the City and the Illinois Auditor General. If this Contract is funded from contract/grant funds provided by the U.S. Government, the Contract, books, and records shall be available for review and audit by the Comptroller General of the U.S. and/or the Inspector General of the federal

sponsoring agency. The Contractor agrees to cooperate fully with any audit and to provide full access to all relevant materials.

United States Resident Certification: (This certification must be included in all contracts
involving personal services by non-resident aliens and foreign entities in accordance with
requirements imposed by the Internal Revenue Services for withholding and reporting
federal income taxes.) The Contractor certifies that he/she is a: <u>x</u> United States Citizen
Resident Alien Non-Resident Alien The Internal Revenue Service requires that
taxes be withheld on payments made to non resident aliens for the performance of
personal services at the rate of 30%.
Tax Payer Certification: Under penalties of perjury, the Contractor certifies that its
Federal Tax Payer Identification Number or Social Security Number is (provided
separately) and is doing business as a (check one): Individual Real Estate
Agent Sole Proprietorship Government Entity Partnership Tax
Exempt Organization (IRC 501(a) only) <u>x</u> Corporation Not for Profit Corporation
Trust or Estate Medical and Health Care Services Provider Corp.
I Indownification.

I. Indemnification:

ENGINEER shall indemnify and hold harmless the City and City's agents, servants, and employees against all loss, damage, and expense which it may sustain or for which it will become liable on account of injury to or death of persons, or on account of damage to or destruction of property resulting from the performance of work under this agreement by ENGINEER or its Subcontractors, or due to or arising in any manner from the wrongful act or negligence of ENGINEER or its Subcontractors of any employee of any of them. In the event that the either party shall bring any suit, cause of action or counterclaim against the other party, the non-prevailing party shall pay to the prevailing party the cost and expenses incurred to answer and/or defend such action, including reasonable attorney fees and court costs. In no event shall the either party indemnify any other party for the consequences of that party's negligence, including failure to follow the ENGINEER's recommendations.

J. Insurance:

The ENGINEER agrees that it has either attached a copy of all required insurance certificates or that said insurance is not required due to the nature and extent of the types of services rendered hereunder. (Not applicable as having been previously supplied)

K. Additional Terms or Modification:

The terms of this agreement shall be further modified as provided on the attachments. Except for those terms included on the attachments, no additional terms are included as a part of this agreement. All prior understandings and agreements between the parties are merged into this agreement, and this agreement may not be modified orally or in any

manner other than by an agreement in writing signed by both parties. In the event that any provisions of this agreement shall be held to be invalid or unenforceable, the remaining provisions shall be valid and binding on the parties. The list of exhibits is as follows:

Exhibit 1: Professional Engineering Services

Exhibit 2: Limitation of Authority, Duties and Responsibilities of the

Resident Construction Observer

Exhibit 3: Estimate of Level of Effort and Associated Cost

Exhibit 4: Anticipated Project Schedule

Exhibit 5: Location Map

Exhibit 6: 2015 Standard Schedule of Charges

L. Notices:

All notices required to be given under the terms of this agreement shall be given mail, addressed to the parties as follows:

For the City: For the ENGINEER:

City Administrator and City Clerk United City of Yorkville 800 Game Farm Road Yorkville, IL 60560

persons in connection with required notices.

Engineering Enterprises, Inc. 52 Wheeler Road

Sugar Grove Illinois 60554

Either of the parties may designate in writing from time to time substitute addresses or

Agreed to thisday of	, 2016.
United City of Yorkville:	Engineering Enterprises, Inc.:
Gary Golinski Mayor	Brad Sanderson, P.E. Vice President
Beth Warren City Clerk	Angie Smith Executive Assistant

EXHIBIT 1

SECTION A - PROFESSIONAL CONSTRUCTION ENGINEERING SERVICES

The ENGINEER shall furnish professional construction engineering services as follows:

- 1. The ENGINEER will review, for conformance with the design concept, shop and working drawings required by the construction Contract Documents and indicate on the drawings the action taken. Such action shall be taken with reasonable promptness.
- 2. The ENGINEER will interpret the intent of the drawings and specifications to protect the OWNER against defects and deficiencies in construction on the part of the contractors. The ENGINEER will not, however, guarantee the performance by any contractor.
- 3. The ENGINEER will evaluate and determine acceptability of substitute materials and equipment proposed by Contractor(s).
- 4. The ENGINEER will establish baselines for locating the work together with a suitable number of bench marks adjacent to the work as shown in the contract documents.
- 5. The ENGINEER will provide general engineering review of the work of the contractor(s) as construction progresses to ascertain that the contactor is conforming to the design concept.
 - (a) ENGINEER shall have authority, as the OWNER's representative, to require special inspection of or testing of the work, and shall receive and review all certificates of inspections, testing and approvals required by laws, rules, regulations, ordinances, codes, orders or the Contract Documents (but only to determine generally that their content complies with requirements of, and the results certified indicate compliance with, the Contract Documents).
 - (b) During such engineering review, ENGINEER shall have the authority, as the OWNER's representative, to disapprove of or reject contractor(s)' work while it is in progress if ENGINEER believes that such work will not produce a completed Project that conforms

generally to the Contract Documents or that it will prejudice the integrity of the design concept of the Project as reflected in the Contract Documents.

- 6. The ENGINEER will provide resident construction observation. Resident construction observation shall consist of visual inspection of materials, equipment, or construction work for the purpose of ascertaining that the work is in substantial conformance with the contract documents and with the design intent. Such observation shall not be relied upon by others as acceptance of the work. The ENGINEER's undertaking hereunder shall not relieve the contractor of contractor's obligation to perform the work in conformity with the drawings and specifications and in a workmanlike manner; shall not make the ENGINEER an insurer of the contractor's performance; and shall not impose upon the ENGINEER any obligation to see that the work is performed in a safe manner. Exhibit 2 The Limitations of Authority, Duties and Responsibilities of the Resident Construction Observer is attached to this Agreement.
- 7. The ENGINEER will cooperate and work closely with representatives of the OWNER.
- 8. Based on the ENGINEER's on-site observations as an experienced and qualified design professional, on information provided by the Resident Construction Observer, and upon review of applications for payment with the accompanying data and schedules by the contractor, the ENGINEER:
 - (a) Shall determine the amounts owing to contractor(s) and recommend in writing payments to contractor(s) in such amounts. Such recommendations of payment will constitute a representation to OWNER, based on such observations and review, that the work has progressed to the point indicated, and that, to the best of the ENGINEER's knowledge, information and belief, the quality of such work is generally in accordance with the Contract Documents (subject to an evaluation of such work as a functioning whole prior to or upon substantial completion, to the results of any subsequent tests called for in the Contract Documents, and to any other qualifications stated in the recommendation).
 - (b) By recommending any payment, ENGINEER will not hereby be deemed to have represented that exhaustive, continuous or detailed reviews or examinations have been made by ENGINEER to check the quality or quantity of contractor(s)' work as it is

furnished and performed beyond the responsibilities specifically assigned to ENGINEER in the Agreement and the Contract Documents. ENGINEER's review of contractor(s)' work for the purposes of recommending payments will not impose on Engineer responsibility to supervise, direct or control such work or for the means, methods, techniques, sequences, or procedures of construction or safety precautions or programs incident thereto or contractor(s) compliance with laws, rules, regulations, ordinances, codes or orders applicable to their furnishing and performing the work. It will also not impose responsibility on ENGINEER to make any examination to ascertain how or for what purposes any contractor has used the moneys paid on account of the Contract Price, or to determine that title to any of the work, materials equipment has passed to OWNER free and clear of any lien, claims, security interests, or encumbrances, or that there may not be other matters at issue between OWNER and contractor that might affect the amount that should be paid.

- 9. The ENGINEER will prepare necessary contract change orders for approval of the OWNER, and others on a timely basis.
- 10. The ENGINEER will make a final review prior to the issuance of the statement of substantial completion of all construction and submit a written report to the OWNER. Prior to submitting the final pay estimate, the ENGINEER shall submit the statement of completion to and obtain the written acceptance of the facility from the OWNER.
- 11. The ENGINEER will provide the OWNER with an electronic version of the record (as-built) drawings, and two sets of prints at no additional cost to the OWNER. Such drawings will be based upon construction records provided by the contractor during construction and reviewed by the resident construction observer and from the resident construction observer's construction data.
- 12. If State Statutes require notices and advertisements of final payment, the ENGINEER shall assist in their preparation.
- 13. The ENGINEER will be available to furnish engineering services and consultations necessary to correct unforeseen project operation difficulties for a period of one year after the date of

statement of substantial completion of the facility. This service will include instruction of the OWNER in initial project operation and maintenance but will not include supervision of normal operation of the system. Such consultation and advice shall be at the hourly rates as described in the attached Exhibit 6: Standard Schedule of Charges dated January 1, 2015. The ENGINEER will assist the OWNER in performing a review of the project during the 11th month after the date of the certificate of substantial completion.

- 14. The ENGINEER further agrees to obtain and maintain, at the ENGINEER's expense, such insurance as will protect the ENGINEER from claims under the Workman's Compensation Act and such comprehensive general liability insurance as will protect the OWNER and the ENGINEER from all claims for bodily injury, death, or property damage which may arise from the performance by the ENGINEER or by the ENGINEER's employees of the ENGINEER's functions and services required under this Agreement.
- 15. The ENGINEER will provide construction engineering services in accordance with the periods summarized in Exhibit 4: "Anticipated Project Schedule Countryside Street and Water Main Improvements" February 1, 2016.

If the above is not accomplished within the time period specified, this Agreement may be terminated by the OWNER. The time for completion may be extended by the OWNER for a reasonable time if completion is delayed due to unforeseeable cases beyond the control and without the fault or negligence of the ENGINEER. Pursuant to Paragraph D "Changes in Rates of Compensation", the contract shall be designated on-going consistent with the project schedule.

SECTION B – COMPENSATION FOR ENGINEERING SERVICES

- 1. The OWNER shall compensate the ENGINEER for the construction administration, construction staking, construction observation (including the Resident Construction Observer), and any additional consultation and surveying services on the basis of Hourly Rates (HR) as described on the attached Exhibit 6: Standard Schedule of Charges dated January 1, 2015. The estimated values are included in Exhibit 3: "Estimate of Level of Effort and Associated Cost for Professional Engineering Services for Countryside Street and Water Main Improvements" dated February 1, 2016 and are estimated at \$517,609 Hourly (HR).
 - (a) The compensation for the construction administration, construction staking, construction observation (including the Resident Construction Observer), and any additional consultation and surveying services shall be payable as follows:
 - (1) A sum which equals any charges for work actually completed and invoiced shall be paid at least once per month.
- 2. The OWNER shall compensate the ENGINEER for direct expenses as identified in the contract and as noted on Exhibit 3 at the actual cost or hourly cost for the work completed.
 - (1) A sum which equals any charges for work actually completed and invoiced shall be paid at least once per month.
- 3. The compensation for any additional engineering services authorized by the OWNER pursuant to Section D shall be payable as follows:
 - (a) A sum which equals any charges for work actually completed and invoiced shall be paid at least once per month.

SECTION C – ADDITIONAL ENGINEERING SERVICES

In addition to the foregoing being performed, the following services may be provided UPON PRIOR WRITTEN AUTHORIZATION OF THE OWNER.

- 1. Site surveys outside of the project limits and other similar special surveys as may be required.
- 2. Laboratory tests, well tests, borings, specialized geological soils hydraulic, or other studies recommended by the ENGINEER.
- 3. Property surveys, detailed description of sites, maps, drawings, or estimates related thereto; assistance in negotiating for land and easement rights.
- 4. Necessary data and filing maps for litigation, such as condemnation.
- 5. Redesigns ordered by the OWNER after final plans have been accepted by the OWNER and IEPA.
- 6. Appearances before courts or boards on matters of litigation or hearings related to the project.
- 7. Preparation of environmental impact assessments or environmental impact statements.
- 8. Making drawings from field measurements of existing facilities when required for planning additions or alterations thereto.
- 9. Services due to changes in the scope of the Project or its design, including but not limited to, changes in size, complexity, schedule or character of construction.
- 10. Revising studies or reports which have previously been approved by the OWNER, or when revisions are due to cases beyond the control of the ENGINEER.

- 11. Preparation of design documents for alternate bids where major changes require additional documents.
- 12. Preparation of detailed renderings, exhibits or scale models for the Project.
- 13. Providing special analysis of the OWNER's needs such as owning and operating analysis, plan for operation and maintenance, OWNER's special operating drawings or charts, and any other similar analysis.
- 14. The preparation of feasibility studies, appraisals and evaluations, detailed quantity surveys of material and labor, and material audits or inventories by the OWNER.
- 15. Additional or extended services during construction made necessary by (1) work damaged by fire or other cause during construction, (2) defective or incomplete work of the contractor, and/or (3) the contractor's default on the Construction Contract due to delinquency or insolvency.
- 16. Providing design services relating to future facilities, systems and equipment which are not intended to be constructed or operated as a part of the Project.
- 17. Providing other services not otherwise provided for in this Agreement, including services normally furnished by the OWNER as described in Section D SPECIAL PROVISIONS Owner's Responsibilities.

Payment for the services specified in this Section C shall be as agreed in writing between the OWNER and the ENGINEER prior to commencement of the work. The ENGINEER will render to OWNER for such services an itemized bill, separate from any other billing, once each month, for compensation for services performed hereunder during such period, the same to be due and payable by OWNER to the ENGINEER on or before the 10th day of the following period. Payment for services noted in C shall be at Actual Cost (AC), Fixed Fee (FF) or Hourly (HR).

SECTION D - SPECIAL PROVISIONS

1. OWNER'S RESPONSIBILITIES

- (a) Provide to the ENGINEER all criteria, design and construction standards and full information as to the OWNER's requirements for the Project.
- (b) Designate a person authorized to act as the OWNER's representative. The OWNER or his representative shall receive and examine documents submitted by the ENGINEER, interpret and define the OWNER's policies and render decisions and authorizations in writing promptly to prevent unreasonable delay in the progress of the ENGINEER's services.
- (c) Furnish laboratory tests, air and water pollution tests, reports and inspections of samples, materials or other items required by law or by governmental authorities having jurisdiction over this Project, or as recommended by the ENGINEER.
- (d) Provide legal, accounting, right-of-way acquisition and insurance counseling services necessary for the Project, legal review of the construction Contract Documents, and such auditing services as the OWNER may require to account for expenditures of sums paid to the contractor.
- (e) Furnish above services at the OWNER's expense and in such manner that the ENGINEER may rely upon them in the performance of his services under this Agreement and in accordance with the Project timetable.
- (f) Guarantee full and free access for the ENGINEER to enter upon all property required for the performance of the ENGINEER's services under this Agreement.
- (g) Give prompt written notice to the ENGINEER whenever the OWNER observes or otherwise becomes aware of any defect in the Project or other event which may substantially affect the ENGINEER's performance of services under this Agreement.

- (h) Protect and preserve all survey stakes and markers placed at the project site prior to the assumption of this responsibility by the contractor and bear all costs of replacing stakes or markers damaged or removed during said time interval.
- 2. Delegation of Duties Neither the OWNER nor the ENGINEER shall delegate his duties under this Agreement without the written consent of the other.
- 3. The ENGINEER has not been retained or compensated to provide design services relating to the contractor's safety precautions or to means, methods, techniques, sequences, or procedures required by the contractor to perform his work but not relating to the final or completed structure. Omitted services include but are not limited to shoring, scaffolding, underpinning, temporary retainment of excavations and any erection methods and temporary bracing.
- 4. The ENGINEER intends to render his services under this Agreement in accordance with generally accepted professional practices for the intended use of the Project.
- 5. Since the ENGINEER has no control over the cost of labor, materials, equipment or services furnished by others, or over the contractor(s) methods of determining prices, or over competitive bidding or market conditions, his opinions of probable Project Costs and Construction Costs provided for herein are to be made on the basis of his experience and qualifications and represent his best judgment as an experienced and qualified professional engineer, familiar with the construction industry. The ENGINEER cannot and does not guarantee that proposals, bids or actual project or construction cost will not vary from opinions of probable cost prepared by him. If prior to the bidding or negotiating phase OWNER wishes greater assurance as to project or construction costs he shall employ an independent cost-estimator.

6. Access to Records:

(a) The ENGINEER agrees to include subsections E-6(b) through E-6(e) below in all contracts and all subcontracts directly related to project services which are in excess of \$25,000.

- (b) The ENGINEER shall maintain books, records, documents and other evidence directly pertinent to performance of Agency loan work under this Agreement consistent with generally accepted accounting standards in accordance with the American Institute of Certified Public Accountants Professional Standards (666 Fifth Avenue, New York, New York 10019; June 1, 1987). The Agency or any of its duly authorized representatives shall have access to such books, records, documents and other evidence for the purpose of inspection, audit and copying. The ENGINEER will provide facilities for such access and inspection.
- (c) Audits conducted pursuant to this provision shall be in accordance with generally accepted auditing standards.
- (d) The ENGINEER agrees to the disclosure of all information and reports resulting from access to records pursuant to subsection E-6(b) above, to the Agency. Where the audit concerns the ENGINEER, the auditing agency shall afford the ENGINEER an opportunity for an audit exit conference and an opportunity to comment on the pertinent portions of the draft audit report. The final audit report will include the written comments, if any, of the audited parties.
- (e) Records under subsection E-6(b) above shall be maintained and made available during performance on Agency loan work under this agreement and until three years from date of final Agency loan audit for the project. In addition, those records which relate to any "dispute" appeal under an Agency loan agreement, or litigation, or the settlement of claims arising out of such performance, costs or items to which an audit exception has been taken, shall be maintained and made available until three years after the date of resolution of such appeal, litigation, claim or exception.
- 7. Covenant Against Contingent Fees The ENGINEER warrants that no person or selling agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bonafide employees. For breach or violation of this warranty, the loan recipient shall have the right to annul this agreement without liability or in its discretion to deduct from the contract price or

consideration or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.

- 8. Covenant Against Contingent Fees The loan recipient warrants that no person or agency has been employed or retained to solicit or secure a PWSLP loan upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee. For breach or violation of this warranty, the Agency shall have the right to annul the loan or to deduct from the loan or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.
- 9. Certification Regarding Debarment The ENGINEER certifies that the services of anyone that has been debarred or suspended under Federal Executive Order 12549 has not, and will not, be used for work under this Agreement.
- 10. Affirmative Action The ENGINEER agrees to take affirmative steps to assure that disadvantaged business enterprises are utilized when possible as sources of supplies, equipment, construction and services in accordance with the Clean Water Loan Program rules. As required by the award conditions of USEPA's Assistance Agreement with IEPA, the ENGINEER acknowledges that the fair share percentages are 5% for MBEs and 12% for WBEs.
- 11. The ENGINEER shall not discriminate on the basis of race, color, national origin or sex in the performance of this contract. The contractor shall carry out applicable requirements of 40 CFR Part 33 in the award and administration of contracts awarded under EPA financial assistance agreements. Failure by the contractor to carry out these requirements is a material breach of this contract which may result in the termination of this contract or other legally available remedies.

EXHIBIT 2

THE LIMITATIONS OF AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE RESIDENT CONSTRUCTION OBSERVER ARE AS FOLLOWS:

- 1. The Resident Construction Observer shall act under the direct supervision of the ENGINEER, shall be the ENGINEER's agent in all matters relating to on-site construction review of the contractor's work, shall communicate only with the ENGINEER and the contractor (or contractor's), and shall communicate with subcontractors only through the contractor or his authorized superintendent. The OWNER shall communicate with the Resident Construction Observer only through the ENGINEER.
- The Resident Construction Observer shall review and inspect on-site construction activities of the contractor relating to portions of the Project designed and specified by the Engineer as contained in the Construction Contract Documents.
- 3. Specifically omitted from the Resident Construction Observer's duties is any review of the contractor's safety precautions, or the means, methods, sequences, or procedures required for the contractor to perform the work but not relating to the final or completed Project. Omitted design or review services include but are not limited to shoring, scaffolding, underpinning, temporary retainment of excavations and any erection methods and temporary bracing.
- 4. The specific duties and responsibilities of the Resident Construction Observer are enumerated as follows:
 - (a) Schedules: Review the progress schedule, schedule of Shop Drawing submissions and schedule of values prepared by contractor and consult with ENGINEER concerning their acceptability.
 - (b) Conferences: Attend preconstruction conferences. Arrange a schedule of progress meetings and other job conferences as required in consultation with ENGINEER and notify those expected to attend in advance. Attend meetings and maintain and circulate copies of minutes thereof.

(c) Liaison:

- (1) Serve as ENGINEER's liaison with contractor, working principally through contractor's superintendent and assist him in understanding the intent of the Contract Documents.
- (2) Assist ENGINEER in serving as OWNER's liaison with contractor when contractor's operations affect OWNER's on-site operations.
- (3) As requested by ENGINEER, assist in obtaining from OWNER additional details or information, when required at the job site for proper erection of the work.

(d) Shop Drawings and Samples:

- (2) Receive and record date of receipt of Shop Drawings and samples.
- (3) Receive samples which are furnished at the site by contrctor, and notify ENGINEER of their availability for examination.
- (3) Advise ENGINEER and contractor or its superintendent immediately of the commencement of any work requiring a Shop Drawing or sample submission if the submission has not been approved by ENGINEER.
- (e) Review of Work, Rejection of Defective Work, Inspections and Tests:
 - (1) Conduct on-site inspection of the work in progress to assist ENGINEER in determining if the work is proceeding in accordance with the Contract Documents and that completed work will conform to the Contract Documents.
 - (2) Report to ENGINEER whenever he believes that any work is unsatisfactory, faulty or defective or does not conform to the Contract Documents, or does not meet the requirements of any inspections, test or approval required to be made or

has been damaged prior to final payment; and advise ENGINEER when he believes work should be corrected or rejected or should be uncovered for inspection, or requires special testing, inspection or approval.

- (3) Verify that tests, equipment and systems start-ups, and operating and maintenance instructions are conducted as required by the Contract Documents and in presence of the required personnel, and that contractor maintains adequate records thereof; observe, record and report to ENGINEER appropriate details relative to the test procedures and start-ups.
- (4) Accompany visiting inspectors representing public or other agencies having jurisdiction over the Project, record the outcome of these inspections and report to ENGINEER.
- (f) Interpretation of Contract Documents: Transmit to contractor ENGINEER's clarifications and interpretations of the Contract Documents.
- (g) Modifications: Consider and evaluate contractor's suggestions for modifications in Drawings or Specifications and report them with recommendations to ENGINEER.

(h) Records:

- (1) Maintain at the job site orderly files for correspondence, reports of job conferences, Shop Drawings and samples submissions, reproductions of original Contract Documents including all addenda, change orders, field orders, additional drawings issued subsequent to the execution of the Contract, ENGINEER's clarifications and interpretations of the Contract Documents, progress reports, and other Project related documents.
- (2) Keep a diary or log book, recording hours on the job site, weather conditions, data relative to questions of extras or deductions, list of visiting officials and representatives of manufacturers, fabricators, suppliers and distributors, daily

activities, decisions, observations in general and specific observations in more detail as in the case of observing test procedures. Send copies to ENGINEER.

(4) Record names, addresses and telephone numbers of all contractor's, subcontractors and major suppliers of materials and equipment.

(i) Reports:

- (1) Furnish ENGINEER periodic reports as required of progress of the work and contractor's compliance with the approved progress schedule and schedule of Shop Drawing submissions.
- (2) Consult with ENGINEER in advance of schedule major tests, inspections or start of important phases of the work.
- (3) Report immediately to ENGINEER upon the occurrence of any accident.
- (j) Payment Requisitions: Review applications for payment with contractor for compliance with the established procedure for their submission and forward them with recommendations to ENGINEER, noting particularly their relation to the schedule of values, work completed and materials and equipment delivered at the site but not incorporated in the work.
- (k) Certificates, Maintenance and Operating Manuals: During the course of the work, verify that certificates, maintenance and operation manuals and other data required to be assembled and furnished by contractor are applicable to the items actually installed; and deliver this material to ENGINEER for his review and forwarding to OWNER prior to final acceptance of the work.

(l) Completion:

(1) Before ENGINEER issues a Statement of Substantial Completion, submit to contractor a list of observed items requiring completion or correction.

- (2) Conduct final review in the company of ENGINEER, OWNER and contractor and prepare a final list of items to be completed or corrected.
- (3) Verify that all items on final list have been completed or corrected and make recommendations to ENGINEER concerning acceptance.



EXHIBIT 3 ESTIMATE OF LEVEL OF EFFORT AND ASSOCIATED COST FOR PROFESSIONAL ENGINEERING SERVICES FOR

COUNTRYSIDE STREET AND WATER MAIN IMPROVEMENTS
United City of Yorkville
February 1, 2016

		ENTITY:		ENGIN	EERING			SURVEYING		DR <i>I</i>	AFTING	ADMIN.	WORK	
			PRINCIPAL		SENIOR			SENIOR	SENIOR		SENIOR		ITEM	COST
WORK		PROJECT ROLE:	IN	PROJECT	PROJECT	PROJECT	PROJECT	PROJECT	PROJECT	CAD	PROJECT		HOUR	PER
ITEM			CHARGE	MANAGER	ENGINEER II	ENGINEER	MANAGER	SURVEYOR II	TECHNICIAN I	MANAGER	TECHNICIAN I	ADMIN.	SUMM.	ITEM
NO.	WORK ITEM	HOURLY RATE:	\$185	\$158	\$146	\$114	\$158	\$146	\$125	\$158	\$125	\$78		
CONSTR	UCTION ENGINEERING													
3.1	Contract Administration		26	102	134	52	-	-	_	-	-	_	314	\$ 46,418
3.2	Construction Layout and Record Drawings		-	4	8	1	60	120	48	-	-	_	240	\$ 34,800
3.3	Observation and Documentation		45	99	1,744	1,376	-	-	-	-	1	12	3,276	\$ 436,391
	Construction En	gineering Subtotal:	71	205	1,886	1,428	60	120	48	-	-	12	3,830	\$ 517,609
		PROJECT TOTAL:	71	205	1,886	1,428	60	120	48	-	-	12	3,830	517,609

DIRECT EXPENSI	S	
Printing =	\$	500
Mileage =	\$	10,000
Material Testing (Rubino) =	\$	20,000
Environmental Assessment =	\$	-
DIRECT EXPENSES =	\$	30,500

LABOR SUMMARY	
Engineering Expenses =	\$ 483,673
Surveying Expenses =	\$ 33,000
Drafting Expenses =	\$ -
Administrative Expenses =	\$ 936
TOTAL LABOR EXPENSES =	\$ 517,609

TOTAL EXPENSES = \$ 548,109

G:\Public\Yorkville\2014\YO1440-C Countryside Street and Water Main Improvements\PSA\Construction Agreement\(Exhibit 3 - Level of Effort.xlsx\)Fee Summary - Phase



Observation and Documentation

3.3

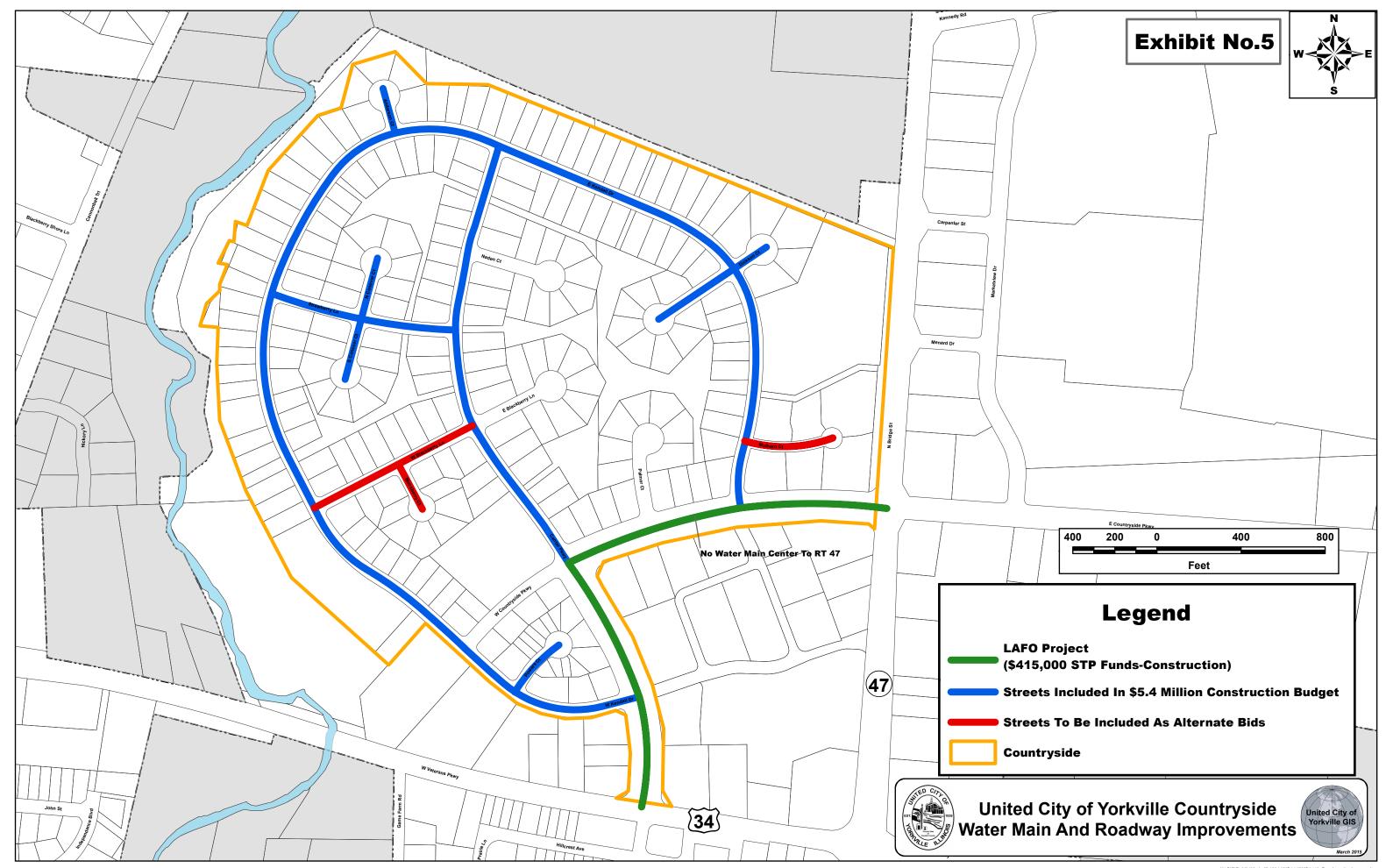
EXHIBIT 4 ANTICIPATED PROJECT SCHEDULE

COUNTRYSIDE STREET AND WATER MAIN IMPROVEMENTS
United City of Yorkville
February 1, 2016

_																						
	WORK		Year:	2016					2017													
	ITEM NO,	WORK ITEM	Month:	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July
С	ONSTRUC	TION ENGINEERING																				
	3.1	Contract Administration																				
	3.2	Construction Layout and Record Drawings																				

Legend								
Project Management & QC/QA Meeting(s) Design	Permitting Bidding and Contracting Construction							

 $\label{lem:construction} G. \label{lem:construction} G. \label{lem:construction} Agreement \label{lem:construction} \la$





*RTS = Robotic Total Station / GPS = Global Positioning System

Standard Schedule of Charges

January 1, 2015

EMPLOYEE DESIGNATION	CLASSIFICATION	HOURLY RATE
Senior Principal	E-4	\$190.00
Principal	E-3	\$185.00
Senior Project Manager	E-2	\$175.00
Project Manager	E-1	\$158.00
Senior Project Engineer/Planner/Surveyor II	P-6	\$146.00
Senior Project Engineer/Planner/Surveyor I	P-5	\$137.00
Project Engineer/Planner/Surveyor	P-4	\$125.00
Senior Engineer/Planner/Surveyor	P-3	\$114.00
Engineer/Planner/Surveyor	P-2	\$105.00
Associate Engineer/Planner/Surveyor	P-1	\$ 94.00
Senior Project Technician II	T-6	\$137.00
Senior Project Technician I	T-5	\$125.00
Project Technician	T-4	\$114.00
Senior Technician	T-3	\$105.00
Technician	T-2	\$ 94.00
Associate Technician	T-1	\$ 82.00
Administrative Assistant	A-3	\$ 78.00
CREW RATES, VEHICLES AND REPROGRAPHICS		
1 Man Field Crew with Standard Survey Equipment		\$149.00
2 Man Field Crew with Standard Survey Equipment		\$233.00
1 Man Field Crew with RTS or GPS *		\$184.00
2 Man Field Crew with RTS or GPS *		\$268.00
Vehicle for Construction Observation		\$15.00
In-House Scanning and Reproduction	\$0.25/Sq. Ft. (Black & White) \$1.00/Sq. Ft. (Color)	



Reviewed By:

Legal	
Finance	
Engineer	
City Administrator	
Human Resources	
Community Development	
Police	
Public Works	

Agenda Item 1	Niimhei

NB #2

Tracking Number

PW 2016-08

Agenda Item Summary Memo

Title: Fountainview	- Lots 1 and 2	
Meeting and Date:	Public Works Committee – Februar	ry 16, 2016
Synopsis: Consider	ation of Resolution	
Council Action Pre	viously Taken:	
Date of Action:	Action Taken:	
Item Number:		
Type of Vote Requi	red:	
Council Action Req	uested: Consideration of Approval	
Submitted by:		Engineering
	Name	Department
	Agenda Item Note	es:



Memorandum

To: Bart Olson, City Administrator

From: Brad Sanderson, EEI

CC: Eric Dhuse, Director of Public Works

Krysti Barksdale-Noble, Community Dev. Dir.

Lisa Pickering, Deputy City Clerk

Date: February 3, 2016

Subject: Fountainview Subdivision – Lots 1 and 2

The proposed development is seeking a right-in / right-out connection to IL Rt 47 as part of the site improvements. IDOT has determined that the proposed connection is acceptable and they have issued a draft permit to the developer for execution (see attached).

One of the requirements to obtain the permit is that City approve the attached resolution. In addition, IDOT will be requiring a \$10,000 bond for assurances that the connection will be constructed correctly.

We are recommending approval of the resolution. If you have any questions, please let me know.

January 11, 2016

City of Yorkville/Fountainview Plaza of Yorkville Dunkin Donuts for Lee Fry Companies, Inc. c/o Meritcorp 50 N Brockway - Suite 3-9 Palatine, IL 60067

PERMIT APPLICATION

Route: IL 47 County: Kendali

Type of Work: Commercial Entrance

Gentlemen:

Please execute the attached forms according to the following directions:

- 1. All signatures must be in ink on all copies.
- 2. Mailing address to be shown where indicated.
- 3. Fill in date permit is signed by you in the spaces provided above your signature.
- 4. Have a disinterested party witness your signature on permit form by signing name in space after printed word "Witness" at the left of form. If the permit is in the city or village's name, an authorized city or village official must sign the permit.
- 5. If Highway Permit Bond forms are included, sign all three original copies and have executed by a reputable bonding company. (Personal bond or a letter of credit is not acceptable.) Please attach the name and address of the local agency through which you received the permit bond.
- 6. If a temporary construction permit is proposed, we will require a letter from the local municipality guaranteeing that occupancy permits from the municipality will **not** be granted until after a permanent entrance permit has been issued.
- 7. If traffic signals are required as part of this permit, then a city/state agreement is needed for the cost and maintenance of the proposed traffic signals before the permit will be issued by the department.

City of Yorkville/Fountainview Plaza of Yorkville Dunkin Donuts for Lee Fry Companies, Inc. c/o Meritcorp January 11, 2016 Page 2

- 8. The attached application should be returned to this office for approval by August 1, 2016. To perform work within highway right of way without an approved permit is in violation of state law.
- Return <u>all</u> five signed original copies to the address shown above for approval by the Regional Engineer. When approved, the completed permit and permit bond will be forwarded to the applicant.
- 10. If the work covered by this permit includes construction of additional lanes, turn lanes, median crossovers or traffic signals on, along or adjacent to a highway under department jurisdiction, the permittee shall use only contractor(s) approved by the Department of Transportation for the performance of said work on the state highway. A contractor currently prequalified by the department in the work rating governing the said work shall be approved. Prior to the commencement of the said work on the state highway, the applicant shall furnish the Regional Engineer a copy of the contractor's current Certificate of Eligibility, or, if the permittee proposes to use a contractor not currently prequalified by the department, information satisfactory to the department evidencing the contractor's qualification and ability to perform the said work. No work on the state highway shall be performed until the department issues an approval of the proposed contractor.

If additional information or clarification is required, please contact the Permit Section at 815-434-8456 or e-mail <u>DOT.D3.Permits@illinois.gov.</u>

Sincerely,

Paul A. Loete, P.E. Deputy Director of Highways, Region Two Engineer

By: Dave Broviak, P.E.

Ton Benn C

Acting Program Development Engineer



Highway Permit

Deputy Director of Highways, Regional Engineer

OPER 1045 (Rev. 08/07)

L-14708		Di	strict Serial No.	
Whereas, I (We)	City of Yorkville/Fountainview Plaza Dunkin Donuts for Lee Fry Compani	of Yorkville		
	c/o Meritcorp	ies, mc.	50 N Brockway	- Suite 3-9
	(Name of Appl	licant)	(Mailing A	ddress)
Palatine	IL 60	067	hereinafter termed	the Applicant,
(City	<i>'</i>)	(State)		
request permission known as IL	and authority to do certain work her Route 4	ein described on the r 17	ight-of-way of the State Highway , Section	
from Station *		to Station		
Kendall	County. The work is de	escribed in detail on th	e attached plan or sketch and/or	as follows:
	* LOCATED NO	RTH OF FOUNTAINV	IEW DRIVE	
Upon approval this location, a right-in/i a part hereof.	permit authorizes the applicant to lo right-out commercial entrance and re	cate, construct, opera lated improvements a	te and maintain at the above me is shown on the attached plans w	ntioned hich become
The permit holder/pentrance.	property owner will be responsible for	r installing and mainta	ining the signs at the right-in/righ	nt-out
The applicant shall 434-8490 twenty-fo	notify Adam Rue, Field Engineer, Plour hours in advance of starting any v	hone: 630-553-7337 o work covered by this p	or the District Permit Section, Phermit.	one: _, 815-
Aggregate materia	I shall be obtained from a state appro	oved stockpile and sha	all be:	
	SUB-BASE GRANULAR M	ATERIAL TYPE A (CA	A-6 GRADATION).	
1(6/7)	(SEE ATTACHI	ED SPECIAL PROVIS	SIONS)	
HERE	ű.			
All work authorized	I by this permit shall be completed nit becomes null and void.	180 days	after the date this permit is	approved,
	pject to the conditions and restrict	ions printed on the r	everse side of this sheet.	3 10 31 3-
Tine vermit is here	by accepted and its provisions agree	ed to this	day of	
Witness		Signed		
			Applicant	
	Mailing Address	HINES: 15 TO THE TOTAL PARTY.	Mailing Address	\$30. K. 184
City	State	City	Stal	te
SIGN AND RETU	RN TO: Regional Engineer			
Approved this	day of			
		Departm	nent of Transportation	
		BY:		

First: The Applicant represents and warrants that he/she is the party in interest respecting this Permit and that he/she is the agent in fact with authority to bind all parties in interest to the obligations and undertakings agreed to in this Permit. The Applicant represents and warrants that the property lines shown on the attached plan sheet(s) or sketch are true and correct, and that all proposed work is accurately depicted thereon.

Second: The proposed work shall be located and constructed to the satisfaction of the Regional Engineer or his/her duly authorized representative. No revisions or additions shall be made to the proposed work on the right-of-way without the written permission of the Regional Engineer. The Applicant agrees to complete all work to the standards and specifications identified by the Regional Engineer or his/her authorized representative as a condition of granting this Permit. The Applicant agrees to furnish all labor, equipment and material, and do all work and pay all costs associated with the work authorized by this Permit. The Applicant agrees to restore any and all damaged portions of the highway right-of-way to the condition satisfactory to the Regional Engineer or his/her authorized representative including, but not limited to, all landscape restoration. The Applicant shall not trim, cut or in any way disturb any trees or shrubbery along the highway without the approval of the Regional Engineer or his/her duly authorized representative. Any and all documents, writings and notes reflecting or identifying the standards, specifications, understandings and conditions applicable to the performance of the permitted work required by the Regional Engineer or his her authorized representative are hereby incorporated into this Permit by reference as though fully set forth herein.

Third: The Applicant shall at all times conduct the work in such a manner as to minimize hazards to vehicular and pedestrian traffic. Traffic controls and work site protection shall be in accordance with the applicable requirements of Part 6 (Temporary Traffic Control) of the Illinois Manual on Uniform Traffic Control Devices and with the traffic control plan if one is required elsewhere in the permit. All signs, barricades, flaggers, etc., required for traffic control shall be furnished by the Applicant. The work may be done on any day except Sunday, New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. Work shall be done only during daylight hours.

Fourth: The work performed by the Applicant is for the bona fide purpose expressed and not for the purpose of, nor will it result in, the parking or servicing of vehicles on the highway right-of-way. Signs located on or overhanging the right-of-way shall be prohibited.

Fifth: The Applicant shall engage in only the proposed work approved herein, and subject to the hazards incident to such activities, assumes all risks associated therewith. The Applicant assumes full and strict liability for the actions of itself, all parties in interest, its agents and employees, contractors, subcontractors and consultants. The Applicant and all parties in interest shall save, defend, hold harmless and indemnify the State of Illinois and each of its officers, agents, employees, invitees and others associated with it from and against any and all suits, claims, actions, losses, injuries, damages, judgments and expenses that are based on, or that arise or are alleged to have arisen out of the performance of the work approved herein, including, but not limited to, any act, willful or intended, or negligence of the Applicant and any party in interest, its agents and employees, contractors, subcontractors and consultants whether at law, in equity or common law. In the event the Applicant or any party in interest fails, neglects, or refuses to comply with any provision of this indemnity, the State of Illinois may take any action necessary to protect itself from liability, including any action to pay, settle, compromise and procure the discharge thereof, in which case the Applicant or any party in interest, jointly and severally, shall be liable and bound unto the State of Illinois for any and all expenses related thereto, including attorney's fees.

Sixth: The State reserves the right to make such changes, additions, repairs and relocations within its statutory limits to the facilities constructed under this permit or their appurtenances on the right-of-way as may at any time be considered necessary to permit the relocation, reconstruction, widening or maintaining of the highway and/or provide proper protection to life and property on or adjacent to the State right-of-way. However, in the event this permit is granted to construct, locate, operate and maintain utility facilities on the State right-of-way, the Applicant, upon written request by the Regional Engineer, shall perform such alterations or change of location of the facilities, without expense to the State, and should the Applicant fall to make satisfactory arrangements to comply with this request within a reasonable time, the State reserves the right to make such alterations or change of location or remove the work, and the Applicant agrees to pay for the cost incurred.

Seventh: This permit is effective only insofar as the Department has jurisdiction and does not presume to release the Applicant from compliance with the provisions of any existing statutes or local regulations relating to the construction of such work.

Eighth: The Construction of access driveways is subject to the regulations listed in the "Policy on Permits for Access Driveways to State Highways." If, in the future, the land use of property served by an access driveway described and constructed in accordance with this permit changes so as to require a higher driveway type as defined in that policy, the owner shall apply for a new permit and bear the costs for such revisions as may be required to conform to the regulations listed in the policy. Utility installations shall be subject to the "Policy on the Accommodation of Utilities on Right-of-Way of the Illinois State Highway System."

Ninth: If the work covered by this permit includes construction of additional lanes, turn lanes, median cross-overs or traffic signals on, along or adjacent to a highway under Department jurisdiction, the permittee shall use only contractor(s) approved by the Department of Transportation for the performance of said work on the State highway. A contractor currently prequalified by the Department in the work rating governing the said work shall be approved. Prior to the commencement of the said work on the State highway, the applicant shall furnish the Regional Engineer a copy of the contractor's current Certificate of Eligibility, or, if the permittee proposes to use a contractor not currently prequalified by the Department, information satisfactory to the Department evidencing the contractor's qualification and ability to perform the said work. No work on the State highway shall be performed until the Department issues an approval of the proposed contractor.

SPECIAL PROVISIONS

The state right of way shall be left in good condition. (No advertising matter shall be placed on the state right of way).

The petitioner, their successors, or assigns, shall maintain that portion of the driveway on state right of way in such a manner satisfactory to the department, otherwise the department will maintain the shoulders included in the entrance driveways to the same standard that exists on adjacent shoulders, and if necessary, such areas will be restored to the original cross section and earth shoulders.

All turf areas which are disturbed during the course of this work shall be restored to the original line and grade and be promptly seeded in accordance with Standard State Specifications.

Whenever any of the work under this permit involves any obstruction or hazard to the free flow of traffic in the normal traffic lanes, plans for the proposed method of traffic control must be submitted to and approved by the Regional Engineer at least 72 hours, and preferably longer, before the start of work.

All traffic control shall be in accordance with the State of Illinois Manual of Uniform Traffic Control Devices and amendments thereof. It should be noted that standards and typical placement of devices shown in the Uniform Manual are minimums. Many locations may require additional or supplemental devices.

The petitioner agrees to furnish the necessary barricades, lights, and flagmen for the protection of traffic.

Traffic shall be maintained at all times.

The applicant agrees to notify the Department of Transportation upon completion of work covered under the terms and conditions of this permit so that a final inspection and acceptance can be made.

To avoid any revisions to the work completed under the highway permit, the applicant should insure the conditions and restrictions of this permit, the applicable supplemental permit specifications and permit drawing are fully understood.

If this permit work is contracted out, it will be the responsibility of the applicant to furnish the contractor with a copy of this highway permit, as the applicant will be responsible for the contractor's work.

A copy of approved permit shall be present on job site at all times the work is in progress.

The department reserves the right to reject or accept any contractor hired by the applicant.

To ensure the fulfillment of the obligations assumed by the applicant, this permit is bonded by the in the amount of ten thousand (\$10,000.00) dollars for a period of five yea	ars after the date of	of
approval.		

No person, firm, corporation or institution, public or private, shall discharge or empty any type of sewage, including the effluent from septic tanks or other sewage treatment devices, or any other domestic, commercial or industrial waste, or any putrescible liquids, or cause the same to be discharged or emptied in any manner into open ditches along any public street or highway, or into any drain or drainage structure installed solely for street or highway drainage purposes.

The excavation under the pavement shall be replaced with controlled low strength material and the pavement replaced in accordance with pavement replacement details. All excess material shall be removed from the highway right of way.

All excavations shall be promptly backfilled, thoroughly tamped and any excess material removed from the state right of way (including rock exposed during backfilling operations). Mounding or crowning of backfill will not be permitted.

All material or equipment stored along the highway shall be placed as remote as practical from the edge of pavement in a manner to minimize its being a hazard to errant vehicles or an obstacle to highway maintenance. If material is to be stored on the highway right of way for more than two weeks prior to installation, written approval must be obtained from the department.



Individual Highway Permit Bond

Address 700 East Norris Drive	District _3
City / State Ottawa, IL 61350	Bond No.
KNOWN ALL MEN BY THE PRESENTS, That I (We)	
	(Name of Applicant)
(Mailing Ad	idress)
as Principal, and	·
	(Surety Company)
a corporation organized and existing under the laws of the Sta and licensed to do business in the State of Illinois, are held firm sum ofTen Thousand and No/100	mly bound unto the people of the State of Illinois in the penal Dollars
of Illinois, for payment of which we bind ourselves, our succes	d States well and truly to be paid unto said people of the State sors and assigns, jointly, severally, and firmly by these presents.
WHEREAS, Highway Permit No. L-14708	Issued by the Department of Transportation
of the State of Illinois grants to	permission and
authority to construct, locate, operate, and maintain the work of IL Route 47 in Kendall	described in said Permit, upon or adjacent to County as more fully
	are made a part hereof as if written herein at length, in and by
which Permit and Sketch the said Principal has promised and in accordance with the terms and conditions of and description	l agreed to perform said described operation and related activities
conditions of and description in said Permit and Sketch to the or construction at said location without first applying for and demand will be made against the above obligation. Otherwise	d truly perform said operations in accordance with the terms and a satisfaction of said Department, and shall perform no other work receiving another permit from said Department, then no claim or this bond or so much thereof as may be necessary shall insure to rect, during a period of five years from the date of approval of this erms and conditions of and description in said Permit and Sketch.
IN WITNESS WHEREOF, WE HAVE DULY EXECUTED	
·	The second secon
This Day of ,, Surety	Address
Address	City / State
City / State	Telephone ()
ByAttorney in Fact	By
(Seal)	(Seal)
Agent for Surety	Department of Transportation
Address	By
City / State	
Ву	
Printed 1/11/2016	OPER 1046 (Rev 5/06)



Traffic Control Authorization Request

District: 3		-	County Kendall	3
Project Comm	nercial Entrance	<u>.</u>	Contract Number L-14708	
Marked Route	IL 47	-	Section	
Location N/O	Fountainview Drive in Yorkville			
Inclusive Dates o			AMPMto	☐ AM ☐ PM
	☐ Maintenance	Construction		Other
3.				20 (0 0.000)
			2	
Contractor or Ag	ency Doing Work			
_	gineer: (Construction Foreman			
Name		Telephone No() ()	Home
(If tr	affic control is to be employed between	5:00 р.m. and 8:30 а.m. or ол S	aturday, Sunday or holidays give addition no	imbers)
Name		Telephone No()	. 10 pp
Name		Telephone No() ()	
Name) E YHI G "	Telephone No() American	A 1000 E 100
Controls: (Des	cribe specific controls to be used at forth any special controls prop	l, including reference to a	ppropriate Highway Standards or s	ections of
***************************************				- Art and a second
		Anny American Company	Allow the second	1
		E Ave		
Distribution	District Operations/Traffic E	13	mitted by:	
	Project Implementation Eng Field Engineer Resident Engineer ISP District	Арр	oroved by:(District Operations/Tra	affic Engineer)

January 11, 2016

Meritcorp

Attn: Todd Roberts

50-N-Brockway - Suite 3-9

Palatine, IL 60067

3697 DARLENE CT. AURORA, IL 60504

Fountainview Plaza

Route: IL 47

Location: North of Fountainview Drive

County: Kendall Permit Log: L-14708

Dear Mr. Roberts:

A review of your plan for a commercial entrance at the above mentioned location has been completed and we offer the following:

1. On January 5, 2016, District 3 delivered documents to Meritcorp for the conveyance of the tract of land in the northeast corner of Fountainview Drive. All the documents need to be signed and returned to IDOT. After they are reviewed and approved by IDOT Chief Counsel, District 3 will record the deed. District 3 will notify you when the deed is recorded so that you can provide an owner's title insurance policy. The permit right of way issue will then be considered clear.

2. This permit will not be issued until the conveyance for this tract of land is fully completed.

If additional information or clarification is required, please contact the Permit Section at 815-434-8456 or e-mail DOT.D3.Permits@illinois.gov.

Sincerely,

Paul A. Loete, P.E.

Deputy Director of Highways,

Region Two Engineer

By: Dave Broviak, P.E.

Acting Program Development Engineer

RESOLUTION

WHEREAS, the city of Yorkville is located in the county of Kendall, state of Illinois, wishes to allow constrution of a commercial entrance onto IL 47 which by law comes under the jurisdiction and control of the Department of Transportation of the state of Illinois, and

WHEREAS, a permit from said department is required before said work can be legally undertaken by said city of Yorkville; now

THEREFORE, be it resolved by the city of Yorkville, county of Kendall, state of Illinois.

FIRST: That we do hereby request from the Department of Transportation, state of Illinois, a permit authorizing the city of Yorkville to proceed with the work herein described and as shown on enclosed detailed plans.

SECOND: Upon completion of the commercial entrance by the developer and acceptance by the city, the city guarantees that all work has been performed in accordance with the conditions of the permit to be granted by the Department of Transportation of the state of Illinois.

Further, the city will hold the state of Illinois harmless for any damages that may occur to persons or property during such work.

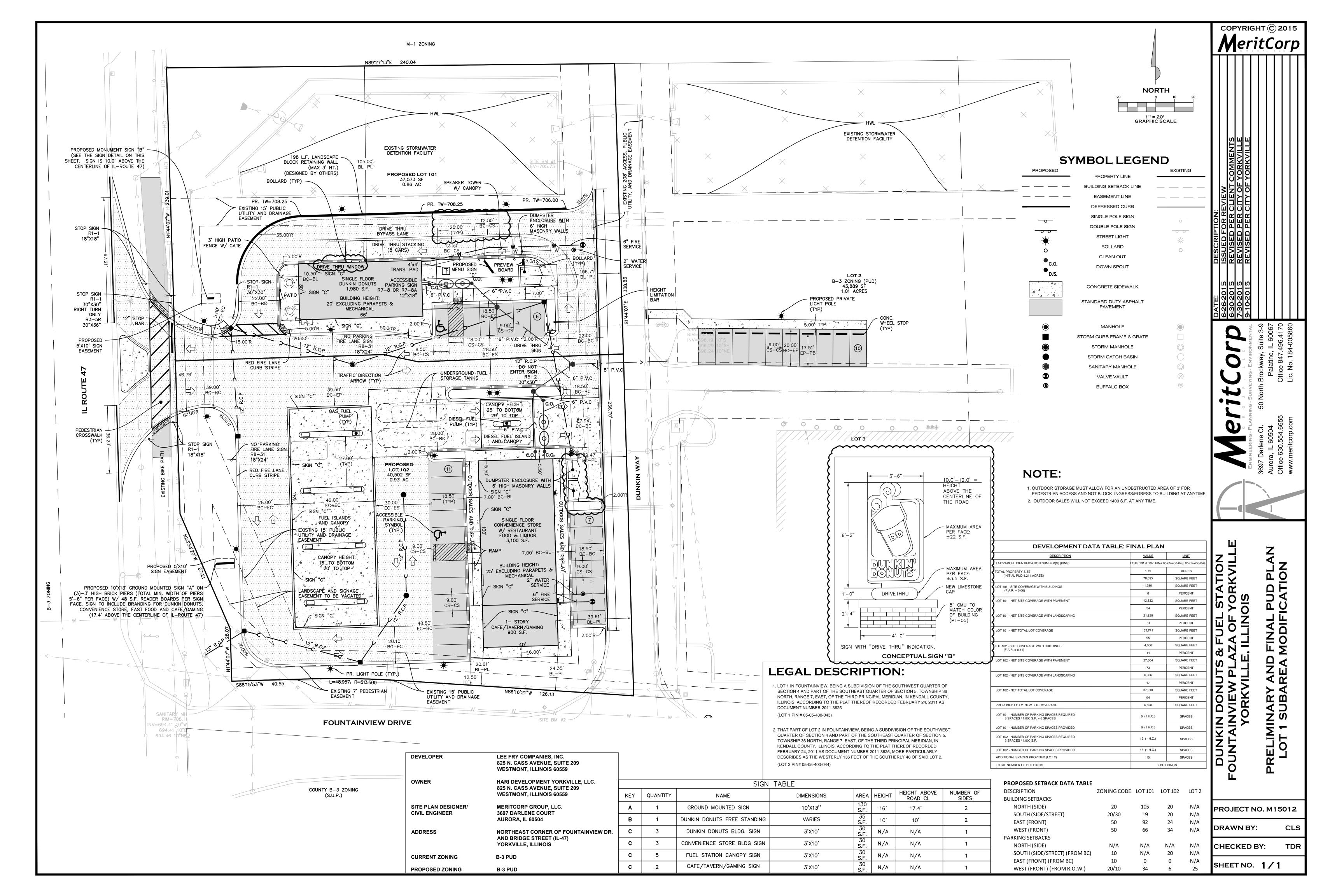
The city will require the developer to obtain a bond and a comprehensive general liability insurance policy in acceptable amounts and will require the developer to add the State of Illinois as an additional insured on both policies.

THIRD: That we hereby state that the proposed work is not, (delete one) to be performed by the employees of the city of Yorkville.

FOURTH: That the proper officers of the city of Yorkville are hereby instructed and authorized to sign said permit in behalf of the city of Yorkville.

I, City Clerk	77	, hereby certify the abo	ve to be a	
	ion passed by the Ci	ty Council of the city of Yorkville	e, county of Kendall, State of Illinois	š.
Dated this	day of	A.D. 2016	z.	
2	(Signature)		 ;	
(CORPORATE SEAL)	¥			

RESOLUTION





Reviewed By:	
Legal	
Finance	
Engineer	
City Administrator	
Human Resources	

Legal]	
Finance		_
Engineer		
City Administrator		
Human Resources		
Community Development		
Police		_
Public Works		

Agenda Item Number	
NB #3	
Tracking Number	
PW 2016-09	

Agenda Item Summary Memo

Title: Raintree Village	- Units 4, 5 and 6	
Meeting and Date: P	ublic Works Committee – Februar	y 16, 2016
	Acceptance Consideration	
Council Action Previo	usly Taken:	
Date of Action:	Action Taken:	
	d:	
Council Action Reque	sted: Consideration of Approval	
Submitted by:	Brad Sanderson Name	Engineering Department
	Agenda Item Notes	•



Memorandum

To: Bart Olson, City Administrator

From: Brad Sanderson, EEI

CC: Eric Dhuse, Director of Public Works

Krysti Barksdale-Noble, Community Dev. Dir.

Lisa Pickering, Deputy City Clerk

Date: February 3, 2016

Subject: Raintree Village – Units 4, 5 and 6

As are you aware, the City took over the responsibility to complete the public improvements for the above referenced development. All of the planned scheduled work has been completed.

Funds do remain to complete the remainder of the street lights and street sign installations at a later date.

At this time, we are recommending that the City accept the water main, sanitary sewer, storm sewer, roadways, sidewalk, landscaping and detention basins as described in the attached Bill of Sale for ownership and maintenance by the City.

Please place this item on the Public Works Committee agenda of February 16, 2016 for consideration.

BILL OF SALE

Seller,, in contemporary, in con	, assign, trans orporation, at cy to wit des	sfer and conve 800 Game l cribed in Ext	ey to the <i>Buye</i> Farm Road, ` nibit A attach	er, the United City Yorkville, Illinois
Seller hereby represents and w property, that said property is free an Seller has full right, power, and authorical	d clear of all	liens, charge	es and encum	brances, and that
IN WITNESS WHEREOF,				
Subscribed and Sworn to before me this day of, 20				
Notary Public				

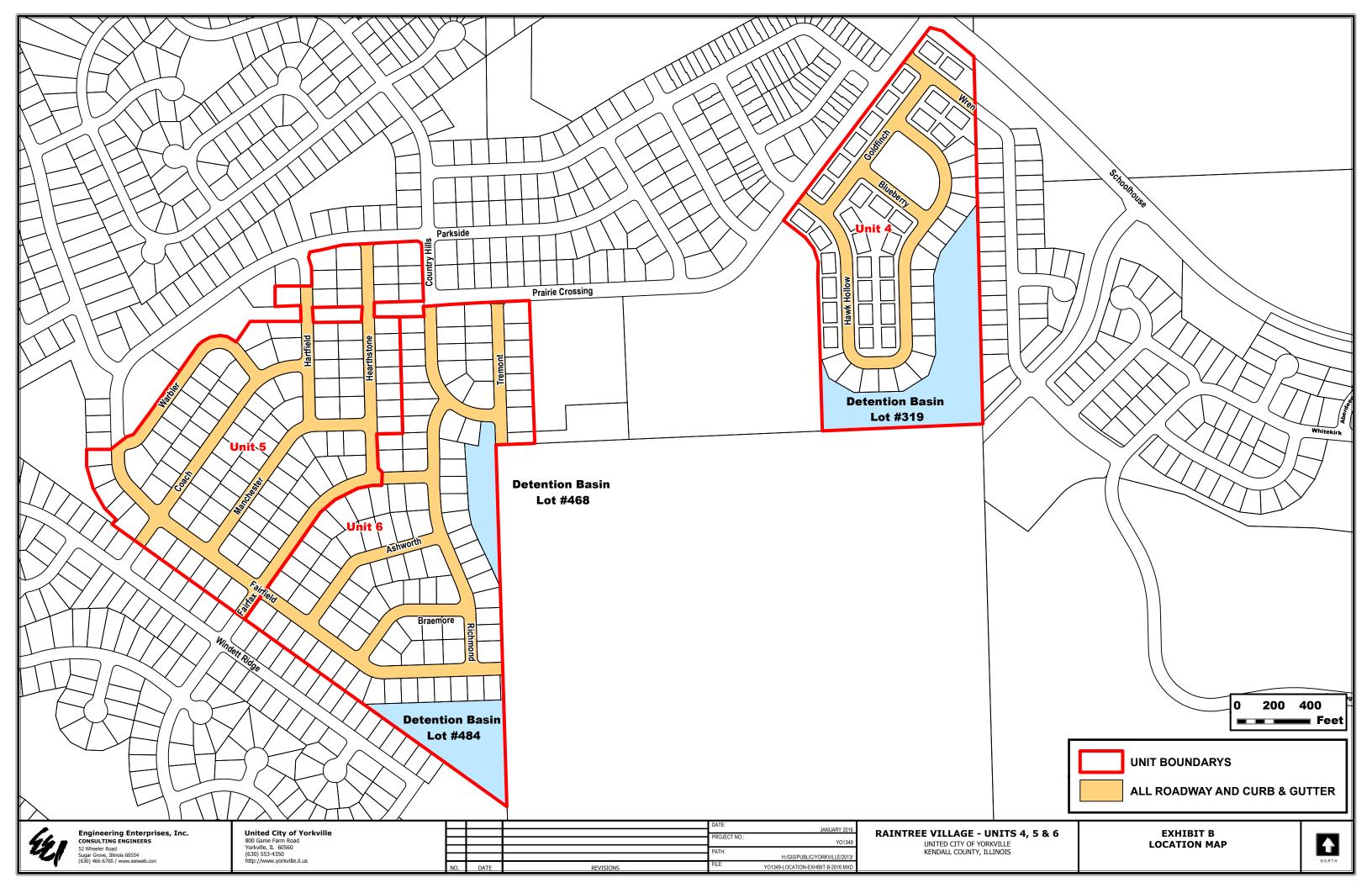
EXHIBIT A RAINTREE VILLAGE - UNITS 4, 5 & 6 UNITED CITY OF YORKVILLE

LITU ITIES		TOTAL
UTILITIES		TOTAL
P.C.C. SIDEWALK	SQ FT	,
8" SAN SEWER, PVC SDR 26		12,243
8" SAN SEWER. PVC SDR 21	FOOT	
10" SAN SEWER, PVC SDR 26	FOOT	
10" SAN SEWER, PVC SDR 21	FOOT	1,710
SAN MH, TYPE A, 48" DIA SANITARY SERVICE - SHORT	EACH	80 214
SANITARY SERVICE - SHORT SANITARY SERVICE - LONG INCL. TBF	EACH EACH	
8" UNDER DRAIN W/ STONE & FABRIC	FOOT	560
8" STORM SEWER, PVC, SDR 26	FOOT	
12" STORM SEWER., FVC, 3DK 20	FOOT	
15" STORM SEWER, RCP CL V	FOOT	4,262
18" STORM SEWER, RCP, CL IV	FOOT	2,918
18" STORM SEWER, RCP, CL III	FOOT	1,242
21" STORM SEWER, RCP, CL IV	FOOT	408
21" STORM SEWER, RCP CL III	FOOT	643
24" STORM SEWER, RCP, CL IV	FOOT	2,316
24" STORM SEWER, RCP, CL III	FOOT	
27" STORM SEWER, RCP, CL IV	FOOT	1,232
27" STORM SEWER, RCP, CL IV 27" STORM SEWER, RCP, CL III	FOOT	405
30" STORM SEWER, RCP, CL IV	FOOT	579
30" STORM SEWER, RCP, CL IV	FOOT	1,156
36" STORM SEWER, RCP, CL IV	FOOT	728
36" STORM SEWER, RCP, CL III	FOOT	366
42" STORM SEWER, RCP, CL IV 42" STORM SEWER, RCP, CL III	FOOT	288
	FOOT	804
48" STORM SEWER, RCP, CL III	FOOT	457
INLET TYPE A, 24" DIA.	EACH	94
CATCH BASIN TYPE B, 36" DIA.	EACH	57
CATCH BASIN TYPE A, 48" DIA.	EACH	16
CATCH BASIN TYPE A. 60" DIA.	EACH	1
CATCH BASIN TYPE A, 72" DIA.	EACH	
CATCH BASIN TYPE A, 84" DIA.	EACH	1
MANHOLE TYPE A, 36" DIA.	EACH	27
MANHOLE TYPE A, 48" DIA.	EACH	37
MANHOLE TYPE A, 60" DIA.	EACH	43
MANHOLE TYPE A, 72" DIA.	EACH	7
SPECIAL MANHOLE, 5'X5' BOX	EACH	6
MANHOLE, T-42"	EACH	1
CONC. FL. END. SECT., 12"	EACH	1
CONC. FL. END. SECT., 15" W/GRATE	EACH	1
CONC. FL. END. SECT., 18" W/GRATE	EACH	3
CONC. FL. END. SECT., 21" W/GRATE	EACH	1
CONC. FL. END. SECT., 24" W/GRATE	EACH	4
CONC. FL. END. SECT., 27" W/GRATE	EACH	2
CONC. FL. END. SECT., 30" W/GRATE	EACH	1
CONC. FL. END SECT., 42" W/GRATE	EACH	3
CONC. FL. END SECT., 48" W/GRATE	EACH	1
8" WM, DIP CL 52 W/ FITGS	FOOT	14,082
12" WM, DIP CL 52 W/ FITGS	FOOT	2,550
16" WM, DIP CL 52 W/ FITGS	FOOT	2,400
8" VALVE IN 48" VAULT	EACH	39
12" VALVE IN 60" VAULT	EACH	5
16" VALVE IN 60" VAULT	EACH	7
FIRE HYD. W/AUX. VALVE & VALVE BOX	EACH	63
WATER SERVICE, SHORT, 1" W/B-BOX	EACH	177
WATER SERVICE, LONG, 1" W/B-BOX	EACH	191
STREET LIGHT (COMPLETE)	EACH	31
RETAINING WALL	SQ FT	1,200

ROADWAY	UNIT	QUANTITY
HAWK HOLLOW DRIVE	FOOT	2728
BLUEBERRY HILL	FOOT	445
WREN ROAD	FOOT	490
GOLDFINCH AVENUE	FOOT	938
WARBLER LANE	FOOT	1014
PARKSIDE LANE	FOOT	450
FAIRFIELD AVENUE	FOOT	2098
FAIRFAX WAY	FOOT	1443
MANCHESTER LANE	FOOT	1199
HEARTHSTONE AVENUE	FOOT	1294
HARTSFIELD AVENUE	FOOT	747
COACH ROAD	FOOT	1407
ASHWORTH LANE	FOOT	902
BRAEMORE LANE	FOOT	711
RICHMOND AVENUE	FOOT	1504
COUNTRY HILL DRIVE	FOOT	821
TREMONT AVENUE	FOOT	800

NOTE: INCLUDES ALL ROADWAY AND CURB & GUTTER

DETENTION PONDS	LOT	AREA (AC)
UNIT 4	319	9.27
UNIT 5	484	5.20
UNIT 6	468	2.52





Reviewed By:	
Legal	
Finance	
Engineer	100
City Administrator	
Human Resources	
Community Development	
Police	
Public Works	П

Parks and Recreation

Agenda Item Number
NB #4
Tracking Number
PW 2016-10

Agenda Item Summary Memo

Title: Well No. 8 I	Rehabilitation	
Meeting and Date:	Public Works Committee – Fe	ebruary 16, 2016
Synopsis: Consider	ration of Change Order	
Council Action Pre	viously Taken:	
Date of Action:	Action Taken:	
Item Number:		
Type of Vote Requ		
Council Action Red	quested: Consideration of Appro	oval
Submitted by:	Brad Sanderson	Engineering
	Name	Department
	Agenda Item	Notes:



Memorandum

To: Bart Olson, City Administrator

From: Brad Sanderson, EEI

CC: Eric Dhuse, Director of Public Works Lisa Pickering, Deputy City Clerk

Date: February 4, 2016

Subject: Water Well No. 8 Rehabilitation

The purpose of this memo is to present Change Order No. 1 for the above referenced project.

A Change Order, as defined in the General Conditions of the Contract Documents, is a written order to the Contractor authorizing an addition, deletion or revision in the work within the general scope of the Contract Documents, or authorizing an adjustment in the Contract Price or Contract Time.

Background:

The United City of Yorkville and Layne Christensen Co. entered into an agreement for a contract value of \$86,929.00 for the above referenced project. The intent of this project was to rehabilitate Well No. 8 pumping equipment.

Questions Presented:

Should the City approve the items within Change Order No. 1 which would <u>increase</u> the contract amount by \$10,510.00?

Discussion:

The following discussion points address the items listed on Change Order No. 1:

- 1) Item No. 1 reflects the need to replace the flat motor cable due to deficiencies, which were discovered during testing of the existing cable.
- 2) Items No. 2 and 3 reflect the need to replace wear rings and bushings within the pump due to wear throughout 10 years of service, which has resulted in these components not meeting the manufacturer's recommended clearances.
- 3) Item No. 4 reflects an upgraded coating system to help increase the life of the bowl casting surfaces of the pump.

The project is partially complete with a required date for completion of April 8, 2016. The work within this change order will not affect the expected completion date of this project. Change Order No. 1 will likely be followed by one other change request, after reinstallation of the pumping equipment.

Action Required:

Consideration of approval of items on Change Order No. 1 in the amount of \$10,510.00.

CHANGE ORDER

	Order No. <u>1</u>
	Date: <u>January 27, 2016</u>
	Agreement Date: November 23, 2015
NAME OF PROJECT: W	Vater Well No. 8 Rehabilitation and associated appurtenances
OWNER: <u>United City of</u>	Yorkville
CONTRACTOR: Layne	Christensen Company

The following changes are hereby made to the CONTRACT DOCUMENTS:

PCO 1: Replace Flat Motor Cable

PCO 2: Replace All Wear Rings for Pumping Assembly PCO 3: Replace All Bushings for Pumping Assembly PCO 4: Apply Ceramic Coating to Bowl Casting Surfaces

Justification:

- PCO 1: The hypot test of the flat and power cable showed insulation leakage, which was traced to the flat cable. While the power cable itself is suitable for reuse, the BJ flat cable should be replaced. Replacement of the BJ flat cable is included as a mandatory alternate bid item (Item 11A). The PCO includes the furnishing of a new flat motor cable to match the existing cable and any work associated with the installation of the cable. (Add: \$4,800.00)
- PCO 2: During the inspection of the pump, it was discovered that the wear rings are not within the pump manufacturer's recommended clearances. All of the wear rings should be replaced. Replacement of the wear rings is a mandatory alternate bid item (Item 7E). The PCO includes the furnishing of 12 new wear rings at the cost of \$218.00/each and any work associated with their installation. (Add: \$2,616.00)
- PCO 3: During the inspection of the pump, it was discovered that all the bushings are not within the pump manufacturer's recommended clearances. Replacement of the bushings is a mandatory alternate bid item (Item 7F). The PCO includes the furnishing of 13 new bushings at \$199.00/each and any work associated with their installation. (Add: \$2,587.00)
- PCO 4: The inspection of the pump revealed mild pitting on the bowl casting surfaces just above wear rings. While this pitting has not yet reached the point where bowl replacement should be considered, the option to add a ceramic coating to the bowls to inhibit further erosion on this surface is available. This was not included in the base bid or mandatory alternates bid items. The PCO includes 3 hours of work at \$169/hr to add the ceramic coating to each of the pump bowls as well as any materials needed for the work. (Add: \$507.00)

(continued)

Page 2 **Change of CONTRACT PRICE:** Original CONTRACT PRICE: \$ 86,929.00 Current CONTRACT PRICE adjusted by previous CHANGE ORDER(S) \$ 86,929.00 The CONTRACT PRICE due to this CHANGE ORDER will be (increased) (decreased) by: \$ 10,510.00 The new CONTRACT PRICE including this CHANGE ORDER will be \$ 97,439.00 **Change to CONTRACT TIME:** The CONTRACT TIME will be (increased) (decreased) by 0 calendar days. The date for completion of all work will be April 8, 2016. Approvals Required: To be effective this order must be approved by the agency if it changes the scope or objective of the PROJECT, or as may otherwise be required by the SUPPLEMENTAL GENERAL CONDITIONS. Requested by: Layne Christensen Co.

Recommended by: Engineering Enterprises, Inc.

The United City of Yorkville

Accepted by: _____

CHANGE ORDER NO. C-01



Legal	
Finance	
Engineer	
City Administrator	
Human Resources	
Community Development	
Police	
Public Works	
Parks and Recreation	

	_		
Agenda	Item	Numbe	1

NB #5

Tracking Number

PW 2016-11

Agenda Item Summary Memo

Title: 2016 Sanitary	Sewer Lining Program	
Meeting and Date:	Public Works Committee –	February 16, 2016
Synopsis: Recomm	endation of Contract Award	
Council Action Pres	viously Taken:	
Date of Action:	Action Take	n:
Item Number:		
Type of Vote Requi	red:	_
Council Action Req	uested: Consideration of Av	vard
		_
Submitted by:	Brad Sanderson	Engineering
	Name	Department
	Agenda Ite	m Notes:



Memorandum

To: Bart Olson, City Administrator

From: Brad Sanderson, EEI

CC: Eric Dhuse, Director of Public Works

Krysti Barksdale-Noble, Community Dev. Dir.

Lisa Pickering, Deputy City Clerk

Date: February 10, 2016

Subject: 2016 Sanitary Sewer Lining Program

Bids were received, opened and tabulated for work to be done on the 2016 Sanitary Sewer Lining Program at 11:30 a.m., February 10, 2016. Representatives of contractors bidding the project, the City, and our firm were in attendance. A tabulation of the bids and the engineer's estimate is attached for your information and record. The low bid was below our engineer's estimate and within the FY2017 budget.

Therefore, we recommend the acceptance of the bid and approval of award be made to the low bidder, Visu-Sewer of Illinois, LLC, 9014 S. Thomas Avenue, Bridgeview, IL 60455 in the amount of \$180,914.90.

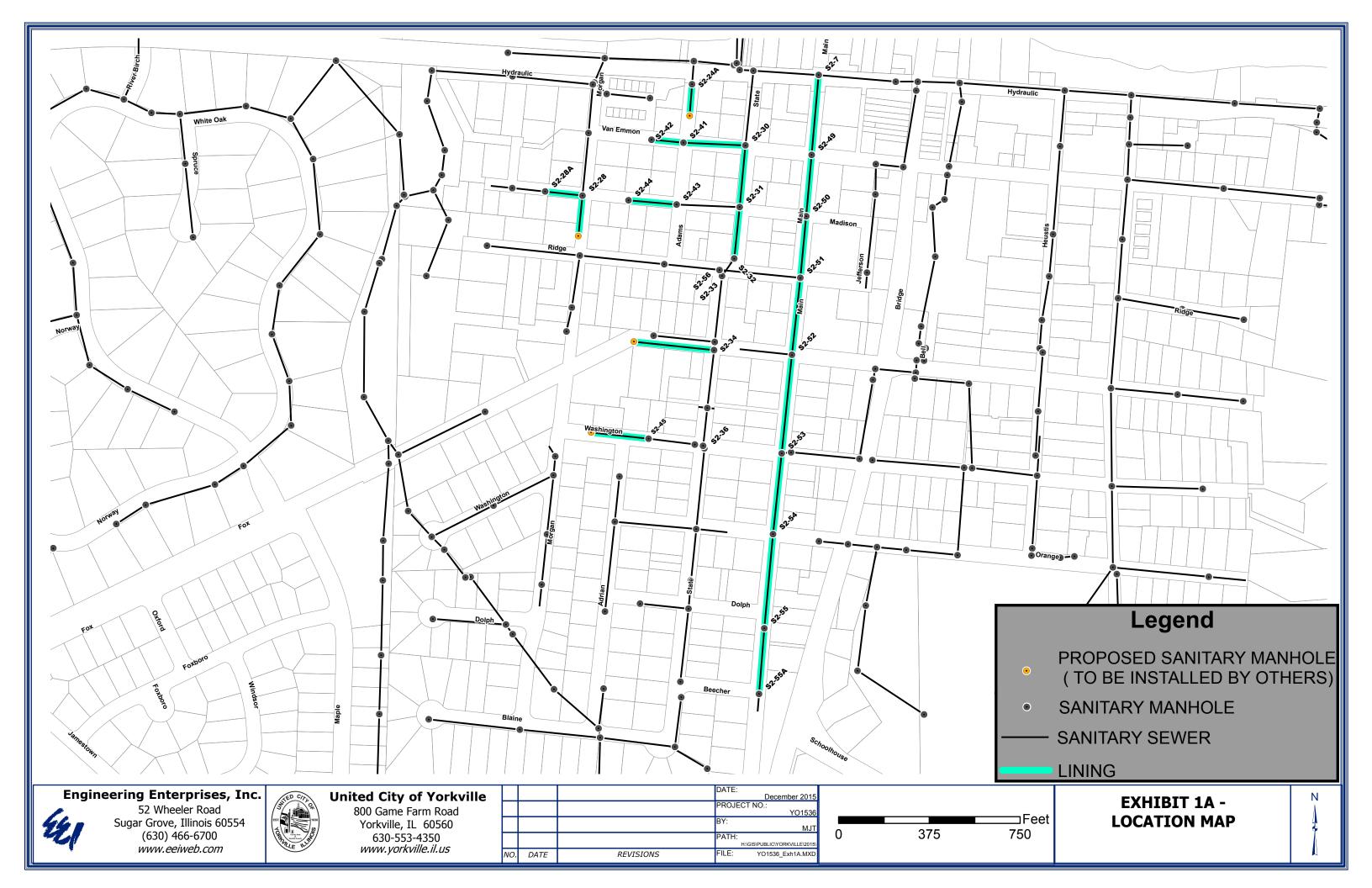
Note that work cannot begin until after May 1, 2016.

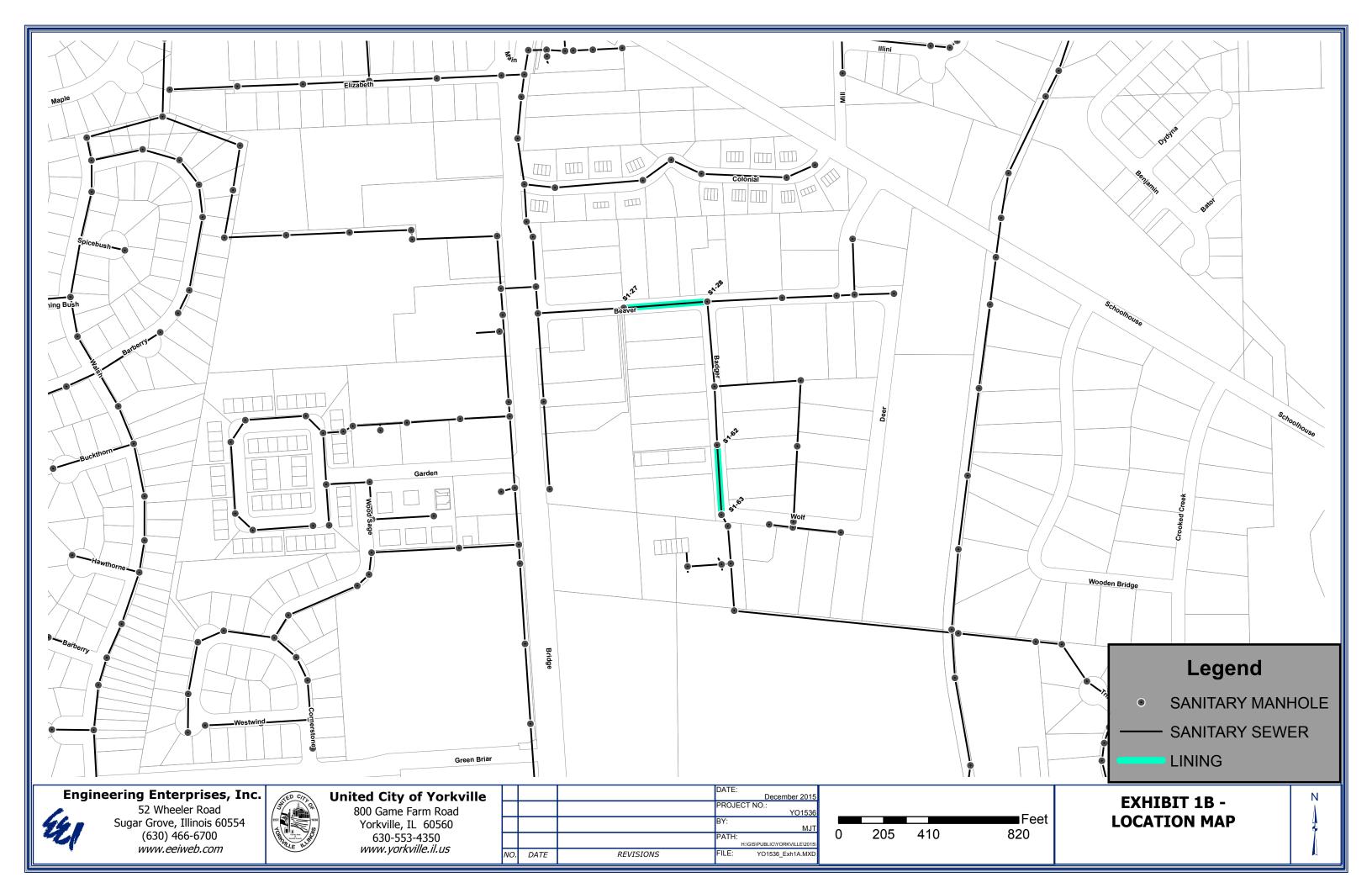
If you have any questions or require additional information, please let us know.

Engineering Enterprises, Inc.

BID TABULATION 2016 SANITARY SEWER LINING UNITED CITY OF YORKVILLE

		BID TAB BIDS RECD	ULATION 2/9/2016	52 Whee	S ESTIMATE eler Road e, IL 60554	VISU-SEV 0014 S. Thor Bridgeview	nas Avenue	N	MICHELS COI 817 W. Ma Brownsville,	ain Street	IN	ISITUFORM T 17988 Edis Chesterfield		1601-D W.	NSTRUCTION Luthy Drive IL 61612	BENCHMARK 2260 Sou Bartlett,	thwir	nd Blvd.
ITEM NO.	DESCRIPTION	UNIT	QUANTITY	NIT RICE	AMOUNT	UNIT PRICE	AMOUNT		UNIT PRICE	AMOUNT		UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE		AMOUNT
1	CURED-IN-PLACE PIPE LINING, 6"	FOOT	1119	\$ 26.00	\$ 29,094.00	\$ 27.80	\$ 31,108.	20 \$	28.00	\$ 31,332.00	\$	29.00	\$ 32,451.00	\$ 32.00	\$ 35,808.00	\$ 40.00	\$	44,760.00
2	CURED-IN-PLACE PIPE LINING, 8"	FOOT	3,094	\$ 30.00	\$ 92,820.00	\$ 29.60	\$ 91,582.	io \$	27.00	\$ 83,538.00	\$	29.50	\$ 91,273.00	\$ 31.00	\$ 95,914.00	\$ 30.00	\$	92,820.00
3	CURED-IN-PLACE PIPE LINING, 10"	FOOT	262	\$ 34.00	\$ 8,908.00	\$ 35.75	\$ 9,366.	50 \$	34.00	\$ 8,908.00	\$	33.00	\$ 8,646.00	\$ 41.00	\$ 10,742.00	\$ 35.00	\$	9,170.00
4	CURED-IN-PLACE PIPE LINING, 12"	FOOT	573	\$ 38.00	\$ 21,774.00	\$ 36.30	\$ 20,799.	00 \$	35.00	\$ 20,055.00	\$	32.00	\$ 18,336.00	43.00	\$ 24,639.00	45.00	\$	25,785.00
5	CURED-IN-PLACE PIPE LINING, 15"	FOOT	549	\$ 42.00	\$ 23,058.00	\$ 47.10	\$ 25,857.	00 \$	49.00	\$ 26,901.00	\$	50.00	\$ 27,450.00	49.50	\$ 27,175.50	55.00	\$	30,195.00
6	PROTRUDING TAP REMOVAL	EACH	25	\$ 215.00	\$ 5,375.00	50.00	\$ 1,250.	00 \$	362.00	9,050.00		50.00	1,250.00	300.00	\$ 7,500.00	400.00	\$	10,000.00
7	HEAVY ROOT CLEANING	FOOT	150	\$ 10.00	\$ 1,500.00	3.00	\$ 450.	00 \$	6.00	900.00		3.00	450.00	5.00	\$ 750.00	15.00	\$	2,250.00
8	GROUT JOINTS	EACH	10	\$ 500.00	\$ 5,000.00	50.00	\$ 500.	00 \$	500.00	5,000.00		650.00	6,500.00	520.00	\$ 5,200.00	1,300.00	\$	13,000.00
	TOTAL BID				187,529.00		180,914.	00		185,684.00			186,356.00		207,728.50			227,980.00







Reviewed By:
Legal
Finance
Engineer
City Administrator
Human Resources
Community Development
Police
Public Works
Parks and Recreation

Agenda Item Number
NB #6
Tracking Number
PW 2016-12

Agenda Item Summary Memo

Title: Salt Usage Update							
Meeting and Date: Public Works Committee – February 16, 2016							
Synopsis: Update of salt u	sage for winter 2016.						
Informational item only.							
Council Action Previously	Taken:						
Date of Action:	Action Taken:						
Item Number:							
Type of Vote Required: N	Vone						
Council Action Requested	l: None						
Submitted by:	Eric Dhuse Name	Public Works					
		Department					
	Agenda Item Notes:						
_							



Memorandum

To: Bart Olson, Administrator

From: Eric Dhuse, Director of Public Works

CC:

Date: January 28, 2016 Subject: Salt usage update

Bart,

With the reasonably mild winter so far and the addition of salt brine, we have been able to conserve salt this year. Our contract this year was for 1500 tons of which we are mandated to take 80% or 1200 tons. We have ordered the 1200 tons and do not expect to order more this year. Our current supply is approximately 500 tons at the shop and an additional 400 tons in storage at Kendall County's facility. Even though we still have all of February and most likely the first half of March to contend with snow, I feel that we should not have to order any more salt if the current weather patterns hold true.

What this means to the City:

If we have to take our full allotment of salt (1500 ton)

Budget \$150,000

<u>Salt costs</u> \$103,485

Savings \$46,515

If we do not have to order any more salt (1200 ton)

Budget \$150,000

<u>Salt costs</u> \$82,788

Savings \$67,212

This Money will return to the MFT fund and can be re-appropriated for other approved projects throughout the city such as RTBR, striping, crack sealing, material storage building, patching, or many other projects.

Hopefully we can add 200-300 tons of salt to Kendall County salt storage facility. We would then have 600-700 tons in reserve to use in case of emergency or to offset our order if the prices skyrocket as they did a few years ago.



Reviewed By:	
Legal	
Finance	
Engineer	
City Administrator	
Human Resources	
Community Development	
Police	
Public Works	
Parks and Recreation	

Agenda Item Number	
OB #1	
Tracking Number	
PW 2015-56	

Agenda Item Summary Memo

Title: Maintenance	e of Stormwater Ma	anagement Facilities
Meeting and Date:	Public Works C	Committee – February 16, 2016
Synopsis:		
Council Action Pro	eviously Taken:	
Date of Action:	A	Action Taken:
Item Number:		
Type of Vote Requ	iired:	
Council Action Re	quested:	
Submitted by:	Bart Olson Name	Administration Department
		Agenda Item Notes:
		igenuu item Motes.



Memorandum

To: Public Works Committee

From: Eric Dhuse, Director of Public Works

CC: Bart Olson, Administrator Date: December 14, 2015 Subject: Storm Water Basins

Summary

Review of process for inspecting storm water basins and explanation of how this service will benefit the City.

Preparation for Inspection

The first step is to identify the owner and maintainer of the basin. We can do this by using the PIN number to identify owner of record. Once this is done, we will find out if the owner is performing maintenance or if there is a person/company hired to be the maintainer.

Next, we will determine the following:

- Is the basin an accepted or unaccepted improvement?
- What type of basin is it?
- Is there an approved landscape plan for this basin?
- What is the approximate age of the basin?

All of these items will assist us in performing a complete inspection to gain the overall health and functionality of the basin.

Inspection Sheet

- **Basin Location** Besides a physical address that we can input into our GIS system, I am going to give each basin an identifiable tag for public works and engineering to use for our annual inspection program. Example: Heartland Circles pond could be B-15. "B" equals the quadrant and 15 would be the 15th pond in that basin.
- **Basin Type** simply categorizes the basins into 3 categories; dry, wet, or naturalized.
- Owner and Maintainer information this information will be used to communicate with the proper individuals for any problems with the basin(s) and to send the inspection reports.

• Annual Inspection Items – these specific items will guide us in determining the functionality of the basin and specify deficiencies that need to be remedied. In addition to specific items, we will be able to determine the overall condition of the basin and the condition of the landscaping or naturalized area. Specifically letters C, D, E, and F will help us in determining the health and functionality of the landscape materials.

Post Inspection

All inspection sheets will be sent to the owner and maintainer for their use to remedy any deficiencies and to have on file.

In addition to keeping a paper copy, we will be creating a database of basins that include any deficiencies along with general notes. This database will be used to assist in generating the 5 year re-inspection and track the basin's health and functionality over time.

Expectations, Remedies and Potential Action Items

In a perfect scenario, we would send out deficiency letters and they would all be addressed in a reasonable time and achieve a satisfactory outcome. But, we all know that is not likely to happen so we have to have a plan in place to ensure that our recommendations are being followed and remedies to the deficiencies are being addressed properly and in a timely manner.

- Expectations Our expectations are that, the owner/maintainer will address any deficiencies within a reasonable time frame. These time frames will vary greatly due to the time of the year the inspection is performed and the scale of the deficiency that needs to be repaired. For instance, if we perform our inspection now and we find that there is some minor erosion near the outfall of a pond, we would have to take into consideration that no work could be completed at this time. Therefore, we would most likely make the deadline June 1, 2016. If we were to perform the inspection on April 15th of the coming year, we would probably make the deadline the same date as the one we inspected in December. If the repairs were much more in depth, such as elimination of weeds and renaturalizing the bank, we would most likely give them the entire growing season to perform this work. When the work is completed to our satisfaction, it will be noted in the file and rechecked during the 5th year re-inspection.
- Remedies Each remedy will be specific to a basin. Remedies will vary in scope, cost and time frame for repair in each basin depending on the issue. We will be specific and concise for each issue, stating clear direction for remedy with a reasonable time frame for completion.
- **Potential Action Items** If there are cases where the owner/maintainer is unresponsive to our request to remedy deficiencies in their basin, we have the following options to ensure that the basin is brought into compliance.

- 1. We would be able to cite the owner/maintainer for violating the City's approved storm water management program plan or through the property maintenance standards. Once they are cited, they realize that we are serious and the work gets done in a timely manner, or we proceed with the administrative adjudication process. The City Code identifies the following sections that we would use in most cases
 - ➤ 4-1-5 Nuisances and Offensive Conditions, Generally (weeds)
 - ➤ 4-3-1 Junk, Trash and Refuse
 - ➤ 8-17-9 through 8-17-13 Provisions regulating non-storm water discharges and connections to the municipal separate storm sewer system
- 2. In cases where this approach is not effective in getting our desired results, we still have the following recourse.
 - ➤ In areas developments where there is a dormant SSA, we can enact it to have the funds to perform the required repair or maintenance. These areas would most likely be developments that were annexed and constructed in the 2000's. This accounts for the largest percentage of our basins which I would estimate at upwards of 75%-80%. Basins with no dormant SSA would be 15%-20% and city owned basins would be approximately 5%. Of that 75-80%, that does include developments that are not accepted.
 - ➤ In those areas that are not accepted, we can add it to the punch list if it is an active development (ie-Windett Ridge water level issue).
 - ➤ In areas where there the basins are privately owned or have no dormant SSA, the City can perform or contract out work that needs to be done and bill the owner for said work following the guidelines set forth in Ord 2009-78 section 7-1 d.

I would ask that this be placed on the January 19th public works committee for discussion. If you have questions or need further information, please let me know.

Ordinance No. 2016-_____

AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, AMENDING TITLE 4, CHAPTER 1, SECTION 4-1-5 OF THE YORKVILLE CITY CODE

WHEREAS, the United City of Yorkville, Kendall County, Illinois (the "City") is a duly organized and validly existing non home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, the continuing maintenance of the City's storm water basins is essential to protect against flooding, soil erosion and any negative impact to the City's stream systems and requires repairing erosion, removing sediment and managing vegetation on an annual basis; and,

WHEREAS, failure to maintain storm sewer basins on a regular basis can also result in restrictions to the outflow causing the loss of control of the flow of storm water into the City's storm sewer system; and,

WHEREAS, in order to address this potential problem, the City hereby declares the failure to maintain a storm water basin as a nuisance, the abatement of which is enforceable as hereinafter provided.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, as follows:

- Section 1. The above recitals are incorporated and made a part of this Ordinance.
- Section 2. That Title 4, Chapter 1, Section 5 of the Yorkville City Code is hereby amended by adding the following so said Section 3:
 - "8. Lack of Maintenance of a Storm Water Basin:
 - a. failure to repair erosion;
 - b. failure to prevent restrictions on outflow;
 - c. failure to remove overgrown vegetation limiting capacity or outflow; or,

Section 3. Title 4, Chapter 1, Se	ection 5 is further amended by deleting paragraphs C and
D therefrom and renumbering paragraph	ns E and F as C and D.
Section 4. This Ordinance sha	ll be in full force and effect from and after its passage,
approval, and publication in pamphlet for	orm as provided by law.
Passed by the City Council of the	e United City of Yorkville, Kendall County, Illinois,
this day of	, A.D. 2016.
	City Clerk
CARLO COLOSIMO	KEN KOCH
JACKIE MILSCHEWSKI	LARRY KOT
CHRIS FUNKHOUSER	JOEL FRIEDERS
DIANE TEELING	SEAVER TARULIS
APPROVED by me, as Mayor	of the United City of Yorkville, Kendall County, Illinois,
this day of,	A.D. 2016.
Attest:	Mayor
City Clerk	
Published in pamphlet form:	
, 2016	

permitting build-up of sediment reducing capacity."

d.



United City of Yorkville Public Works Department

800 Game Farm Rd. Yorkville, IL 60560 Phone – 630-553-4370 Fax – 630-553-4377

Mr. John Smith 123 Main St. Yorkville, IL 60560 Re: Parcel 02-32-100-100 August 14, 2016

Mr. Smith,

While conducting a mandatory inspection of parcel number 02-32-100-100 commonly known as the heartland subdivision retention basin, it was found that the following deficiencies or violations were observed:

Yorkville City Code 4.1.5, section 3, number 8

- 8. Lack of Maintenance of a Storm Water Basin:
 - A. failure to repair erosion;
 - B. failure to prevent restrictions on outflow;
 - C. failure to remove overgrown vegetation limiting capacity or outflow; or,
 - D. permitting build-up of sediment reducing capacity."

Storm water basin functionality is crucial for the prevention of flooding and the proper conveyance of storm water to its ultimate destination. Any deficiency needs to be addressed in a timely manner with attention to detail.

The remedies for these deficiencies in this basin are as follows:

- A. Repair erosion at the northeast corner by grading, placing black dirt, seed and fertilize. Secure erosion control blanket over the affected area.
- B. Remove debris from the outfall located at the southwest corner of the basin
- C. Remove all cattails, willow saplings and volunteer trees from the basin area.

D Does not apply to this basin, no action needed.
All remedies must be completed by days from the date on this notice. Failure to do so will result in an ordinance violation citation and a fine of up to per day as determined by the City's adjudication hearing officer.
If you have any questions, you may call Inspector listed on the report at 630-553-4350.

4-1-5: NUISANCES AND OFFENSIVE CONDITIONS, GENERALLY:

- A. Existence Of Nuisance: It shall be unlawful for any person to maintain or permit the existence of any nuisance within the city.
- B. Nuisances: The following nuisances described and enumerated shall not be exclusive, but shall be in addition to all other nuisances described and prohibited in this code:
 - 1. Things Interfering With Peace Or Comfort: Sounds, animals, or things which interfere with the peace or comfort, or disturb the quiet of any person in the city.
 - 2. Obnoxious, Offensive Odors: The emission of obnoxious and offensive odors, or the tainting of the air rendering it offensive and/or unwholesome so as to affect the health or comfort of persons residing in the neighborhood thereof.
 - 3. Discharging Of Offensive Matter: The placing, throwing, or discharging from any house or premises and flow from or out of any house or premises, of any filthy, foul, or offensive matter or liquid of any kind, into any street, alley, or public place, or upon any adjacent lot or ground.
 - 4. Water Pollution: The obstruction or pollution of any watercourse or source of water supply in the city.
 - 5. Stagnant Water: Any stagnant pool of water in the city.
 - 6. Emission Of Dense Smoke: The emission of dense smoke from any fire, chimney, engine, oil burner, or other agency in the city so as to cause annoyance or discomfort to the public. (Ord. 2008-05, 2-12-2008)



- 7. Weeds, Grasses, Plants Or Vegetation:
 - a. Weeds: As used in this section, "weeds" shall include, but not be limited to, burdock, ragweed, thistle, cocklebur, jimson, blue vervain, common milkweed, wild carrot, poison ivy, poison oak, poison sumac, wild mustard, rough pigweed, lamb's quarter, wild lettuce, curled dock, all varieties of smart weeds, poison hemlock, wild hemp, other weeds of a like kind or as defined in the Illinois exotic weed act¹.
 - b. Height: It shall be unlawful to permit any weeds, grasses, plants or vegetation, other than trees, bushes, cultivated flowers, vegetable garden crops or other ornamental plants to grow to a height exceeding eight inches (8") anywhere in the city and except as provided in the following subsections.
 - c. Height Exception; Farming: Farming shall be allowed to continue on lots or tracts of land where there has been an established history of cultivation of the land for a period of not less than one year and crops shall be exempt from the height regulations in subsection B7b of this section.

- d. Height Exception; Vacant Property:
 - (1) Exemption Allowed: To promote stabilization and revegetation for erosion control, water conservation and to minimize weeds on certain property, compliance with the following regulations shall exempt the property from the height regulations in subsection B7b of this section.
 - (2) Minimum Area: The property shall have a minimum area in an R2 zoning district of four (4) or more contiguous lots that are sequentially addressed and owned by one entity, in an R2-D zoning district three (3) or more contiguous lots that are sequentially addressed and owned by one entity, or in all other zoning districts of not less than one acre.
 - (3) Preparation And Planting: The property shall be prepared for planting by disking, rototilling, chemicals or other methods approved by the city and planted with the following seed species and at the following rate:

Seed Species	Pounds Per Acre
Annual rye	44
Perennial rye	44
Tall fescue	29
Timothy	15
Alsike clover	7
Alfalfa	7

- (4) Mowing And Maintenance: The grasses on the property shall be mowed to a height of less than eight inches (8.0") not less than at the following times each calendar year: first mowing on or before June 1; second mowing on or before September 1; and third mowing on or before November 15. The property shall be maintained without weeds and otherwise in compliance with this code. (Ord. 2011-04, 1-25-2011)
- C. Notice To Abate: The city or an authorized agent shall serve upon the occupant of any premises, if any, and upon the owner thereof, notice of the nuisance violation, and where a property owner or occupant cannot be found, notice of the nuisance violation may be given by posting a sign in a conspicuous place near the main entrance of a structure or on the property, the notice shall demand abatement of the nuisance within five (5) days.

The city shall cause to be published in a newspaper of general circulation within the city limits once a week for two (2) consecutive weeks during the month of May of each year a notice informing the public that any weeds, grass, plant or vegetable matter, other than

trees, bushes, flowers, vegetable gardens or other ornamental plants, which grow to a height exceeding eight inches (8") is a violation of city ordinance and the city may cut the weeds, grass, plant or vegetable if the violation is not abated within five (5) days after notice is given and the property owner shall be liable to the city for its costs.

It shall be unlawful for anyone to deface, tamper with, or remove any posted notice unless authorized by the city or an authorized agent. (Ord. 2009-23, 4-28-2009)

- D. Nuisance Abatement: The city attorney or any citizen of the city, when such a nuisance exists as set forth in this section, may maintain a complaint in the name of the city, perpetually, to enjoin all persons from maintaining or permitting such nuisance and to abate the same. In addition, the city police, officers, inspectors or employees, upon observing any violation of this section may enter upon private property and summarily abate any nuisance if the person served with notice does not abate the nuisance within five (5) days.
- E. Liability For Costs: The city shall have the authority to bill and collect from the property owner the reasonable cost of abating the nuisance. The city shall send a bill for the abatement costs to the same address where the tax bill for the general property taxes on the subject property for the preceding year was sent. If the abatement costs are not fully paid within thirty (30) days, a second billing notice will be sent.
- F. Lien: If the abatement costs are not paid within fifteen (15) days of the second billing notice, the city shall place a lien upon the property affected. Notice of the lien shall be given to the property owner. Said notice shall consist of a sworn statement setting out: 1) a description of the property sufficient for identification thereof, 2) the amount of the abatement costs incurred or payable, and 3) the date(s) when such abatement costs were incurred by the city.

Said lien shall be superior to all other liens and encumbrances, except tax liens, provided that within sixty (60) days after such abatement costs are incurred, the city, its agent, or authorized contractor files notice of lien in the office of the recorder of deeds of Kendall County, Illinois. However, said lien shall not be valid as to any purchaser whose rights in and to such property have arisen subsequent to the abatement of the nuisance, and the lien of the city shall not be valid as to any mortgagee, judgment creditor, or other lienor whose rights in and to such property arise prior to the filing of such notice. Upon payment of the abatement costs, the lien shall be released by the city and the release may be filed of record. (Ord. 2008-05, 2-12-2008)

Chapter 3 JUNK, TRASH AND REFUSE

4-3-1: DEFINITION:

"Junk, trash and refuse" are defined herein to include any and all waste matter, whether reusable or not, which is offensive to the public health, safety or to the aesthetics of the neighborhood and is specifically intended to include, but not be limited to, worn out, wrecked, inoperative, damaged or abandoned automobiles, motorcycles, trucks, tractors, machinery of any kind or any parts thereof, old iceboxes, refrigerators, stoves, furniture or mechanical equipment. (Ord. 1970-54, 3-12-1970)

4-3-2: NUISANCE DECLARED:

The storing of junk, trash or refuse or the storing or parking of inoperative automobiles, motorcycles or trucks on private property within the city limits, except in industrial districts as provided by the city zoning ordinance¹, is hereby declared a nuisance. (Ord. 1970-54, 3-12-1970)

4-3-3: NOTICE TO ABATE:

Any city police officer, officer, inspector or employee, upon observing any violation of this chapter, shall issue a notice directed to the owner of record of the property on which said nuisance occurs, or to the occupant or tenant of said property, or both, which said notice shall describe the violation and shall establish a reasonable time limit for abatement thereof by such owner or occupant or tenant, which limit shall be not less than two (2) days nor more than ten (10) days after service of such notice. Such notice may be served either personally or by first class mail at the owner's or occupant's last known address. (Ord. 1970-54, 3-12-1970)

4-3-4: FAILURE TO ABATE:

In the event the owner or occupant of the property where such nuisance violation of section <u>4-3-2</u> of this chapter exists, has failed, within the prescribed time to abate such nuisance, then any city officer, police officer, inspector or employee who served such notice shall file a complaint charging violation of this chapter with the circuit court for the sixteenth judicial circuit

demanding that the owner of the property or the occupant thereof, or both, be held to answer to the court for the violation of this chapter. (Ord. 1970-54, 3-12-1970)

4-3-5: VIOLATIONS AND PENALTIES:

Any person who shall neglect, fail or refuse to abate or remove such nuisance after notice thereof shall, for each twenty four (24) hours thereafter during which said nuisance continues, be subject to a like penalty as that originally incurred. (Ord. 2008-74, 8-26-2008)

Footnote 1: See title 10 of this code.

8-17-9: MONITORING OF DISCHARGES:

- A. The city engineer shall be permitted to enter and inspect facilities subject to regulation under this chapter as often as may be necessary to determine compliance. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the city.
- B. Facility operators shall allow the city engineer ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge stormwater, and the performance of any additional duties as defined by state and federal law.
- C. The city engineer shall have the right to set up on any permitted facility such devices as are necessary in the opinion of the authorized enforcement agency to conduct monitoring and/or sampling of the facility's stormwater discharge.
- D. The city engineer has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.
- E. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the city engineer and shall not be replaced. The costs of clearing such access shall be borne by the operator.
- F. Unreasonable delays in allowing the city engineer access to a permitted facility is a violation of a stormwater discharge permit and of this chapter. A person who is the operator of a facility with a NPDES permit to discharge stormwater associated with industrial activity commits an offense if the person denies the city engineer reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this chapter.
- G. If the city engineer has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation, or that there is a need to inspect and/or sample as part of a routine

inspection and sampling program designed to verify compliance with this chapter or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the city engineer may seek issuance of a search warrant from any court of competent jurisdiction. (Ord. 2010-05, 1-12-2010)

8-17-10: REQUIREMENT TO PREVENT, CONTROL AND REDUCE STORMWATER POLLUTANTS BY THE USE OF BEST MANAGEMENT PRACTICES:

The city has adopted requirements identifying best management practices for any activity, operation, or facility which may cause or contribute to pollution or contamination of stormwater, the storm drain system, or waters of the United States. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal separate storm sewer system or watercourses through the use of these structural and nonstructural facilities meeting best management practices requirements. Any person responsible for a property or premises, which is, or may be, the source of an illegal discharge, may be required to implement, at said person's expense, additional structural and nonstructural facilities to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section. (Ord. 2010-05, 1-12-2010)

8-17-11: WATERCOURSE PROTECTION:

Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse. (Ord. 2010-05, 1-12-2010)

8-17-12: NOTIFICATION OF SPILLS:

Any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into stormwater, the municipal separate storm sewer system, or waters of the United States said person shall take

all necessary steps to ensure the discovery, containment, and cleanup of such release and immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of nonhazardous materials, said person shall notify the city in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the city within three (3) business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three (3) years. (Ord. 2010-05, 1-12-2010)

8-17-13: ULTIMATE RESPONSIBILITY:

The standards set forth herein and promulgated pursuant to this chapter are minimum standards; therefore this chapter does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants. (Ord. 2010-05, 1-12-2010)

8-17-14: ENFORCEMENT:

Whenever the city engineer finds that a person has violated a prohibition or failed to meet a requirement of this chapter, the authorized enforcement agency may order compliance by written notice of violation to the responsible person in accordance with the requirements of <u>title 1</u>, chapter 14 of this code. (Ord., 2010-05, 1-12-2010)

Ordinance No. 2010-05

ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS TO PROVIDE FOR THE REGULATION OF ILLICIT DISCHARGES AND CONNECTIONS TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM

BE IT ORDAINED by the Mayor and City Council of the United City of Yorkville, Kendall

County, Illinois, that the City Code be and is hereby amended to add the following new Chapter 17 to Title 8:

CHAPTER 17 PROVISIONS REGULATING NON-STORM WATER DISCHARGES AND CONNECTIONS TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM

8-17-1: Purpose. The objections of this chapter are to provide for the health, safety, and general welfare of the citizens of the United City of Yorkville through the regulation of non-storm water discharges to the municipal separate storm sewer system to the maximum extent practicable as required by federal and state law. This chapter establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process by:

- (1) Regulating the contribution of pollutants to the municipal separate storm sewer system by stormwater discharges by any user;
- (2) Prohibiting illicit connections and discharges, as hereinafter defined, to the municipal separate storm sewer system; and,
- (3) Establishing legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this chapter.

8-17-2: Definitions. For the purposes of this chapter, the following shall mean:

<u>Authorized Enforcement Agency:</u> Employees or designees of the Mayor of the United City of Yorkville designated to enforce the provisions of this chapter.

Best Management Practices: Schedules of activities, prohibitions of practices, general good house keeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. Best Management Practices also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

Clean Water Act: The federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), as amended from time to time.

Construction Activity: Activities subject to NPDES construction permits. These include construction projects resulting in land disturbance of 10,000 square feet or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

<u>Hazardous Materials</u>: Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a potential substantial hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Illegal Discharge: Any direct or indirect non-storm water discharge to the Municipal Separate Storm Sewer System, as hereinafter defined, except as exempted in Section 8-17-5 of this chapter.

Illicit Connection: Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the Municipal Separate Storm Sewer System including but not limited to any conveyances which allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the Municipal Separate Storm Sewer System and any connection to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an Authorized Enforcement Agency or, any drain or conveyance connected from a commercial or industrial land use to the Municipal Separate Storm Sewer System which has not been documented in plans, maps, or equivalent records and approved by an Authorized Enforcement Agency.

Industrial Activity: Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b) (14).

Municipal Separate Storm Sewer System: Publicly-owned facilities by which storm water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit: Permit issued by EPA (or by a State under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-Storm Water Discharge: Any discharge to the Municipal Separate Storm Sewer System that is not composed entirely of storm water.

<u>Person</u>: Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

<u>Pollutant</u>: Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

<u>Premises</u>. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Storm Water: Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Stormwater Pollution Prevention Plan: A document which describes the Best Management Practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to a Storm Drainage System, to the maximum extent practicable.

Wastewater: Any water or other liquid, other than uncontaminated storm water, discharged from a facility.

8-17-3: Applicability: This Chapter shall apply to all water entering the Municipal Separate Storm Sewer System generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency.

8-17-4: Responsibility for Administration: The City shall administer, implement, and enforce the provisions of the Chapter.

8-17-5: Discharge Prohibitions:

- A. No person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than storm water, except for the following:
 - (i) Water line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat or wet-land flows, swimming pools (if dechlorinated typically less than one particle per million chlorine), fire fighting activities, and any other water source not containing Pollutants.

- (ii) Discharges specified in writing by the City Engineer as being necessary to protect public health and safety.
- (iii) Dye testing if a verbal notification to the City Engineer is given prior to the time of the test.
- (iv) Any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

8-17-6: Prohibited Illicit Connections: The construction, use, maintenance or continued existence of Illicit Connections to the Municipal Separate Storm Sewer System is prohibited, including, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

8-17-7: Suspension of Municipal Separate Storm Sewer System Access:

- A. The City may, without prior notice, suspend access to the Municipal Separate Storm Sewer System when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the Municipal Separate Storm Sewer System or waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the Authorized Enforcement Agency may take such steps as deemed necessary to prevent or minimize damage to the Municipal Separate Storm Sewer System or waters of the United States, or to minimize danger to persons.
- B. Any person discharging to the Municipal Separate Storm Sewer System in violation of this chapter may have access terminated if such termination would abate or reduce an illegal discharge. The City Engineer shall notify a violator of the proposed termination of its Municipal Separate Storm Sewer System access.

Municipal Separate Storm Sewer System access to premises terminated pursuant to this Section shall not be reinstated without the prior approval of the City Engineer.

8-17-8: Industrial or Construction Activity Discharges: Any person subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the City Engineer prior to the allowing of discharges to the Municipal Separate Storm Sewer System.

Section 8-17-9: Monitoring of Discharges:

- (a) The City Engineer shall be permitted to enter and inspect facilities subject to regulation under this chapter as often as may be necessary to determine compliance. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the City.
- (b) Facility operators shall allow the City Engineer ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge storm water, and the performance of any additional duties as defined by state and federal law.
- (c) The City Engineer shall have the right to set up on any permitted facility such devices as are necessary in the opinion of the Authorized Enforcement Agency to conduct monitoring and/or sampling of the facility's storm water discharge.
- (d) The City Engineer has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.
- (e) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the City Engineer and shall not be replaced. The costs of clearing such access shall be borne by the operator.
- (f) Unreasonable delays in allowing the City Engineer access to a permitted facility is a violation of a storm water discharge permit and of this chapter. A person who is the operator of a facility with a NPDES permit to discharge storm water associated with industrial activity commits an offense if the person denies the City Engineer reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this chapter.
- (g) If the City Engineer has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this chapter or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the City Engineer may seek issuance of a search warrant from any court of competent jurisdiction.

Section 8-17-10: Requirement to Prevent, Control and Reduce Storm Water Pollutants by the Use of Best Management Practices: The City has adopted requirements identifying Best Management Practices for any activity, operation, or facility which may cause or contribute to pollution or

contamination of storm water, the storm drain system, or waters of the United States. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the Municipal Separate Storm Sewer System or watercourses through the use of these structural and non-structural facilities meeting Best Management Practices requirements. Any person responsible for a property or premise, which is, or may be, the source of an illegal discharge, may be required to implement, at said person's expense, additional structural and non-structural facilities to prevent the further discharge of pollutants to the Municipal Separate Storm Sewer System. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section.

8-17-11: Watercourse Protection: Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

Section 8-17-12: Notification of Spills: Any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in Illegal Discharges or pollutants discharging into storm water, the Municipal Separate Storm Sewer System, or water of the United States said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release and immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the City in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the City within three business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

Section 8-17-13: Ultimate Responsibility: The standards set forth herein and promulgated pursuant to this Chapter are minimum standards; therefore this Chapter does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.

Section 8-17-14: Enforcement: Whenever the City Engineer finds that a person has violated a prohibition or failed to meet a requirement of this chapter, the authorized enforcement agency may order compliance by written notice of violation to the responsible person in accordance with the requirements of Chapter 14, Title I of this City Code.

The provisions of this ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Ordinance.

This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

ATTEST: CHYOLERK

ROBYN SUTCLIFF

GARY GOLINSKI

WALTER WERDERICH

ROSE ANN SPEARS

DIANE TEELING

ARDEN JOSEPH PLOCHER

MARTY MUNNS

GEORGE GILSON, JR.

Approved by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this

19 Day of JANUARY , A.D. 2010.

Valence Burd

Ordinance No. 2009-

AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, PROVIDING FOR THE REGULATION OF POST-CONSTRUCTION IMPLEMENTATION OF STORMWATER BEST MANAGEMENT PRACTICES

WHEREAS, the United City of Yorkville (the "City") is a duly organized and validly existing non-home-rule municipality created in accordance with Article VII, Section 7 of the Constitution of the State of Illinois of 1970; and,

WHEREAS, pursuant to 35 Ill. Administrative Code, Subtitle C, Chapter 1, the United City of Yorkville storm sewer system has been identified by the Illinois Environmental Protection Agency (IEPA) as a Small Municipal Separate Storm Sewer System (MS4); and,

WHEREAS, the IEPA has issued a National Pollutant Discharge Elimination System (NPDES) General Storm Water Permit for the United City of Yorkville's Small MS4; and,

WHEREAS, said NPDES permit requires the United City of Yorkville to adopt an ordinance or other regulatory mechanism related to post-construction runoff minimum control measures; and,

WHEREAS, proper implementation of stormwater Best Management Practices are essential to minimizing the pollutant content of storm water discharges to receiving streams,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, as follows:

Section 1. That the United City of Yorkville Standards for Regulating Post-Construction Maintenance of Stormwater Best Management Practices, dated October 12, 2009, a copy of which is attached as Exhibit "A", is hereby approved and adopted.

Section 2. This ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois, this

Day of ________, A.D. 2009.

ATTESTE CITALLERK

ROBYN SUTCLIFF GARY GOLINSKI WALTER WERDERICH ROSE ANN SPEARS	ARDEN JOSEPH PLOCHER MARTY MUNNS GEORGE GILSON, JR.					
Approved by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this						
	Valerie Burd					

UNITED CITY OF YORKVILLE

STANDARDS FOR REGULATING POST-CONSTRUCTION IMPLEMENTATION OF STORMWATER BEST MANAGEMENT PRACTICE(S)

This document establishes stormwater Best Management Practice(s) which shall be used to meet the requirements of the National Pollutant Discharge Elimination System and the Illinois Environmental Protection Agency Small Municipal Separate Storm Sewer Systems (MS4's).

Section 1. Definitions

For the purposes of these standards, the following definitions are adopted:

- Best Management Practice (BMP) Any technique, process, activity, structure, prohibition of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. Best Management Practice(s) also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage of raw materials storage.
- 2. City The United City of Yorkville, Kendall County, Illinois.
- Development Any man-made change to real estate including, but not limited to:
 - a. More than fifty percent (50%) increase in impervious area of an existing building and/or the affected parcel.
 - Installation of utilities, construction of roads, bridges, culverts or similar projects.
 - c. Construction or erection of levees, dams, walls or fences.
 - d. Drilling, mining, filling, dredging, grading, excavating, paving, or other alterations of the ground surface.
 - e. Storage of materials including the placement of gas and liquid storage tanks, and channel modifications or any other activity that might change the direction, height, or velocity of flood or surface waters.

- f. Development does not include routine maintenance or existing buildings and facilities, resurfacing roads, or gardening, plowing, and similar practices that do not involve filling, grading, or construction of levees.
- 4. Maintenance Agreement An agreement between the City and the Responsible Party, recorded against the real estate to which it pertains, that acts as a property deed restriction and which provides for long-term operation and maintenance of stormwater Best Management Practice(s).
- Responsible Party The developer, organization, property owner or entity
 owning the property upon which the stormwater Best Management Practice(s)
 is required to be performed.
- Violation- The failure of a developer, organization, property owner, or other
 entity to be fully compliant with the City's Post-Construction Stormwater Best
 Management Practice ordinance.

Section 2. Best Management Practices

Examples of structural stormwater Best Management Practice(s) include but are not limited to:

Benefit
Provides additional distance between homes and natural areas; attenuates runoff rates and promotes infiltration.
Can move existing wetlands and re-create at a new location.
Attenuates runoff rates and promotes infiltration.
Attenuates runoff rates and promotes infiltration.
Allows additional water infiltration.
Reduces long-term erosion of stream banks.
Prevents rainfall from washing away plant seeds.
Attenuates runoff rates and promotes infiltration.

Examples of non-structural stormwater Best Management Practice(s) include but are not limited to:

Method

Education and enforcement campaigns

Educational and participation programs

Pollution prevention practices and procedures (street sweeping, fertilizer control, etc.)

Regulatory controls

Stormwater drain stenciling

Strategic planning

Town planning controls

Training programs

Section 3. Implementation

All redevelopment of previously developed properties and all development of previously undeveloped properties shall incorporate stormwater Best Management Practice(s) into the design, construction, operation, and maintenance requirements of those properties. The final design of stormwater Best Management Practice(s) is subject to approval as provided in Section 7 of these Standards. Said Best Management Practice(s) shall vary based on specific characteristics of the property, and may include but are not limited to grassy swales, disconnected impervious areas, minimization of impervious areas, green roofs, naturalized stormwater basins, etc. All stormwater Best Management Practice(s) shall be operated, maintained, or performed by the Responsible Party as necessary to ensure that the intended function and/or benefit of the stormwater Best Management Practice(s) is realized.

Proposed developments/re-developments shall submit a plan detailing specific stormwater Best Management Practice(s), and shall include:

- A written or graphic inventory of the natural resources at the site and surrounding area as it exists prior to commencement of the project and a description of the watershed and its relation to the project site. This description shall include a discussion of soil conditions, forest cover, topography, wetlands, and other native or man-made vegetative areas on the site. Particular attention should be paid to environmentally sensitive features that provide particular opportunities or constraints for development.
- A specific analysis to show that the proposed stormwater Best Management Practice(s) are capable of improving or maintaining the quality or stormwater runoff from the site.
- A written description of the required operation and maintenance requirements for compliance with proposed Best Management Practice(s).

Section 4. Inspections

All Responsible Parties shall adequately construct, operate, maintain and/or
perform the stormwater Best Management Practice(s) that have been incorporated
into the design of their property. Said stormwater Best Management Practice(s)
shall be subject to inspection by the City at least once a year. Responsible Parties
shall keep records of all maintenance and repairs, and shall retain the records for a
minimum of 5 years. These records shall be made available to the City during
inspection of the stormwater Best Management Practice(s) and at other times
upon request.

Section 5. Maintenance Agreements

1. All stormwater Best Management Practice(s) shall be subject to an enforceable Maintenance Agreement to ensure that the system functions as designed. This agreement will include any and all maintenance easements required to access and inspect the stornwater Best Management Practice(s), and to perform routine maintenance as necessary to ensure proper functioning of the stormwater Best Management Practice(s). In addition, a legally binding covenant specifying the parties responsible for the proper operation and maintenance of all Best Management Practice(s) shall be secured prior to issuance of any building permits or recording of plats of subdivision for the property in question.

Section 6. Previously Developed Properties

Most stormwater facilities inherently result in some improvement to stormwater
quality and meet the requirements of a stormwater Best Management Practice(s).
Such facilities shall be operated and maintained by the Responsible Party as
approved in their original design. No changes shall be made to tributary
conveyances, basins, or outfalls without specific approval from the City.



Section 7. Administration

- The City Administrator or his/her designee shall be responsible for the general
 administration of these standards and ensure that all development and/or
 maintenance activities within the United City of Yorkville meet the requirements
 of these standards. Specifically, the City Administrator or his/her designee shall:
 - a. Perform periodic site inspections of all properties that have stormwater facilities to ensure compliance with this ordinance.
 - b. Meet with the Responsible Parties regarding construction, operation, maintenance and/or performance of stormwater Best Management Practice(s) as necessary to ensure that they understand their responsibilities regarding stormwater Best Management Practice(s).
 - c. At his/her discretion, issue a stop-work order requiring the suspension of the subject development or activity if there is a violation of these standards. The stop-work order shall be in writing, indicate the reason for the issuance, and shall order the action, if necessary, to resolve the circumstances requiring the stop-work order.



d. Arrange for city personnel or contractors to mitigate/repair any damage to stormwater Best Management Practice(s) if the Responsible Party does not perform the work within 60 days (or other timeframe specified by the City) of written direction from the City to do so. The cost of mitigation/repair and any related administrative or legal activities shall be borne by the Responsible Party. e. If the Responsible Party does not perform the work or reimburse the City within the specified timeframe, the City Administrator or his/her designee shall prosecute the Responsible Party through the administrative adjudication process or other available means.

Section 8. Variances

- If a Responsible Party feels that these standards place undue hardship on a
 specific development proposal or property, the Responsible Party may apply
 to the City Administrator for a variance. The City Administrator or his/her
 designee shall review the applicant's request for a variance and shall submit
 his/her recommendation to the City Council. The City Council may attach
 such conditions to granting of a variance as it deems necessary to further the
 intent of these standards.
- 2. No variance shall be granted unless the applicant demonstrates that all of the following conditions are met.
 - a. An exceptional hardship would result if the variance were not granted. Economic hardship is not a valid reason to grant a variance.
 - b. The relief requested is the minimum necessary.
 - c. The applicant's circumstances are unique and do not establish a pattern inconsistent with the intent of the city's NPDES General Storm Water Permit.

Section 9. Best Management Practice(s) Lien Claim

- Lien Claim: All costs for work performed under Section 7.1.d of these
 Standards are the responsibility of the Responsible Party. Whenever a bill for
 such costs remains unpaid for thirty (30) days after it has been rendered, the
 clerk may file with the recorder of deeds of Kendall County a lien claim. This
 lien claim shall contain the legal description of the property, the costs incurred
 and the date(s) when the work was performed.
- 2. Notice Of Lien Claim: Notice of such lien claim shall be mailed to the responsible party at the last known address of such Responsible Party; provided, however, that failure of the clerk to record such lien claim or to mail such notice, or the failure of the Responsible Party to receive such notice, shall not affect the rights of the city to collect for such charges as provided in this section.

Section 10. Backup Special Service Areas

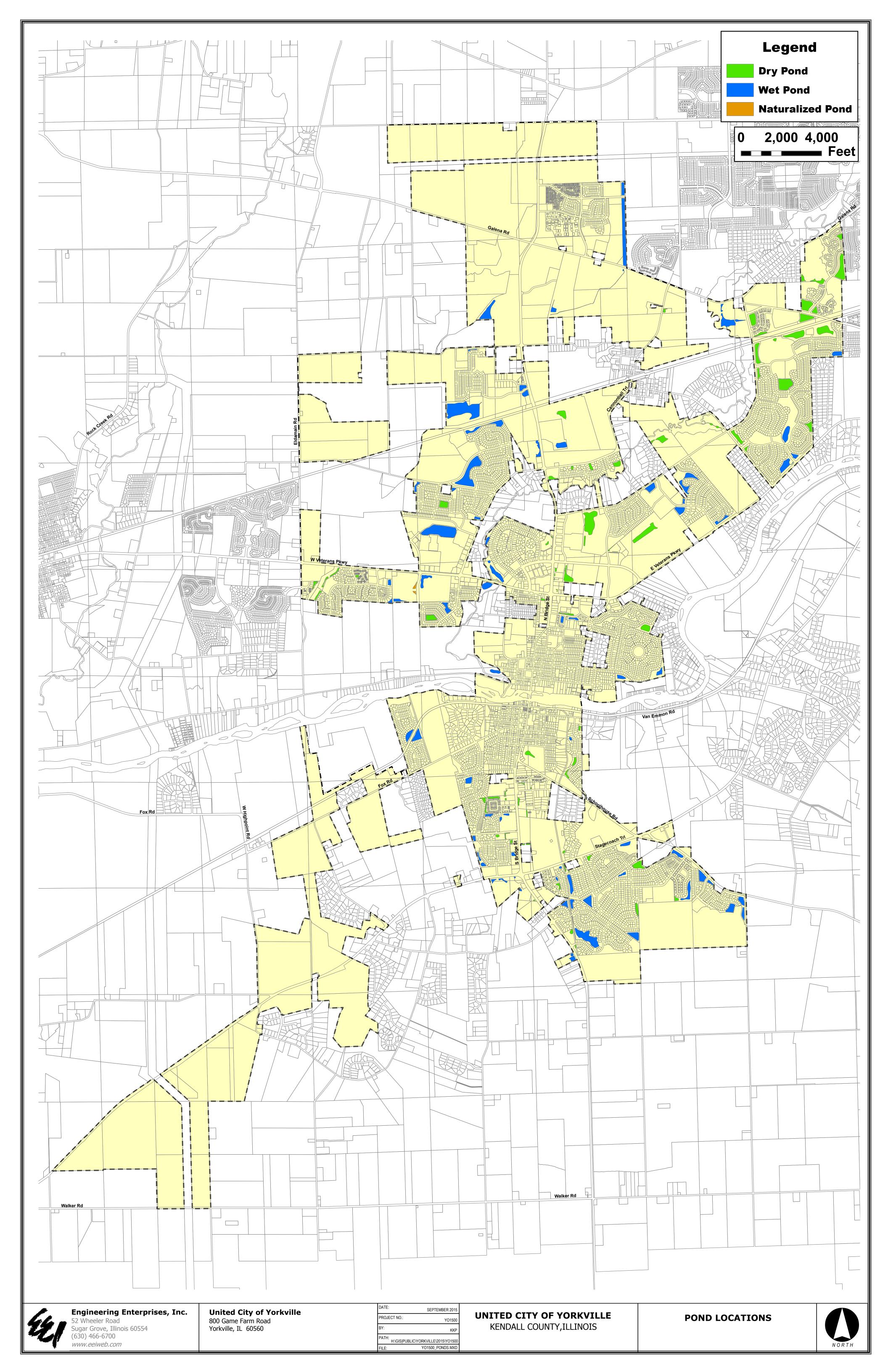
For properties that have back-up special service areas established or allowed by
agreement to fund maintenance of common areas, the city may activate said SSA to
collect un-reimbursed costs or to fund ongoing or future costs related to operation,
maintenance, or performance of stormwater Best Management Practice(s). Prior to
the activation of a back up special service area, notice shall be published in a
newspaper with circulation in the effected area.

Section 11. Conflicts

 These standards do not repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where this ordinance and other easements, covenants or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Section 12. Separability

 The provisions and sections of these standards shall be deemed separable and the invalidity of any portion of these standards shall not affect the validity of the remainder.



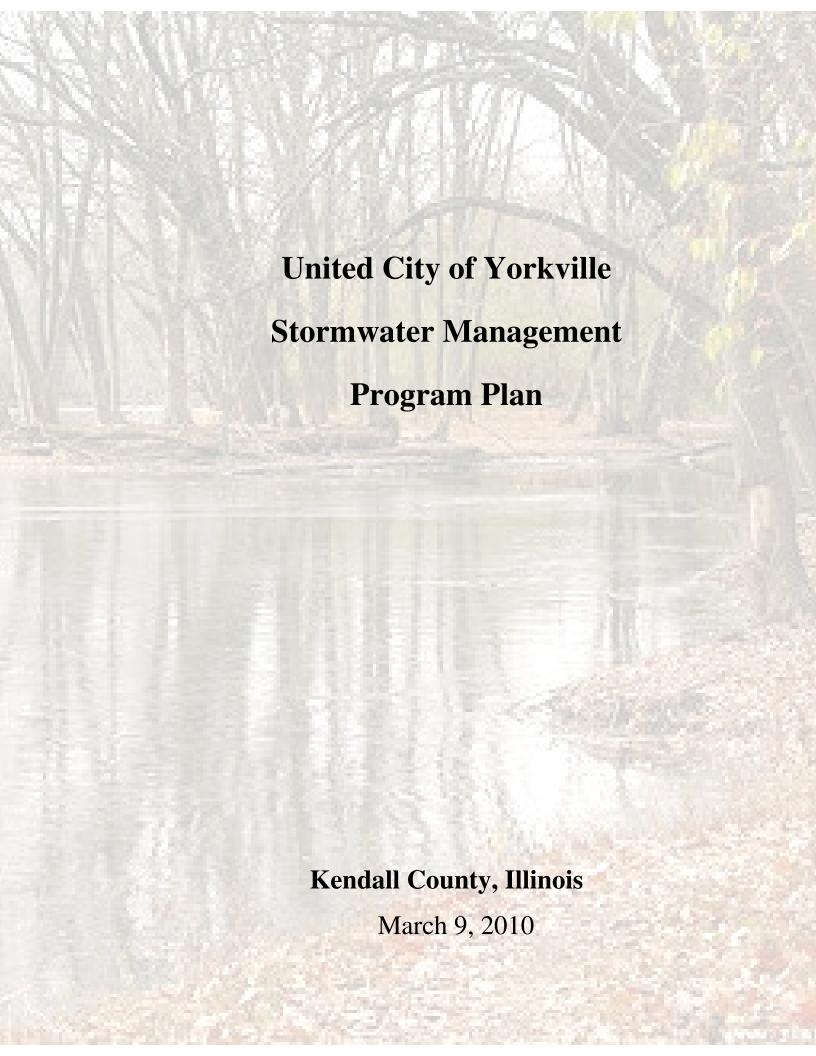


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1 Overview of the Stormwater Management Program Plan

1.1 Introduction

This Stormwater Management Program Plan (SMPP) was developed by the United City of Yorkville based off a SMPP template created by the Lake County Stormwater Management Commission. The purpose of the SMPP is to meet the minimum standards required by the United States Environmental Protection Agency (USEPA) under the National Pollutant Discharge Elimination System (NPDES) Phase II program. Federal regulations through the USEPA require that all Municipal Separate Storm Sewer Systems (MS4s), partially or fully in urbanized areas based on the 2000 census, obtain stormwater permits for their discharges into receiving waters.

The SMPP describes the procedures and practices that can be implemented by the City toward the goal of reducing the discharge of pollutants within stormwater runoff in order to comply with Federal standards. The SMPP is applicable to all properties within city limits. Compliance with the plan is intended to protect water quality and contribute to the following amenities:

- cleaner lakes and streams,
- · improved recreational opportunities and tourism,
- flood damage reduction,
- better aesthetics and wildlife habitat, and
- a safer and healthier environment for the citizens.

1.2 State & Federal Regulations

Federal environmental regulations based on the 1972 Clean Water Act (CWA) require that MS4s, construction sites and industrial activities control polluted stormwater runoff from entering receiving bodies of water (including navigable streams and lakes). The NPDES permit process regulates the discharge from these sources based on amendments to CWA in 1987 and the subsequent 1990 and 1999 regulations by the U.S. Environmental Protection Agency (USEPA). In Illinois, the USEPA has delegated administration of the Federal NDPES program to the Illinois Environmental Protection Agency (IEPA). On December 20, 1999 the IEPA issued a general NPDES Phase II permit for all MS4s. Under the General ILR 40 Permit each MS4 was required to submit a Notice of Intent (NOI) declaring compliance with the conditions of the permit by March 10, 2003. The original NOI describes the proposed activities and best management practices that occurred over the original 5-year period toward the ultimate goal of developing a compliant SMPP. At the end of the 5th year (March 1, 2008) the components of the SMPP were required to be implemented; per the ILR40 permit. The IEPA reissued the ILR 40 permit on April 1, 2009. The reissued permit is included in Appendix 5.10.

Additionally, under the General ILR10 permit also administered IEPA, all construction projects that disturb greater than 1 acre of total land area are required to obtain an NPDES permit from IEPA prior to the start of construction. Municipalities covered by the General ILR40 permit are automatically covered under ILR10 30 days after the IEPA receives the NOI from the municipality.

1.3 Organization of SMPP

The SMPP identifies best management practices to be implemented in six different categories. These categories are:

- Public Education and Outreach
- Public Participation/Involvement
- Construction Site Runoff Control
- Post-Construction Runoff Control
- Illicit Discharge Detection and Elimination
- Pollution Prevention/Good Housekeeping

Chapter 1: Overview of the Stormwater Management Program Plan - discusses the format of the SMPP document and the regulations associated with NPDES II through state and federal agencies.

Chapter 2: Program Management - discusses the logistics of the plan. This includes the organization, implementation and responsible parties necessary to achieve overall compliance with the SMPP and NPDES Permit. It also identifies how the United City of Yorkville coordinates with other governmental agencies and discusses the legal authority that the MS4s have to implement the plan components.

Chapter 3: The Program - addresses stormwater pollutant control measures implemented by the United City of Yorkville per the six minimum control categories established by the USEPA.

Chapter 4: Monitoring, Program Evaluation and Reporting - describes the monitoring, evaluation and reporting procedures associated with the program. The SMPP is a guide created to protect United City of Yorkville receiving waters from pollution and resultant degradation. This chapter assists in identifying best management practices and processes that may require modifications in the future to help the document become an effective tool.

Chapter 5: Appendices – including forms, references, and exhibits.

1.4 Watersheds and Receiving Waters

The United City of Yorkville is primarily located within the Fox River watershed, with southern areas tributary to the Illinois River. There are several receiving waters tributary to the Fox and Illinois Rivers which are located within the Village. These streams include Blackberry Creek, Rob Roy Creek, and Aux Sable Creek. Ponds, intermittent streams, and other on-stream bodies of water are also considered part of the receiving water system.

Watershed: The land area that contributes stormwater to one of the two major rivers draining Kendall County.

Sub-Watershed: The land area that contributes stormwater to one of the receiving waters tributary to a major river.

Receiving Water: A natural or man-made system into which stormwater or treated wastewater is discharged, including the Fox River, Illinois River, and their tributaries.

The major Watersheds and receiving waters are presented on Figure 1 Map of Major Sub-watershed and Receiving Waters.

Fox River Watershed

The Fox River originates about 15 miles northwest of Milwaukee, Wisconsin. The river enters the northeast corner of Kendall County at Montgomery. About 165 square miles of Kendall County drain to the Fox River.

Major tributaries to the Fox River in Kendall County include Blackberry Creek, Rob Roy Creek, Big Rock Creek, Little Rock Creek, Morgan Creek, Hollenback Creek, and Roods Creek. Only Blackberry Creek, Rob Roy Creek, and Hollenback Creek are located within the current city limits.

The watersheds of the creeks within the city are primarily agricultural, although significant development activity has occurred in the Blackberry Creek and Rob Roy Creek watersheds since 2000.

The Fox River watershed includes all or portions of the communities of Aurora, Millbrook, Millington, Montgomery, Newark, Oswego, Plano, Sandwich, and Yorkville.

Illinois River Watershed

The Illinois River originates at the confluence of the Des Plaines and Kankakee Rivers in Grundy County, about 10 miles southwest of Joliet, Illinois. About 155 square miles of Kendall County drain to the Illinois River.

The Illinois River does not run directly through Kendall County, but reaches into the county via Aux Sable Creek and Valley Run Creek. Only the Middle Branch of the Aux Sable Creek is located within the current city limits.

The Middle Branch Aux Sable Creek is primarily agricultural, although some development activity has occurred since 2000.

The Illinois River watershed includes all or portions of the communities of Joliet, Lisbon, Minooka Plattville, Plainfield, and Yorkville.

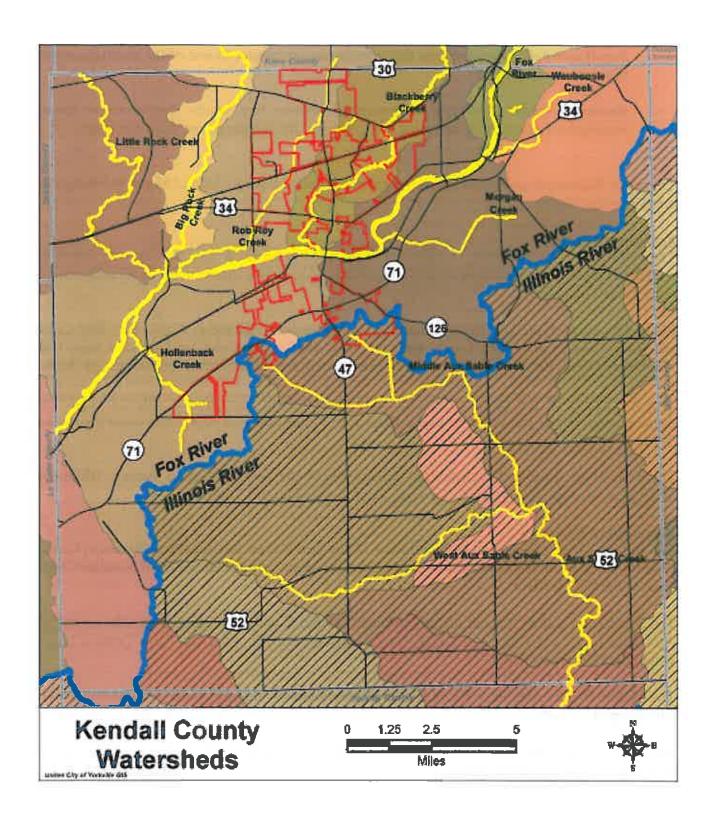


Figure 1. Map of Major Sub-Watersheds and Receiving Waters

2 Program Management

This Chapter describes the organizational structures of the United City of Yorkville and the Illinois EPA. It further discusses the roles and responsibilities of the involved parties.

2.1 Implementation of this SMPP

The SMPP includes tasks that are required to meet the permit conditions under the NPDES II program and how to perform these tasks. These forms should be printed annually and the progress of all tasks tracked. At the end of the yearly reporting period (March 1 – February 28/29) the forms should be filed in a binder to document SMPP related activities to IEPA in the case of an audit. It is anticipated that implementation of this SMPP constitutes compliance with the program. The SMPP will be posted on the United City of Yorkville's website.

2.2 Departmental Responsibilities

The City Council is the policy and budget setting authority for United City of Yorkville. The Engineering, Community Development, and Public Works Departments work together to implement this SMPP. The City Engineer has primary responsibility for managing the overall program. The city will also work with Kendall County and adjacent municipalities regarding stormwater issues.

The Community Development Department is designated as the primary entity responsible for performing the duties related to Public Education and Outreach and Public Participation and Involvement. Much of this work will be achieved through coordination with the Green Committee. The Engineering Department is designated as the primary entity responsible for performing the duties related to Construction Site Runoff Control, Post-Construction Runoff Control, and Illicit Discharge Detection and Elimination activities. The Building Department will assist as necessary by performing certain duties during the construction of private developments. The Public Works Department is designated as the primary entity responsible for performing the duties related to Pollution Prevention and Good Housekeeping.

Measurable goals are established to document the efforts performed by the various city departments and ultimately the effectiveness of the SMPP. Those departments responsible for implementation of the SMPP shall perform, record, and forward monthly report memos to the City Engineer regarding their individual areas of responsibility. The report memos shall be prepared and forwarded during the first week of the following month. The City Engineer shall use these reports in preparing the annual report to the Illinois EPA.

2.3 Coordination with the IEPA

The United City of Yorkville is required to complete annual reports which describe the status of compliance with the ILR40 permit. The annual report will be posted on the City's website and submitted to the IEPA by the first day of June each year. Annual reporting to IEPA should include information regarding SMPP goals that are in compliance as well as those goals that need further work or modification.

Records regarding the completion and progress of the SMPP commitments will be documented on task sheets and updated throughout the year. The completed task sheets should be located in a binder with necessary supporting documentation. The binder will be available for inspection by both IEPA and the general public.

3 The Program

This Stormwater Management Program Plan includes six components, each of which is necessary to reduce/eliminate stormwater pollution in receiving water bodies. These are:

- · Public Education and Outreach
- Public Participation and Involvement
- Construction Site Runoff Control
- Post-Construction Runoff Control
- Illicit Discharge Detection and Elimination
- Pollution Prevention and Good Housekeeping

3.1 Public Education and Outreach

The United City of Yorkville established the Green Committee in October 2007. The purpose of the Green Committee is to provide research, advice, and make recommendations to the City Council on environmental issues facing the community. The Green Committee promulgates information related to recycling, conservation design, soil conservation, rain gardens, open space/watershed protection, water conservation, landscape maintenance, etc. through environmental fairs, a quarterly newsletter, pamphlet distribution, and the city website.

The annual NPDES permit report shall be placed on a City Council agenda once each year for discussion.

3.1A Measurable Goals

- Place Stormwater Management Program Plan on the city's website.
- Maintain an information center at City Hall, which will include informational items regarding stormwater-related issues.
- Have at least one item related to stormwater or recycling issues published in each city newsletter.

3.2 Public Participation and Involvement

The Yorkville Green Committee is volunteer-based, and encourages citizen participation and involvement for stormwater-related issues on both individual and community levels. The committee publishes and distributes pamphlets informing homeowners on such issues as re-landscaping their own property to encourage infiltration or cleansing of stormwater, and pesticide/herbicide use. The Community Development Department shall also work with homeowner associations regarding proper maintenance of private open space.

Citizen calls related to the Stormwater Management Program Plan shall be documented and directed to the appropriate department for follow-up.

3.2A Measurable Goals

- Maintain meeting minutes of the Green Committee.
- Document the number and type of calls received from the public regarding potential illicit discharges.
- Sponsor an annual environmental fair, and document the number and type of exhibitors and public attendance.

3.3 Construction Site Runoff Control

The City adopted Ordinance No.2003-19 (Appendix 5.1) to regulate soil erosion and sediment control practices for construction activities that disturb more than 10,000 SF of soil. This ordinance requires the following:

- Requires the developer/contractor to follow Illinois EPA requirements regarding NPDES permitting for construction activities.
- Issuance of a Site Development Permit regulating earthwork and erosion/sediment control.
- Contractor requirements for periodic inspections during construction.
- Surety bonding to ensure that stabilization work is completed according to plan.

The City passed Resolution No. 2004-39 (Appendix 5.2) to establish the Standard Specifications for Improvements. This resolution creates standards regarding the various aspects of construction for public and quasi-public infrastructure, including responsible construction activities. Regarding stormwater management, this resolution requires:

- Sizing requirements for stormwater collection and detention facilities.
- A soil erosion and sediment control plan.
- The ability to require stormwater best management practices in the design of the stormwater collection and storage systems.

The City passed Ordinance No. 2008-01 (Appendix 5.3) to provide Wetland Protection Regulations for Water Quality and Stormwater Management Benefits. This ordinance creates requirements for the evaluation and protection of non-jurisdictional wetlands within city limits that may be affected by new development.

3.3A Complaints

Site design comments are handled on a case by case basis. Any complaints received during the review, construction, or build-out of a private development shall be directed to the City Engineer and documented. Construction and build-out related calls are typically addressed by performing a site inspection.

3.3B Violation Notification Procedures

Investigation of complaints should be performed within one business day of receipt of the complaint. In general the compliance due date should be within 5-working days. However, if the city determines that the violation is or will result in significant environmental, health or safety hazards a 24-hour compliance requirement should be set. For such time-critical violations, the developer should also be advised to complete a Notice of Incidence report with the IEPA for all sites that were required to submit a Notice of Intent to the IEPA.

Step 1 can be initiated by observation of a violation during a routine inspection, or in response to a complaint.

Step 1: Violation Is Observed

- The inspector completes the NPDES/Erosion Control Inspection Report (Appendix 5.11).
- Photographs of the violation(s) should be taken and saved.
- The development project manager/property owner (a.k.a. construction site contact) shall be informed of the violation.
- A copy of the NPDES/Erosion Control Inspection Report is provided to the contractor and the developer. The NPDES/Erosion Control Inspection Report indicates the deficiencies and a maximum time frame for action.
- At the end of the indicated time frame the City shall perform a follow-up site inspection.

Step 2: 1st Follow-Up Site Inspection

The construction site contact shall be notified of the anticipated inspection time. The site shall be inspected including all items previously documented on the previous **NPDES/Erosion Control Inspection Report**. The inspector will determine if the remedial measures have all been satisfactorily addressed, substantially completed, or if significant non-compliance remains.

- If the remedial measures have been satisfactorily addressed then the NPDES/Erosion Control Inspection Report is filled out indicating compliance and provided to the contractor and developer.
- If the inspector determines that the remedial measures have been substantially completed, but not entirely resolved, the inspector shall follow Step 1 above.
- If the inspector determines that the remedial measures have not been substantially completed, the inspector shall follow Step 3 discussed below. Photographs of the violations should be taken and saved.

Step 3: 1st Notice of Violation

A formal *Notice of Violation* (Appendix 5.12) letter will be sent to the contractor and developer. A copy of the *Notice of Violation* shall also be provided to the Yorkville Building Department. The letter will include the following information:

- Description of the violations (including ordinance provisions)
- Maximum time frame for resolution (typically 5 working days),

Step 4: 2nd Follow-Up Site Inspection

The inspector will determine if the remedial measures have all been satisfactorily addressed, substantially completed, or if significant non-compliance remains.

- If the remedial measures have been satisfactorily addressed then the NPDES/Erosion Control Inspection Report shall be filled out indicating compliance and provided to the contractor and developer.
- If the inspector determines that the remedial measures have been substantially completed, but not entirely resolved, the inspector shall follow Step 1 above.
- If the inspector determines that the remedial measures have not been substantially completed, the inspector shall follow Step 5 discussed below. Photographs of the violations should be taken.

Step 5: 2nd Notice of Violation

• Depending on the severity of the outstanding violations the inspector may arrange for the Building Department to issue a Red Tag and a Conditional Stop Work Order upon completion of the inspection. The Stop Work Order allows for the resolution of the violation but no other on-site improvements. Building and/or Occupancy Permits will not be issued and surety/letter of credit reductions will not be considered until the violation is resolved. A formal Notice of Violation letter will be sent, via certified mail, to the contractor and developer. A copy of the Notice of Violation shall also be provided to the Yorkville Building Department.

Step 6: 3rd Follow-Up Site Inspection

The inspector will determine if the remedial measures have all been satisfactorily addressed, substantially completed, or if significant non-compliance remains.

- If the remedial measures have been satisfactorily addressed then the *NPDES/Erosion Control Inspection Report* is filled out indicating compliance and provided to the contractor and developer.
- If the inspector determines that the remedial measures have been substantially completed, but not entirely resolved, the inspector shall follow Step 1 above.
- If the inspector determines that the remedial measures have not been substantially completed, the inspector shall follow Step 7 discussed below. Photographs of the violations should be taken and saved.

Step 7: 3rd Notice of Violation

The inspector issues a Red Tag and a Conditional Stop Work Order upon completion of the inspection, if one has not already been issued. The Stop Work Order allows for the resolution of the violation but no other on-site improvements. Building and/or Occupancy Permits will not be issued and surety/letter of credit reductions will not be considered or processed until the violation is resolved. Representatives from the Building and Engineering Departments shall meet to discuss the violation and subsequent actions. These actions may include: issuing fines for each day of violation since the 1st notice of violation; draw from surety to enable the City to have the remedial measures corrected; seeking United City of Yorkville legal counsel and pursuing injunctive or other legal relief.

A formal *Notice of Violation* letter will be sent, via certified mail, to the contractor and developer. A copy of the Notice of Violation shall also be provided to the Building Department and City Administrator. The letter will also include additional penalties or measures that will be imposed if the violation(s) persist.

Steps 6 and 7 will be repeated until resolution of the violation.

3.3C Measurable Goals

- Track the number of site development permits issued.
- Document any citizen complaints regarding construction site runoff and follow-up activities.
- Inspect construction sites for erosion/sediment control measures and record inspection on NPDES/Erosion Control Inspection Report forms.

3.4 Post Construction Runoff Control

The City adopted Ordinance No. 2009-78 (Appendix 5.4) to establish standards for design, construction, and maintenance of stormwater best management practices. This ordinance requires the following:

- All development/redevelopment projects shall incorporate stormwater Best Management Practices (BMP's) into their site designs.
- Agreements providing for the adequate maintenance of the stormwater BMP's by the developer/property owner.
- Periodic inspections and meetings with property owners by the city to ensure proper functioning of the stormwater BMP's.

The City will attempt to inspect approximately 20% of all existing properties with stormwater management facilities each year, resulting in a recurring inspection interval of 5 years.

3.4A Long Term Operation and Maintenance

The SMPP includes two long term maintenance agreements.

- The first agreement (Appendix 5.13) is the recommended plan for existing detention and stormwater management facilities, whether publicly or privately maintained. The intent of this sample plan is to provide guidance for the maintenance of facilities that do not have an approved plan. If an existing facility already has an adequate plan, this document would supersede the sample plan.
- The second agreement (Appendix 5.14) is provided to applicants during the
 permit review period for new detention and stormwater management facilities.
 This agreement should be reviewed and enhanced to reflect the specific design
 of the new development. Receipt of the signed and recorded maintenance
 agreement is required.

Receipt of the signed and recorded maintenance agreement is required prior to recording of a plat of subdivision, site development permit, or building permit for the property, whichever occurs first.

3.4B Site Inspections

This section focuses on post-construction inspections of previously developed sites, streambanks, shorelines, streambeds, and detention / retention ponds.

Previously Developed Sites

The United City of Yorkville attempts to inspect approximately 20% of all existing properties with stormwater management facilities every year, resulting in a re-occurrence inspection interval of five (5) years. Previously developed properties are inspected with respect to the approved development plan. A letter indicating the maintenance activity highlights, deficiencies, or modifications to the plan should be provided to the responsible party. The responsible party is encouraged to implement an annual maintenance program.

Shorelines

Annually inspect 20% of detention basin shorelines in the spring or fall depending upon weather conditions using the *Stormwater Basin Annual Inspection Report* (Appendix 5.15). Observed erosion, seeding/re-seeding or slope stabilization needs are documented. Documented deficiencies should be reported to the City Engineer who evaluates and determines appropriate remedial activities. Remedial actions might include notifying the property owner or including maintenance activities in the city's work program for citymaintained basins.

Streambanks and Stream Bed Sediment Accumulation

Annually inspect 20% of receiving water streambanks for erosion and flowlines for sediment plumes/deposits. Inspections should be performed in the spring or fall depending upon weather conditions. Stream locations are depicted on **Figure 1**.

Document observed erosion and/or sediment accumulation. Documented deficiencies should be reported to City Engineer who evaluates and determines appropriate remedial activities. Remedial actions would typically consist of notifying the property owner.

Detention / Retention Pond Sediment Accumulation

Ensure that new detention/retention pond is constructed per the approved development plan. The developer is responsible for ensuring that the design grade is established prior to the city's approval of the pond. Pond information, including the design permanent pool depth, is added to the *Stormwater Basin Annual Inspection Report* upon final approval of the pond.

Annually inspect 20% of detention basins to determine the normal pool depth. Observed depths should be recorded onto the *Stormwater Basin Annual Inspection Report*. If the inspected pond depth is found to be more than 2 feet shallower than the design normal pool depth, this information should be reported to City Engineer who evaluates and determines appropriate remediation activities.

3.4C Measurable Goals

- Annually inspect 20% of all stormwater basins and document on **Stormwater Basin Annual Inspection Report** forms.
- Maintain a database of existing homeowner associations (HOA's). Make contact with 20% of HOA's annually regarding stormwater-related issues.
- Require new developments to enter into maintenance agreements for their stormwater management facilities, and maintain a record of those agreements.
- Encourage existing HOA's to inspect and maintain their stormwater management facilities. Document initial contact and any follow-up activities.

3.5 Illicit Discharge Detection and Elimination

Illicit discharges contribute considerable pollutant loads to receiving waters. There are two primary situations that constitute illicit discharges; these include non-stormwater runoff from contaminated sites and the deliberate discharge or dumping of non-stormwater into the stormwater system. Illicit discharges can enter the storm sewer system as either an indirect or direct connection.

3.5A Regulatory Authority

Effective implementation of an Illicit Discharge Detection and Elimination (IDDE) program requires adequate legal authority to remove illicit discharges and prohibit future illicit discharges. This regulatory authority is achieved through adoption of United City of Yorkville Ordinance No. 2010-05 (Appendix 5.5). Additionally, IEPA has regulatory authority to control pollutant discharges and can take the necessary steps to correct or remove an inappropriate discharge over and above MS4 jurisdiction.

3.5B Illicit Discharge Detection and Elimination

The United City of Yorkville maintains, operates, and publicizes a call-in phone number (630-553-4350) where parties can contact the city with environmental concerns. Primary advertisement venues include the website and all related municipal publications. Telephone calls received from residents, other internal Departments or other agencies are logged on the *Illicit Discharge Tracking Form* (Appendix 5.16). The City Engineer, or his designee, should transfer information from the tracking form to the *Illicit Discharge Summary Form* (Appendix 5.17) monthly. The summary form should be reviewed annually to determine if trends can be seen and if any additional outreach efforts are warranted.

Subdivision and Public Utility Ordinance

The United City of Yorkville created and adopted Ordinance No. 94-4 (Appendix 5.6) to prohibit the discharge of any toilet, sink, basement, septic tank, cesspool, industrial waste or other polluting substances to any open ditch, drain, or drainage structure. This ordinance can be used to further support the activities required by the city's Stormwater Management Program Plan.

3.5C Understanding Outfalls and Illicit Discharges

Understanding the potential locations and the nature of illicit discharges in urban watersheds is essential to find, fix and prevent them.

Identifying Outfalls and Receiving Waters

An Outfall is a point source where a municipal separate storm sewer discharges into Waters of the United States "receiving water". Open conveyances connecting two municipal storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other Waters of the United States are not considered outfalls. For the purposes of this program the following definitions shall be used:

Outfall: A storm sewer outlet, or other open conveyance point discharge location, that discharges into a Waters of the U.S, receiving water or another MS4.

Regulated systems include the conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, gutters, ditches, swales, man made channels or storm sewers.

The outfall inventory was prepared by the United City of Yorkville. The outfall locations have been numbered to facilitate detection and tracking of identified illicit discharges. This information can be obtained from the city's Geographic Information System (GIS), which is maintained by the Community Development Department.

The outfall map should be revised annually to incorporate permitted outfalls associated with new developments. An outfall inventory should be performed every 5 years; the focus of this effort is to search for new outfalls (i.e. those not already included in the

existing GIS). The search for new outfalls should be combined with the pre-screening efforts.

USEPA Exclusions

It is noted that not all dry-weather flows are considered inappropriate discharges. Under certain conditions, the following discharges are allowed:

- Water line flushing
- Landscaping irrigation
- Diverted stream flows
- Rising groundwater
- Uncontaminated groundwater infiltration
- Uncontaminated pumped groundwater
- Discharges from potable water sources
- Flows from foundation drains
- Air conditioning condensation
- Irrigation water
- Springs
- Water from crawl spaces
- Lawn watering
- Individual car washing
- Flows from riparian habitats and wetlands
- Dechlorinated swimming pool water
- Street wash water

Pollutant Indicators

Outfalls should be inspected for evidence of the following pollutant indicators:

- Odor
- Color of discharge water or staining of outfall pipe
- Turbidity (clarity) of discharge water
- Floatables in or residue from discharge water, such as scum, foam, suds, oil sheen, etc.
- Excessive plant growth or lack of plant growth at outfall
- Sediment plume.

3.5D Indirect Connections

Indirect connections are typically the result of events such as dumping or spillage of materials into storm sewer drains. Intentional dumping is a common type of illicit discharge. Generally, indirect modes of entry produce random, infrequent discharges, with the exception of groundwater seepage.

There are five main modes of indirect entry for discharges. These are groundwater seepage, unintentional spills, intentional dumping, outdoor washing, and over-irrigation of landscaping.

Seepage discharges can be either continuous or intermittent, depending on the depth of the water table and the season. Groundwater seepage usually consists of relatively clean water that is not an illicit discharge by itself, but can carry other illicit discharges. If storm drains are located close to sanitary sewers, groundwater seepage may intermingle with sewage. Seepage will be addressed by taking samples to check for contamination from nearby sanitary sewers or septic systems. Mitigation measures would consist of repairs to sewers or notification to the Kendall County Health Department as appropriate.

See Chapter 3.6 for the Spill Response Plan for unintentional spills.

Intentional dumping is minimized through public education. The city also maintains an Illegal Dumping Hotline which is described in Chapter 3.5B. The procedure for handling a dumping incident is described in Chapter 3.6.

Outdoor washing and over-irrigation are minimized through public education.

3.5E Direct Connections

Direct connections enter through direct piping connections to the storm sewer system, and are most easily detected during dry-weather periods. Inspection of stormwater outfalls during dry-weather conditions reveals whether non-stormwater flows exist. If non-stormwater flows are observed, they can be screened and tested to determine whether pollutants are present. If the presence of pollutants is indicated, the detective work of identifying the source of the discharge can begin and be corrected.

The process to eliminate direct connection illicit discharges consists of the following components:

- 1. **Program Planning** consists of the organizational efforts required to perform outfall screening and follow-up investigative activities of the program. Program planning identifies the regulatory authority to remove directly connected illicit discharges, identification of the outfalls and receiving waters, and providing personnel and equipment to perform the outfall screening and follow-up work.
- 2. Outfall Screening consists of pre-screening to determine whether dry-weather flows are present and outfall inspection which includes field visits to determine whether an illicit discharge exists.
- 3. Follow-Up Investigation and Program Evaluation are necessary to determine the source of any identified pollutant flows and eliminate them. The major follow-up investigation evaluation components include:
 - reviewing and assessing outfall inspection results
 - internal coordination

- tracing upstream to identify the source of the illicit discharge
- exercising the appropriate legal means to eliminate the illicit discharge and schedule follow-up inspections as necessary

3.5F Access to Private Property

In some cases, it may be necessary for City personnel to enter or cross private property to investigate probable illicit discharges. A form letter should be prepared that includes a short description of the project, the purpose of the access to the property, and the name of a project contact person with a telephone number. If the owner is not present, a letter should be left at the premises to facilitate return inspection. If permission to access property is denied, a public official should then contact the owner at a later date.

3.5G Confined Space Entry

Confined space entry for this program would include climbing into or inserting one's head into a pipe, manhole, or catch basin. In general, do not cross the vertical plane defining an outfall pipe or the horizontal plane defining a manhole unless properly prepared for confined space entry. Confined space entry shall be conducted only by trained personnel with appropriate rescue and monitoring equipment.

Outfall Inspection

An outfall inspection is required for all submerged outfalls or outfalls observed to have dry-weather flow. Outfalls are assessed to determine which one of the three following conditions applies:

- (1) The outfall is dry or damp with no observed flow
- (2) Flowing discharges are observed from the outfall
- (3) The outfall is partially or completely submerged with no observed flow or is inaccessible

<u>Scenario 1: No Observed Flow.</u> The field crew should photograph the outfall and complete applicable sections of the *Stormwater Outfall Inspection Form* (Appendix 5.18).

<u>Scenario 2: Observed Flow.</u> The field crew photographs the outfall and complete applicable sections of the *Stormwater Outfall Inspection Form*. The intent is to gather additional information to determine if an illicit discharge is present.

Scenario 3: Submerged or Inaccessible Outfall. If standing water is present in an outfall or if it is inaccessible, then complete available information from Sections 1, 2, 3 and 7 of the Stormwater Outfall Inspection Form, with appropriate comments being written in the "Remarks" section of the data form.

Determine the upstream sampling location using the city's storm sewer atlas. Manholes, catch basins, or culvert crossings can be used for upstream sampling locations. Make reasonable efforts to locate upstream sampling points that are accessible and exhibit flow. If inaccessible, resolve the problem in the office with appropriate supervisory personnel.

Outfall Assessment & Documentation

Complete the **Stormwater Outfall Inspection Form** for all outfall inspections. A separate data form must be completed for each outfall. In addition to standard information, the data form is used to record other information that is noted at the time the outfall inspection is conducted (e.g. dead or dying plants, fish kills, excessive algae growth, construction activities, etc. that might provide information regarding the potential for illicit discharges).

3.5H Office Closeout

Update the outfall screening scheduling and completion form and plan the next screening day's activities. Discuss any problems locating outfalls with appropriate supervisory personnel so that alternate sampling locations can be identified. Once a month, compile data from the *Stormwater Outfall Inspection Form* onto the *Outfall Inspection Summary Form* (Appendix 5.19).

3.51 Source Identification

Follow-up investigation is required for all outfalls with positive indicators for illicit discharges. The procedure for detailed investigation and source identification has three major components: 1) mapping and evaluation, 2) storm sewer investigation, and 3) tracing.

Mapping Evaluation

For each outfall to be investigated, a large-scale working map should be created to show the entire upstream storm sewer network, outfall locations, and parcel boundaries.

Storm Sewer Investigation

After conducting the mapping evaluation, a manhole-by-manhole inspection is conducted to pinpoint the location of the illicit discharge. All flows are tracked upstream until the dry-weather discharge is no longer detected. The field crew should also determine whether there has been a significant change in the flow rate between manholes.

Tracing

Once the manhole inspection has identified the reach area, testing may be necessary. If there is only one possible source to this section of the storm sewer system in the area, source identification and follow-up for corrective action is straightforward. Multiple sources, or non-definitive sources, may require testing in order to identify the contributing source. The method of testing must be approved by the Public Works Director prior to testing. Potential testing methods include dye testing, smoke testing, and/or remote video inspections.

3.5J Removal of Illicit Discharges

Removal of illicit discharge connections is required at all confirmed contributing sources. Nine steps are taken to positively identify and remove an illicit discharge to the storm sewer system. These steps are as follows:

- Step 1. Have an outside laboratory service take a grab sample and test for the illicit discharge at the manhole located immediately downstream of the suspected discharge connection.
- Step 2: Conduct an internal meeting with appropriate personnel to include Public Works personnel, Building Code Official, and the City Engineer to discuss inspection and testing results and remedial procedures.
- Step 3: The City Engineer shall send a notification letter to the owner/operator of the property/site suspected of discharging a pollutant. The letter should state the apparent violation, and request that the owner/operator describe the activities on the site and the possible sources of non-stormwater discharges including information regarding the use and storage of hazardous substances, chemical storage practices, materials handling and disposal practices, storage tanks, types of permits, and pollution prevention plans.
- Step 4: Arrange a meeting for an inspection of the property with the Building Code Official and the owner/operator of the property. After inspection, notify the site owner/operator of the findings and instruct them verbally and in writing to take any necessary corrective measures.
- Step 5: Conduct additional tests as necessary if the initial site inspection is not successful in identifying the source of the problem. The Public Works Director is responsible for determining the appropriate testing measure to pinpoint the source.
- Step 6: If the owner/operator does not voluntarily initiate corrective action, the Building Code Official shall issue a Notification of Noncompliance. The notification shall include a description of the required action(s) and a time frame in which to take corrective action. Upon notification of noncompliance, the owner can be subject to penalties as stipulated by Municipal Code.
- Step 7: Conduct follow-up inspections to determine whether corrective actions have been implemented to: 1) remove the illicit connection or 2) establish a proper disposal practice.

Step 8: If corrective actions have been completed (i.e. the illicit discharge has been eliminated) the City Engineer shall send a notification of compliance letter to the owner/operator of the property/site where the illicit discharge occurred.

Step 9: If corrective actions have not been completed additional internal meetings shall be held to determine appropriate steps to obtain compliance. Appropriate actions may include monetary or other penalties.

3.5K Program Evaluation

The results of the screening program shall be reviewed periodically to determine if any trends can be identified that relate the incidence of dry-weather flow observations to the age of developed properties or land uses. These determinations may guide future outfall screening activities. Although the outfall screening program will be successful in identifying and eliminating most pollutants in dry-weather discharges, the continued existence of dry-weather flows and associated pollutants will require an ongoing commitment to continue the outfall screening program. The annual inspection screening will determine the effectiveness of the program.

3.5L Measurable Goals

- Track the number and type of potential illicit discharge on the *Illicit Discharge*Tracking Forms and *Illicit Discharge Summary Forms*.
- Inspect all stormwater outfalls annually and record those inspections on the Stormwater Outfall Inspection Forms and Outfall Inspection Summary Forms.

3.6 Pollution Prevention and Good Housekeeping

The United City of Yorkville is responsible for the care and upkeep of public facilities, municipal roads, associated maintenance yards, and city parks. Many maintenance activities are most regularly performed directly by staff; however from time to time contractors are employed to perform specific activities. This chapter describes how the compliance with permit requirements is achieved by incorporating pollution prevention and good housekeeping stormwater quality management into day-to-day operations. Ongoing education and training shall be provided to ensure that the appropriate employees have the knowledge and skills necessary to perform their functions effectively and efficiently. The following lists describe activities performed by the Public Works Department and Parks Department.

Street Sweeping

All streets are swept are least 3 times per year or more often on an as-needed basis.

Fall Leaf Pick-up

The city provides free leaf pick-up service to residents every fall. Shredded and compacted leaves are removed and land-applied as fertilizer by a local farmer.

Catch Basin Cleaning

The city owns and operates a vacuum sewer cleaner truck. Catch basin cleaning is performed on an as-needed basis. Locations of cleaned catch basins are tracked.

Ice Removal

The city uses Geo-Melt (beet juice) additive with salt-spreading operations to reduce the amount of salt used in the winter, resulting in an average annual reduction in salt usage of about 500 tons.

Snow Removal

The city does not plow or salt roadways in new developments unless occupied homes exist along those roadways.

Salt Storage

The city has a salt storage building on Tower lane to provide protection for stockpiled salt from rain. After the winter season remaining salt is trucked to the Kendall County storage facility for storage until the following winter.

Spill Prevention

The city keeps Material Safety Data Sheets for all chemical agents used by the Public Works Department.

Weed Control

The city uses herbicide when needed to control the growth of vegetation in roadside ditches. Ditches are mowed where possible to avoid the application of herbicide. The Public Works Department has several employees that are certified herbicide applicators.

Illicit Connections

Public Works and Engineering Department personnel are instructed to watch for unusual discharges from storm sewers or unusual events at stormwater basins.

Landscape Maintenance

The Public Works Department and Parks Department are responsible for litter and debris control, as well as pickup and proper disposal of roadkill. The city shall endeavor to provide trash/recycling bins in more highly used parks.

Vehicle Maintenance

Vehicle maintenance procedures and practices are designed to minimize or eliminate the discharge of petroleum based pollutants to the stormwater system. Used motor oil and antifreeze are collected and stored indoors. Waste fluids are removed on a regular basis by vendors for recycling. Used batteries are stored in an enclosed covered container at the Tower Lane maintenance yard. The batteries are collected on a regular basis by a local

vendor. Tires are replaced at local commercial vendor sites. Used tires are disposed of by those vendors.

Waste Management

Waste Management consists of procedural and structural practices for handling, storing and disposing of wastes generated by a maintenance activity. This helps prevent the release of waste materials into the stormwater system. Waste management practices include removal of materials such as asphalt and concrete, excess earth excavation, contaminated soil, hazardous wastes, and sanitary waste.

A spoil stock pile is located at the Tower Lane maintenance yard. Asphalt, concrete, and excess earth excavation materials are temporarily stored in the stock pile. Attempts are made to recycle asphalt and concrete products prior to storage in the spoil stock pile. Clean spoil is re-used around town where needed to backfill excavations and re-grade properties. If contaminated spoil is encountered, it is collected for treatment or disposal. Attempts are made to avoid stockpiling of contaminated spoil. If temporary stock piling is necessary, the stockpile shall be placed on an impermeable liner. Additional protective measures shall be used to protect the downslope of the stockpiled area for erosion downstream. Access to a contaminated stockpile shall be located on the upstream side of the stock pile.

Hazardous wastes shall be stored in labeled, sealed containers constructed of appropriate material. The containers are located in non-flammable storage cabinets or on shelving. These items include paint, aerosol cans, gasoline, solvents and other hazardous wastes. Paint brushes and equipment used for water and oil-based paints are cleaned within a designated cleaning area.

Sanitary wastewater shall be discharged into a sanitary sewer when possible. Portable toilets shall be maintained at high-usage parks.

Water Conservation

Water conservation practices minimize water use and help to avoid erosion and/or the transport of pollutants into the stormwater system. Ordinance No. 2006-123 (Appendix 5.7) limits the use of permanent landscape irrigation systems for certain properties as follows:

- For non-residential properties with one building, permanent irrigation systems using city water are prohibited where the total landscaped area exceeds one acre.
- For non-residential properties with more than one building, permanent irrigation systems using city water are prohibited where the total landscaped area exceeds three acres.
- For common open space properties of a primarily residential development, permanent irrigation systems using city water are prohibited.

The city has adopted Ordinance 2004-20 (Appendix 5.8) that establishes odd-even watering schedules throughout the city based on mailing addresses. This ordinance also requires a property owner to obtain a watering permit to use city water to establish new

lawns. From July 1st to August 31st, watering permits are not issued and city water may not be used to water newly sodded or seeded lawns. From May 1st to June 30th, and September 1st to September 30th, watering permits are issued. Watering on the 1st day a lawn is sodded or seeded is limited to no more than eight hours. Watering on the 2nd through 10th days is limited to no more than seven hours, those hours being 5am-9am and 9pm to midnight. After Day 10, a lawn is considered established and a permit is no longer required, however, the property owner must still follow the odd-even and seven-hour restrictions.

Spill Response Plan

Spill prevention and control procedures are implemented wherever hazardous or non-hazardous chemicals substances are stored or used. The following general guidelines are implemented when cleanup activities and safety are not compromised, regardless of the type or location of the spill:

- Cover and protect spills from stormwater run-on and rainfall, until they are removed
- Dry cleanup methods are used when ever possible
- Properly dispose of used cleanup materials, contaminated materials and recovered spill material
- Contaminated water used for cleaning and decontamination shall not be allowed to enter the stormwater system
- Keep waste storage areas clean, well organized and equipped with appropriate cleanup supplies
- Maintain perimeter controls, containment structures, covers and liners to ensure proper function

Non-Hazardous Spills/Dumping

Non-hazardous spills typically consist of an illicit discharge of household materials into the street or stormwater system. Upon notification or observance of a non-hazardous spill, Public Works personnel implement the following procedure:

- Sandbag the receiving inlet to prevent additional discharge into the storm sewer system. It may be necessary to sand bag the next downstream inlet.
- Check structures in the immediate and downstream area. If possible, pollutant materials are vacuumed out. The structures are then jetted to dilute and flush the remaining unrecoverable material.
- Clean up may consist of applying "Oil Dry" or sand and then sweeping up the remnant material.
- After containment and cleanup activities have been performed, the Public Works
 Director shall fill out the Spill Response Notice (Appendix 5.20) door hanger and
 distribute it to adjoining residences/businesses. In residential areas, the hanger

should be provided to residences on both sides of the spill and on both sides of the street.

- Public Works personnel document the location, type of spill and action taken on the *Illicit Discharge Tracking Form* and submit the tracking form to their supervisor. The supervisor or his designee takes the information from the form and transfers it to the *Illicit Discharge Summary Form*.
- If a person is observed causing an illicit discharge, the Building Code Official shall be notified and appropriate citations issued.

Hazardous Spills

Upon notification or observance of a hazardous illicit discharge, the Public Works Department shall implement the following procedure:

- Call 911 and explain the incident. The Fire Protection District responds.
- The Public Works and/or Police Departments provide emergency traffic control.
- The Fire Protection District evaluates the situation and applies "No Flash" or "Oil Dry" as necessary.
- The Fire Protection District's existing emergency response procedure, for hazardous spill containment clean-up activities, is followed.
- Public Works personnel document the location, type of spill and action taken on the *Illicit Discharge Tracking Form* and submit the tracking form to their supervisor. The supervisor or his designee takes the information from the form and transfers it to the *Illicit Discharge Summary Form*.

Employee Training

The United City of Yorkville's practice is to provide education and training to those employees of its Public Works and Engineering Departments that have stormwater-related responsibilities to ensure that they have the knowledge and skills necessary to perform their functions effectively and efficiently. Employees are encouraged to attend training sessions on topics related to the goals/objectives of the SMPP. Additionally, the Public Works Director will develop an employee training programs with curricula and materials tailored to specific employees. The materials will focus on stormwater pollution prevention measures and practices relating to the maintenance of facilities, infrastructure and properties.

The initial training program will be offered within one year of the acceptance of the SMPP. Copies of training materials will be kept and shared with appropriate new employees as part of their job introduction. The Public Works Director will monitor the potential need for overall refresher material distributions and offer additional training as necessary.

3.6A Measurable Goals

- Maintain records for number curb miles swept each year.
- Maintain records on amount of leaves collected each fall.
- Maintain records on amount of road salt used each winter.
- Maintain records for number of catch basins cleaned.
- Maintain records for amount of herbicides and pesticides used each year.
- Maintain records on type and number of training sessions and employees in attendance.

4 Program and Performance Monitoring, Evaluation, & Reporting

The SMPP represents an organized approach to achieving compliance with the expectations of the NPDES Phase II program for both private and public activities within the United City of Yorkville. Land development and city projects and activities are to comply with the SMPP. Additionally, the city has numerous written and unwritten procedures for various tasks. This SMPP documents and organizes previously existing procedures to create one cohesive program addressing pre-development, construction, and post-development activities, as well as municipal operations.

This chapter describes how the United City of Yorkville will monitor and evaluate the SMPP. As part of the stormwater management program, the city will:

- review its activities
- inspect its facilities
- oversee, guide, and train its personnel
- evaluate the allocation of resources available to implement stormwater quality efforts

This chapter describes how program monitoring, evaluation and reporting will be accomplished.

4.1 Performance Milestones

Previously established ordinances and programs implement many of the anticipated tasks. The following schedule describes general performance expectations.

- Within one year following the acceptance of the SMPP, appropriate employees will receive training regarding the implementation of the SMPP.
- Within one year following the acceptance of the SMPP, items within Chapter 3 will be implemented with the exception of the IDDE program milestones discussed below. Refer to Chapter 2.1 for a description of tasks associated with the implementation of the SMPP.
- Within three years following the acceptance of the SMPP, the Outfall Inspection Procedure will be completed for all pipes identified, during the pre-screening efforts, as having dry weather flow.
- Within five years following the acceptance of the SMPP, tracing and removal procedures will be completed for all sewers identified during the Outfall Inspection Procedure as having illicit discharges.

4.2 Program Monitoring and Research

Currently water quality sampling/monitoring is not required under the NPDES Phase II program. Therefore, monitoring efforts focus on qualitative, not quantitative, examination of stormwater practices. It is anticipated that the USEPA and IEPA programs will evolve to require water quality monitoring and sampling. Future efforts may involve collecting information regarding discharges from outfalls, identifying other sources of pollutants, characterizing the receiving waters, sampling construction site discharges, and identifying the performance of stormwater pollution control measures. The United City of Yorkville will comply with future federal and state mandates regarding stormwater issues.

The United City of Yorkville will consider research conducted by others regarding the effectiveness of various alternative stormwater practices, procedures and technologies. The city will continue to seek innovative stormwater practices and technologies.

4.3 Program Evaluation

The primary mechanism for evaluating the SMPP and ensuring that the field staff has adequate knowledge is supervision by responsible managers. Management personnel include the directors and supervisors of the Public Works and Engineering Departments. Management support tasks include observing and evaluating design, construction, and field personnel as they implement the requirements of the SMPP on both municipal and private projects, and maintenance personnel as they conduct their assigned activities.

The following types of questions/answers are discussed annually between management and field staff.

- Are proper stormwater management practices used in planning, designing and constructing both city and private projects?
- Are efforts to incorporate stormwater practices into maintenance activities effective and efficient?
- Is the training program sufficient?
- Is the SMPP sufficient?
- Are the procedures for implementing the SMPP adequate?

5 Appendices

United City of Yorkville

Ordinance No. 2003・しつ

SOIL EROSION AND SEDIMENT CONTROL ORDINANCE FOR UNITED CITY OF YORKVILLE, ILLINOIS

ADOPTED BY THE
MAYOR AND CITY COUNCIL
OF THE
UNITED CITY OF YORKVILLE

THIS /// DAY OF // 2003

PUBLISHED IN PAMPHLET FORM BY THE AUTHORITY OF THE MAYOR AND CITY COUNCIL OF THE UNITED CITY OF YORKVILLE,

KENDALL, COUNTY, ILLINOIS

THIS 1/19 DAY OF MON, 2003

Page 1 of 15 March 5, 2003

ORDINANCE NO.____

SOIL EROSION AND SEDIMENTATION CONTROL ORDINANCE FOR UNITED CITY OF YORKVILLE, ILLINOIS

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE UNITED CITY OF YORKVILLE KENDALL COUNTY, ILLINOIS AS FOLLOWS:

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100.0 Findings and Purpose

101.0 Findings:

The City Council of the City hereby finds that:

- 101.1 Excessive quantities of soil may erode from areas undergoing development for certain non-agricultural 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 drainage ways, and the creation of recreational facilities;
- 101.2 The washing, blowing, and falling of eroded soil across and upon roadways endangers the health and safety of users thereof, by decreasing vision and reducing traction of road vehicles;
- 101.3 Soil erosion necessitates the costly repairing of gulleys, washed-out fills, and embankments;
- 101.4 Sediment from soil erosion tends to clog sewers and ditches and to pollute and silt rivers, streams, lakes, wetlands, and reservoirs;
- 101.5 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
- 101.6 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.

102.0 Purpose:

The City Council therefore declares that the purpose of this ordinance 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 that 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 ordinance 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.

200.0 Definitions

For the purposes of this Ordinance certain terms used herein are defined as set forth below:

200.1 BUILDING PERMIT:

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

200.2 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 Ordinance.

200,3 CLEARING:

Any activity that removes vegetative ground cover.

200.4 CUBIC YARDS:

The amount of material in excavation and/or fill measured by the method of "average end areas."

200.5 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 buildozed and shall include the conditions resulting therefrom.

200.6 EXISTING GRADE:

The vertical location of the existing ground surface prior to excavation or filling.

200.7 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.

200.8 FINAL GRADE:

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

200.9 GRADING:

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

200.10 NATURAL DRAINAGE:

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

200.11 PARCEL:

All contiguous land in one ownership.

200.12 PERMITTEE:

Any person to whom a site development permit is issued. This person may also be referred to as the applicant.

200.13 PERSON:

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

200.14 REMOVAL:

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

200.15 SITE:

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

200,16 SITE DEVELOPMENT:

Altering terrain and/or vegetation and constructing improvements.

200.17 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.

200.18 STREAM:

Any river, creek, brook, branch, flowage, ravine, or natural or man-made drainage way which has a definite bed and banks or shoreline, in or into which surface or groundwater flows, either perennially or intermittently.

200.19 STRIPPING:

Any activity that removes the vegetative surface cover including tree removal, clearing, and storage or removal of topsoil.

200.20 VACANT LAND:

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

200.21 CITY:

The United City of Yorkville, Kendall County, Illinois.

200.22 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.

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300.0 General Principles

It is the objective of this ordinance 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 offsite 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 Section 400.0 of this ordinance:

- 300.1 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.
- 300.2 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.
- 300.3 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.
- 300.4 The smallest practical area of land should be exposed for the shortest practical time during development.
- 300.5 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 run-off waters from land undergoing development.
- 300.6 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.
- 300.7 In the design of erosion control facilities and practices, aesthetics and the requirements of continuing maintenance should be considered.
- 300.8 Provision should be made to accommodate the increased run-off caused by changed soil and surface conditions during and after development. Drainage ways should be designed so that their final gradients and the resultant velocities and rates of discharge will not create additional erosion onsite or downstream.
- 300.9 Permanent vegetation and structures should be installed and functional as soon as practical during development.
- 300.10 Those areas being converted from agricultural purposes to other land uses should be vegetated with an appropriate protective cover prior to development.
- 300.11 All waste generated as a result of site development activity should be properly disposed of and prevented from being carried off the site by either wind or water.
- 300.12 All construction sites should provide measures to prevent sediment from being tracked onto public or private roadways.

400.0 Site Development Permit

401.0 Permit Required:

Except as otherwise provided in this ordinance, no person shall commence or perform any clearing, grading, stripping, excavating, or filling of land that meets the following provisions without having first obtained a site development permit from the City:

- 401.1 Any land disturbing activity (i.e., clearing, grading, stripping, excavation, fill, or any combination thereof) that will affect an area in excess of 10,000 square feet;
- 401.2 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
- 401.3 Excavation, fill, or any combination thereof that will exceed 100 cubic yards.

402.0 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 Section 300.0 of this Ordinance:

- 402.1 Appurtenant structures on a site in excess of two acres for which a building permit has been issued or excavation below final grade for the basement and footings of a single-family residence;
- 402.2 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; or
- 402.3 Installation, renovation, or replacement of a septic system to serve an existing dwelling or structure.

403.0 Application for Permit:

Application for a site development permit shall be made by the owner of the property or his authorized agent to the (permitting authority) 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 an application fee of \$100.00. 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.

403.1 Submissions:

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

404.1 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.

404.2 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 one-foot contour intervals and clearly portraying the conformation and drainage pattern of the area;
- The location of existing buildings, structures, utilities, streams, lakes, floodplains, wetlands and depressions, drainage facilities, vegetative cover, paved areas, and other significant natural or man-made features on the site and adjacent land within 100 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; and
- d. Proposed use of 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, seeded, vegetatively stabilized, or left undisturbed.
- 404.3 An erosion and sediment control plan showing all measures necessary to meet the objectives of this ordinance 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 non-vegetative 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 offsite, including construction 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; and
 - Identification (<u>name, address, and telephone</u>) 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.

404.4 The erosion and sediment control plan shall also show proposed phasing of development of the site, including stripping and clearing, rough grading, construction, 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 of 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 city engineer of any significant changes that may occur in the site development schedule after the initial erosion and sediment control plan has been approved.

These submissions shall be prepared in accordance with the requirements of this ordinance 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 Kendall County Soil and Water Conservation District, which standards and requirements are hereby incorporated into this ordinance by reference.

The city engineer may waive specific requirements for the content of submissions upon finding hat the information submitted is sufficient to show that the work will comply with the objectives and principles of this ordinance.

405.0 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 city attorney in an amount deemed sufficient by the city engineer 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.

406.0 Review and Approval:

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

- 406.1 The City engineer will review each application for a site development permit to determine its conformance with the provisions of this ordinance. The City engineer may also refer any application to the Kendall 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 thirty (30) days after receiving an application, the City Engineer shall in writing:
 - a. Approve the permit application if it is found to be in conformance with the provisions of this ordinance, and issue the permit;
 - b. Approve the permit application subject to such reasonable conditions as may be necessary to secure substantially the objectives of this ordinance, and issue the permit subject to these conditions; or
 - c. Disapprove the permit application, indicating the deficiencies and the procedure for submitting a revised application and/or submission.

- 406.2 No site development permit shall be issued for an intended development site unless:
 - a. The development, including but not limited to, subdivisions and planned unit development, has been approved by the City where applicable;
 - b. Such permit is accompanied by or combined with a valid building permit issued by the City if required or applicable;
 - c. 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
 - d. All relevant federal and state permits (i.e., for floodplains and wetlands) have been received for the portion of the site subject to soil disturbance.
- Failure of the city engineer to act on an original or revised application within thirty (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 (permitting authority) 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 engineer.

407.0 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 one hundred and eighty (180) days, or is not completed by a date which shall be specified in the permit; except that the city engineer 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 city engineer may require modification of the erosion control plan to prevent any increase in erosion or offsite sediment runoff resulting from any extension.

408.0 Appeals:

Any applicant may appeal any decision of the city engineer to the City Council, provided that no such appeal shall be considered until and unless the applicant has requested a conference with the city engineer (not a subordinate of the city engineer) and either the conference has been held or the city engineer has not scheduled a conference.

409.0 Retention of Plans:

Plans, specifications, and reports for all site developments shall be retained in original form or on microfilm by the City.

500.0 Design and Operation Standards and Requirements

501.0 Applicability:

All clearing, grading, stripping, excavating, and filling which is subject to the permit requirements of this ordinance shall be subject to the applicable standards and requirements set forth in this Section 500.0.

502.0 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 (1) the issuance of a permit under this ordinance, (2) compliance with the provisions of that permit or with conditions attached to it by the city engineer, (3) failure of City officials to observe or recognize hazardous or unsightly conditions, (4) failure of City officials to recommend denial of or to deny a permit, or (5) exemptions from the permit requirements of this ordinance.

503.0 Site Design Requirements

- 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:
 - a. For disturbed areas draining less than 1 acre, filter barriers (including filter fences, straw bales, or equivalent control measures) shall be constructed to control all offsite 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;
 - b. For disturbed areas draining more than 1 but less than 5 acres, a sediment trap or equivalent control measure shall be constructed at the downslope point of the disturbed area;
 - c. For disturbed areas draining more than 5 acres, a sediment basin or equivalent control measure shall be constructed at the downslope point of the disturbed area;
 - d. Sediment basins and sediment traps designs shall provide for both detention storage and sediment storage. The detention storage shall be composed of equal volumes of "wet" detention storage and "dry" detention storage and each shall be sized for the 2-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 10 hours. The elevation of the outlet structure shall be placed such that it only drains the dry detention storage; and
 - e. 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 1 year, the 1-year sediment load and a sediment removal schedule may be substituted.
- 503.2 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 10-year frequency storm without erosion. All constructed or modified channels shall be stabilized within 48 hours, consistent with the following standards:
 - a. For grades up to 4 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.
 - b. For grades of 4 to 8 percent, sod or an equivalent control measure shall be applied in the channel.
 - c. For grades greater than 8 percent, rock, riprap, or an equivalent control measure shall be applied, or the grade shall be effectively reduced using drop structures.

- 503.3 Disturbed areas shall be stabilized with temporary or permanent measures within 7 calendar days following the end of active disturbance, or redisturbance, consistent with the following criteria:
 - a. Appropriate temporary or permanent stabilization measures shall include seeding, mulching, sodding, and/or non-vegetative measures, and
 - b. Areas having slopes greater than 12 percent shall be stabilized with sod, mat or blanket in combination with seeding, or equivalent.
- 503.4 Land disturbance activities in stream channels shall be avoided, where possible. If disturbance activities are unavoidable, the following requirements shall be met:
 - 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 non-erosive material, such as riprap or gravel;
 - b. 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; and
 - c. Whenever channel relocation is necessary, the new channel shall be constructed in the dry and fully stabilized before flow is diverted.
- 503.5 Storm sewer inlets and culverts shall be protected by sediment traps or filter barriers meeting accepted design standards and specifications.
- Soil storage piles containing more than 10 cubic yards of material shall not be 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.
- 503.7 If de-watering devices are used, discharge locations shall be protected from erosion. All pumped discharges shall be routed through appropriately designed sediment traps, basins, or equivalent.
- 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. Any sediment reaching a public or private road shall be removed by shoveling or street cleaning (not flushing) before the end of each workday and transported to a controlled sediment disposal area.
- All temporary and permanent erosion and sediment control practices must be maintained and repaired as needed to assure effective performance of their intended function.
- 503.10 All temporary erosion and sediment control measures shall be disposed of within 30 days after final site stabilization is achieved with permanent soil stabilization measures. Trapped sediment and other disturbed soils resulting from the disposition of temporary measures should be permanently stabilized to prevent further erosion and sedimentation.
- 504.0 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 Section 400.0, are hereby incorporated into this Section 500.0 and made a part hereof by reference for the purpose of delineating procedures and methods of operation under site development and erosion and sedimentation control plans approved under Section 400.0. In the event of conflict between provisions of said manuals and of this ordinance, the ordinance shall govern.

Page 12 of 15 March 5, 2003

505.0 Maintenance of Control Measures:

All soil erosion and sediment control measures necessary to meet the requirements of this ordinance shall be maintained periodically by the applicant or subsequent landowner during the period of land disturbance and development of the site in a satisfactory manner to ensure adequate performance.

506.0 Inspection:

The (permitting authority) 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 (permitting authority) 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 Ordinance, the permittee shall notify the (permitting authority) within two (2) 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.

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 (village). Notification of the results of the inspection shall be given in writing at the site.

507.0 Special Precautions:

If at any stage of the grading of any development site the (permitting authority) 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 (permitting authority) 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.

507.2 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 (permitting authority) 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.

508.0 Amendment of Plans:

Major amendments of the site development or erosion and sedimentation control plans shall be submitted to the city engineer 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 city engineer by written authorization to the permittee.

600.0 Enforcement

The administration and enforcement of this ordinance shall be the responsibility of the United City of Yorkville or their authorized representative.

601.0 Appeals:

Any applicant may appeal any decision of the city engineer to the City Council, provided that no such appeal shall be considered until and unless the applicant has requested a conference with the city engineer (not a subordinate of the city engineer) and either the conference has been held or the city engineer has not scheduled a conference.

602.0 Conferences:

At any time an applicant may ask for a conference with the city engineer concerning any application under this ordinance, and the city engineer will meet with the applicant to discuss the matter. If an applicant has been dealing with any person working under the supervision of the city engineer, at the applicant's request the city engineer (and not a subordinate) will hold a conference with the applicant.

603.0 Fees:

Engineering review, legal, and construction observation fees are the responsibility of the applicant. An Application fee of \$100.00 is required, as is a cash deposit in the amount of \$1000.00 prior to the initiation of review, and will be subject to adjustment after the initial review based upon actual consultant and staff review costs incurred by the City.

604.0 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 of this ordinance. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and each day during which any violation of any of the provisions of this ordinance 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 ordinance 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.

605.0 Separability:

The provisions and sections of this ordinance shall be deemed to be separable, and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

700.0 Effective Date

This ordinance shall be in full force and effect from and after its passage and approval and publication, as required by law.

	MIKE ANDERSON	() Libers	JOSEPH BESCO	do			
	VALERIE BURD	res	PAUL JAMES	yes			
	LARRY KOT	yes	MARTY MUNNS	yes			
	ROSE SPEARS	Lan	RICHARD STICKA	Les			
	Passed by the City Council of the United City of Yorkville, Illinois this 1 day of 2003. Attest:						
APPROVED by me this \(\) day of \(\) day of \(\) \(\) \(\) \(\) \(\) \(\) \(\) \(\							
	ATTESTED and FILE	D in my office this <u>\</u> day of _	Mach, 2003.				

ORDINANCE SOIL EROSION & SEDIMENTATION CONTROL ORDINANCE

UNITED CITY OF YORKVILLE

	SITE DEVELOPMENT P	EDMIT ADDI I	· · ATION	
** 1. 1.02	SITE DE VELOPMENT F.	CRIVILI ALI DI	OFFICE USE ONLY	
United City of Yorkville			Date Received:	
800 Game Farm Road			ENG Concurrence:	
Yorkville, Illinois 60560			Approved By:	
•			Date Approved:	
			Permit Number:	
	INDICATE TYPE OF S	ITE IMPROVE	MENT:	
	Subdivision	Fill &	Grading	
	Subdivision Pond	Dredgi	ng	
	Other:			
	, Being duly	sworn upon his	s oath, in application for a Permi	t
(Applicant)				
from The United City of Yor	kville, Deposes and Says:			
OWNER'S NAME:				
ADDRESS:	STATE:	ZIP:	TELEPHONE:	
CITT.				
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MAINTENANCE PERSON	'S NAME:			
CITY:	STATE:	ZIP:	TELEPHONE:	
	SITE DEVELO	PMENT PLAN	:	
			(Culturistics of Section 500)	n
Prepare a site develop	ment plan in accordance with	n Section 404.0	(Submissions) and Section 500.	,
(Design and Operation	Standards and Requirement	is) of the soil E.	rosion and Sediment Control	
Ordinance.				
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C Date of coeding	, 10100	-6 F9		
D Total area filled	or excavated:	Cub	oic yards of fill:	
F May denth of fi	ll or excavation:	Tyr	e of fill:	
F Presence of We	tlands Flo	odplains	woodlands	
G Water supply for	r pond: Surface runoff	Gro	und water	
H Additional Info	mation:			
ii idaliyim iiiv				



United City of Yorkville

County Seat of Kendall County 800 Game Farm Road Yorkville, Illinois 60560 Phone: 630-553-4350 Fax: 630-553-7575

CONTRACTOR CERTIFICATION STATEMENT

This certification statement is a part of the Storm Water Pollution Prevention Plan for the project described below, in accordance with NPDES Permit No. ILR10, issued by the Illinois Environmental Protection Agency on May 14, 1998.

Project Information:	
Route	Marked
Section	Project No
County	
Discharge Elimination System (NPDE	derstand the terms of the general National Pollutant (S) permit (ILR 10) that authorizes the storm water ctivity from the construction site identified as part
Signature	Date
Title	
Name of Firm	
Street Address	
City, State, Zip	·
Telephone Number	



United City of Yorkville County Seat of Kendall County

800 Game Farm Road Yorkville, Illinois 60560 Phone: 630-553-4350 Fax: 630-553-7575

NPDES / EROSION CONTROL INSPECTION REPORT

Date of Inspection:	Project:
Name of Inspector: Type of Inspection: Weekly Contractor: Subs:	> 0.5" Precip
Are all of the temporary and permanent controls control) plan or as directed by the engineer in plant in the control of the co	ace?YESNO
Are the temporary and permanent erosion and se operating correctly? YES NO If no, what additional controls or adjustments is perform?	the contractor hereby directed to install or
	perly maintained? YES NO directed to perform?
Is there tracking of sediment from locations whe YES NO If yes, describe the location directed to perform.	(s) and the actions the contractor is hereby
Have the additional controls, adjustments or main been implemented within seven calendar days? hereby notified that no further work activity will corrective measures have been taken. Other comments:	

Inspector Signature

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY NOTICE OF INTENT (NOI)

GENERAL PERMIT TO DISCHARGE STORM WATER CONSTRUCTION SITE ACTIVITIES

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Information required by this form must be provided to comply with 415 ILCS \$/39(1996). Failure to do so may prevent this form from being processed and could result in your application being denied. This form has been approved by the Forms Management Center.

GUIDELINES FOR COMPLETION OF NOTICE OF INTENT (NOI) FORM

Please adhere to the following guidelines to allow automated forms processing using Optical Character Recognition (OCR) technology.

- Submit original forms. Do not submit photocopies. Original forms can be obtained from:

Illinois Environmental Protection Agency Division of Water Pollution Control Permits Section 2200 Churchill Road P.O. Box 19276 Springfield, IL 62794-9276 or call (217)782-0610

- Reports must be typed and signed. Do not staple.
- Center your information by typing within the allocated areas avoiding all lines which border the areas.
- Provide only one line of type per allocated area.
- Replace typewriter ribbons and clean as necessary to avoid smeared, faint or illegible characters.
- Use the formats given in the following examples for correct form completion.

	• • • • • • • • • • • • • • • • • • • •	
• •	EXAMPLE	FORMAT
NAME:	Smith John C	Last First Middle Initial
	Taylor T J Mfg Co	Surname First (or initials) and remainder
•	LJ Trucking Co	Initials and remainder
DATE:	06/30/92	Month/day/year
SECTION:	12	1 or 2 numerical digits
TOWNSHIP:	12N	l or 2 numerical digits followed by "N" or "S"
RANGE:	12W _	l or 2 numerical digits followed by "E" or "W"
AREA CODE:	217	3 numerical digits
TELEPHONE NUMBER:	782-0610	3 numerical digits followed by a hyphen and 4 more numerical digits
ZIP CODE:	62546	5 numerical digits only





ILLINOIS ENVIRONMENTAL PROTECTION AGENCY CONSTRUCTION SITE STORM WATER DISCHARGE INCIDENCE OF NON-COMPLIANCE (ION)



IMPORTANT: FORM MUST BE TYPED TO ENABLE AUTOMATED OPTICAL PROCESSING. SUBMIT ORIGINAL FORM - DO NOT SUBMIT PHOTOCOPY

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This Agency is authorized to require this information under Illinois Revised. Statutes, 1991, Chapter 111-1/2, Section 1039. Disclosure of this information is required. Fallure to do so may result in a civil pensity up to \$10,000,00 per day of violation or a fine up to \$25,000,00 per day of violation and imprisonment up to three years. This form has been approved by the Forms Management Center.

+

Complete and submit this form for any violation of the Storm Water Pollution Prevention Plan observed during any inspection conducted, including those not required by the Plan. Please adhere to the following guidelines to allow automated forms processing using Optical Character Recognition (OCR) technology:

Submit original forms. Do not submit photocopies. Original forms can be obtained from:

Illinois Environmental Protection Agency Division of Water Pollution Control Permits Section 2200 Churchill Road P.O. Box 19276 Springfield, IL 62794-9276 or call (217)782-0610

- Reports must be typed and signed. Do not staple.
- Center your information by typing within the allocated areas avoiding all lines which border the areas.
- Provide only one line of type per allocated area unless you are describing the cause of non-compliance, environmental impact, or action taken.
- Replace typewriter ribbons and clean as necessary to avoid smeared, faint or illegible characters.
- Use the formats given in the following examples for correct form completion.

	EXAMPLE	FORMAT
NAME: ·	Smith John C	Last First Middle Initial
W	Taylor T _. J Mfg Co	Surname First (or initials) and remainder :
	LJ Trucking Co	Initials and remainder
DATE:	06/30/92	Month/day/year
SECTION:	12	1 or 2 numerical digits
TOWNSHIP:	1214	<pre>l or 2 numerical digits followed by "N" or "S"</pre>
RANGE:	12W .	1 or 2 numerical digits followed by "E" or "W"
AREA CODE:	217	3 numerical digits
TELEPHONE NUMBER:	782-0610	3 numerical digits followed by a hyphen and 4 more numerical digits



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF TERMINATION (NOT) OF COVERAGE UNDER THE NPDES GENERAL PERMIT FOR STORM WATER DISCHARGES

OWNER INFORMATION				
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CONSTRUCTION SITE	INFORMATION	INPDES STORM		
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CITY:	111111111111111111111111111111111111111	IS SECONDS)		15 \$200 NCS)
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Please adhere to the following guidelines to allow automated forms processing using Optical Character Recognition (OCR) technology.

- Submit original forms. Do not submit photocopies. Original forms can be obtained from:

Illinois Environmental Protection Agency Division of Water Pollution Control Permits Section 2200 Churchill Road P.O. Box 19276 Springfield, IL 62794-9276 or call (217)782-0610

- Reports must be typed and signed. Do not staple.
- Center your information by typing within the allocated areas avoiding all lines which border the areas.
- Provide only one line of type per allocated area.
- Replace typewriter ribbons and clean as necessary to avoid smeared, faint or illegible characters.
- Use the formats given in the following examples for correct form completion.

•	<u>EXAMPLE</u>	FORMAT
NAME:	Smith John C	Last First Middle Initial
	Taylor T J Mfg Co	Surname First (or initials) and remainder
	LJ Trucking Co	Initials and remainder
SECTION:	12	l or 2 numerical digits .
TOWNSHIP:	121	l or 2 numerical digits followed by "N" or "S"
RANGE:	12W	l or 2 numerical digits followed by "E" or "W"
AREA CODE:	217	3 numerical digits
TELEPHONE NUMBER:	782-0610 .	3 numerical digits followed by a hyphen and 4 more numerical digits
ZIP CODE:	62546	5 numerical digits only

RESOLUTION FOR THE UNITED CITY OF YORKVILLE STANDARD SPECIFICATIONS FOR IMPROVEMENTS

Resolution No. 2004.39

These Standards apply to all infrastructure improvements, and may be modified as needed upon the advice of the City Engineer for special identified situations or conditions. All contractors shall give the City Engineer's office a minimum 48-hour notice of all work and of all required approvals. Failure to obtain these required approvals will require extensive testing, removal and replacement, and a ban for a minimum of one year, from working on the City's right-of-way. Subdividers that have been unfaithful in previous City agreements or developments, or who owe the City payments, will not be allowed to have work performed for them within the public right-of-way. Resident engineering inspection shall be provided through the City Engineer's office, and all such costs shall be charged to the developer by the United City of Yorkville. Required written approvals will not be given until outstanding bills are paid in full. The developer's improvement Letter of Credit or other subdivision securities will also be liable for all such costs. The developer shall be responsible for layout and staking engineering, as well as for record drawings by a registered Professional Engineer. These Specifications for Improvements shall become a part of each and every project approved by the United City of Yorkville, and no other specifications will take precedence.

All improvements included in the United City of Yorkville's Standard Specifications for Improvements, unless noted herein, shall conform to the latest editions of the State of Illinois "Standard Specifications for Road and bridge Construction", the "Manual on Uniform Traffic Control Devices", and all amendments thereto. These documents shall be considered as included within the City of Yorkville Standard Specifications for Improvements, and in the case of a conflict of requirements, the most stringent shall apply.

Prior to starting construction of any project, the developer shall attend a pre-construction meeting and bring a representative from each contractor, a list of all contact persons that can be reached at any time, and a complete schedule of all work to be performed.

No work is to start until the City Engineer and the City Administrator have approved the engineering plans, and the pre-construction meeting has been held. The City Engineer must approve any changes to the approved plans in writing. The City Engineer or a representative will, upon discovery of improper material or installation practices, issue a written document to the contractor, stating that failure to stop and correct such deficiencies will result in the City's refusal to accept such improvements or to issue any further building permits, or to perform required inspections.

The subdivider shall obtain and keep in force insurance coverage for Worker's Compensation, and Employer's Liability, Commercial General Liability, Commercial Automobile Liability, and Umbrella Liability, as described in IDOT's "Standard Specifications for Road and Bridge Construction". The United City of Yorkville shall be named as an additional insured. The insurance coverage shall remain in effect until the City accepts the entire development.

The City will not consider acceptance of the public improvements in a development until it is at least fifty (50) percent built out, or three years after the roadway binder course is paved, whichever is sooner.

Blasting will not be allowed.

September 27, 2004

ROADS

All roadways shall conform to the Illinois Department of Transportation (hereinafter termed IDOT) "Standard Specifications for Road and Bridge Construction", unless modified herein. Horizontal and vertical geometric for right-of-ways and roadways shall conform to the City Standards, listed in Figure 2.

Surface course must not be placed until at least seventy- (70%) percent of the adjacent, private improvements are in place. However, in no case shall the surface course be placed until the binder course has been in place for at least one full winter season. In no case shall the surface course be delayed more than three (3) years after the binder course has been installed.

The subgrade shall be graded and compacted to a hard, uniform surface, matching the slopes of the surface course. It shall have no rutting and shall completely drain to the outer edges. It shall be proof rolled by the contractor with a fully loaded (gravel) 10-cubic yard dump truck and witnessed by and approved in writing by the City Engineer's representative (hereafter termed City Engineer) before proceeding to build the roadway. All unsuitable subgrade shall be removed and replaced with compacted, stable clay material or shall be replaced with compacted CA6 limestone on an approved, non-woven roadway fabric (6.5 oz. minimum). Other geo-grids may be required for certain conditions. All bituminous mixtures shall be delivered and handled so that the bituminous mixture immediately behind the paver screen is at or above 270 degrees F. All asphalt delivered to the project shall be covered when the temperature is at or below 70 degrees F.

All subgrades, other than approved granular subgrades, shall be completely covered with a subgrade fabric (Amoco 4551 or approved equal), with a full 18 inches of overlap. Subgrade Fabric shall also be used on lime-stabilized sub grades. It shall be placed neat and tight, without wrinkles, tears, or defects. Construction equipment shall not be allowed to drive on the fabric until it has a minimum of four inches cover of granular base material. The City Engineer shall approve in writing the subgrade fabric installation prior to placing base material. The subgrade fabric shall extend a minimum of twelve inches beyond the back of each curb.

In areas where undercutting of the subgrade is required, the bottom of the excavation shall be lined with a woven geotextile (Amoco 2002 or approved equal), and backfilled with CA-3 aggregate.

The aggregate base course shall be compacted to a minimum of 95% Modified Proctor and shall be free of all dirt and debris. The course shall be proof rolled, as described above, and witnessed by and approved in writing by the City Engineer before proceeding to build the roadway. A bituminous prime coat shall be applied to the aggregate base course prior to paving.

The bituminous concrete binder course shall be placed only upon the written approval of the City Engineer. All asphalt must be laid utilizing a good-quality, properly-functioning, tracked or wheeled asphalt laying machine, utilizing fully-automatic, electronic sensing control from a stringline for the initial course, and from a minimum fifteen (15') foot ski for all other lifts. The bituminous binder course shall be proof rolled as described above, and witnessed by, and approved in writing, by the City Engineer before proceeding with the surface course. All repairs must be made as directed by the City Engineer. All bituminous pavement patches shall be at least fifty (50%) percent thicker than the pavement being patched.

Also, the binder course shall be bump tested by the contractor, and witnessed by the City Engineer, and all areas exceeding one-half inch (1/2") bumps, including header joints and any patch joints, shall receive a leveling course prior to surfacing. Areas of excessive patching will automatically receive a level course prior to surfacing. Prior to any leveling course or surface course, the streets shall be flushed clean and free of all dirt and debris. A bituminous tack coat will be required. Minimum temperature requirements for laying asphalt will be 5 degrees F higher than that allowed by IDOT specifications.

The bituminous concrete surface course shall be placed only upon the written approval of the City Engineer. All asphalt must be laid utilizing good-quality, properly functioning, tracked or wheeled asphalt laying machine, utilizing fully automatic, electronic sensing control from a minimum 15-foot ski. The surface course shall be bump tested by the contractor, and witnessed by the City Engineer. All bump test penalties specified by IDOT specifications shall be quadrupled, and areas that have an excessive amount of one-half inch (1/2") bumps shall be completely removed and replaced, not just the bump itself. Minimum temperature requirements for laying bituminous surface course will be five (5) degrees F higher than that allowed by IDOT specifications. The surface elevation of the asphalt at the concrete gutter shall be ¼ inch higher than that of the adjacent concrete. All streets shall have a cross slope of 2% from the centerline to the concrete curb.

Areas of segregated binder course and/or surface course shall be removed and replaced at the direction of the City Engineer. Segregated asphalt is the uneven distribution of course and fine materials in the asphalt characterized by pavement textures different from the surrounding material, and can usually be seen by the naked eye.

Pavements constructed from Portland Cement Concrete shall be designed in conformance with American Concrete Pavement Association Publications IS 184P and IS 061P, as amended.

Combination concrete curb and gutter will be required on all roadways. All curb and gutter shall be placed on an aggregate base with a minimum thickness of four inches, but in no case shall the curb and gutter subgrade be higher than one inch below the adjacent roadway subgrade. The height of the gutter flag shall be ten (10") inches, unless directed otherwise by the City Engineer. As noted previously, the roadway subgrade fabric will extend over the curb and gutter subgrade, and beyond by a minimum of twelve (12") inches. The concrete curb and gutter shall be reinforced with two #4 deformed bars, placed three (3") inches from the bottom, spaced twelve (12") inches apart, centered on the total width of the curb and gutter. Machine-placed concrete curb and gutter is to be utilized wherever practical, utilizing a minimum Class X concrete, and a five (5%) percent minimum air-entrainment. Plastizers will be allowed, but chlorides will not. An approved spray-on curing compound with red fugitive coloring shall be applied immediately after finishing, and a sealer, WR Meadows TIAC, or approved equal, shall be applied after seven days. The resident engineer shall be notified of these applications, and proof of purchase, with material specifications, will be required. The concrete curb and gutter shall have the required slip bar expansion joints, and 1/4 inch deep sawed contraction joints will be required every 15-20 feet, within 24 hours after each pour. Minor honeycombing on the two outer, vertical surfaces will be allowed, but they must be patched in an approved manner, and witnessed by the City Engineer, prior to backfilling. The clay backfill behind the curb shall be placed and compacted prior to placing aggregate base course.

Roadway extensions and stubs will be required as part of the development, with full improvements where needed, for future growth. Additional lanes, access improvements, traffic signalization, etc., may be required, at the developer's expense. The developer shall reimburse the City for two of each street name and regulatory signs and posts required, and the City will install them. All signs shall be high-intensity, as approved by the Director of Public Works. All pavement markings shall be thermoplastic. The developer shall reimburse the City for the cost of replacing any signs that are missing, stolen, or damaged prior to final acceptance.

The developer, to comply with these Standard Specifications for Improvements, shall improve existing roadways running through, or adjacent to, the development.

Half-streets are discouraged, but where they are necessary, on advice of the City Engineer, the minimum width street will be twenty-four (24') feet from the edge of pavement to the back of curb, on the development side of the roadway. Street lighting, sidewalk, and landscaping on the development side will be required. Temporary tee turn-arounds will be required on all streets stubbed for future roadway extension, as recommended by the City Engineer, and shown on the Final Plat. Paving for the tee will extend from right-of-way line to right-of-way line, to a length of fifteen (15') feet, and two radii of fifteen (15') feet. The pavement beyond the road edge shall be three (3") inches of bituminous concrete surface course, on a ten- (10") inch CA6 aggregate-compacted base, with pavement fabric. Concrete curb and gutter will not be required around the tee, and sidewalk will not required through the tee. The developer extending the street in the future shall remove the excess paving and base, place topsoil, and seed the area disturbed, construct the additional curbing so that the curb and gutter is continuous and uninterrupted from one development to another, and resurface for a distance of thirty (30") feet, including header joints, as approved by the City Engineer.

When a development includes construction along State and County highways, or other heavily traveled road, the developer shall post advance-warning signs. The developer shall consult with the Yorkville Police Department concerning the types and locations of signs, and shall obtain a permit from the appropriate jurisdictional agency prior to erecting the signage.

The City may require the roadway design to include traffic-calming measures. These measures may include, but not be limited to, curvilinear roadway layout, landscaping beyond the requirements of the Landscape Ordinance, traffic tables, and fog lines.

If a development includes the construction or modifications of traffic signals, the new signals shall be designed to have light-emitting diode (LED) lights. The traffic signal shall also have a battery backup device.

All new roadways shall be designed in accordance with IDOT Circular 95-11, or the most recently adopted IDOT standard for the design of flexible and full-depth bituminous pavements. The following minimum design criteria shall be used when applying the design method:

Design period = 20 years Traffic Factor Equations for 80,000 lb. Vehicles AC viscosity of AC-20

Class II Roadway 2.0% traffic growth rate Subgrade Support Rating of Fair

Local Residential Roadways

Local Residential Roadways are intended to carry an average daily traffic (ADT) volume of less than 1000. The right-of-way width shall be 66 feet. The bituminous concrete surface course shall be a minimum of 1.5 inches in thickness of Class "I" Superpave mixture. The bituminous concrete binder course shall be a minimum of 2.5 inches in thickness. The aggregate stone base shall be 10 inches in thickness of clean, crushed CA-6 gradation gravel or limestone. The roadways shall be bound with B-6.12 combination concrete curb and gutter to a width of thirty feet from back of curb to back of curb (B-B). The street radius for all intersecting streets shall be a minimum of thirty feet to the back of curb. The edge of pavement shall be cleaned and sealed with rubberized asphalt cement hot-poured joint sealer.

Estate Residential Roadways

Estate Residential Roadways are intended to carry an average daily traffic (ADT) volume of less than 1000. The right-of-way width shall be 70 feet. The bituminous concrete surface course shall be a minimum of 1.5 inches in thickness of Class "I" Superpave mixture. The bituminous concrete binder course shall be a minimum of 2.5 inches in thickness. The aggregate stone base shall be ten inches in thickness of clean, crushed CA-6 gradation gravel or limestone. The roadway surface shall be 28 feet wide with two 12.5-foot wide through-lanes. The lane edges shall be striped with a four-inch thermoplastic pavement marking. The roadway up to and including the aggregate stone base shall be 32 feet wide to provide a 2-foot wide aggregate shoulder (nominal thickness of at least 12 inches), and also to allow for future widening. Mailbox turnouts will be paved, using driveway specifications to determine thickness.

Minor Collector Roadways

Minor Collector Roadways are intended to carry 1000-2500 ADT. The right-of-way width shall be 70 feet. The bituminous concrete surface course shall be a minimum of 1.5 inches in thickness of Class "I" Superpave mixture. The bituminous concrete binder course shall be a minimum of 4.5 inches in thickness. The aggregate stone base shall be 12 inches in thickness of clean, crushed CA-6 gradation gravel or limestone. The roadways shall be bound with B-6.12 combination concrete curb and gutter to a width of 34 feet B-B. The street radius for all intersecting streets shall be a minimum of thirty feet to the back of curb. Minor collector roadways may provide direct access to adjacent private lots. The edge of pavement shall be cleaned and sealed with rubberized asphalt cement hot-poured joint sealer.

Collector Roadways and Commercial/Industrial Roadways

Collector Roadways are intended to carry 2500-12,000 ADT. The right-of-way width shall be 80 feet. These design standards shall also apply to all roadways directly serving commercial or industrial zoned areas. The bituminous concrete surface course shall be a minimum of 1.5 inches in thickness of Class "I" Superpave mixture. The bituminous concrete binder course shall be a minimum of 4.5 inches in thickness. The aggregate stone base shall be 12 inches in thickness of clean, crushed CA-6 gradation gravel or limestone. The roadways shall be bound with B-6.12 combination concrete curb and gutter to a width of 39 feet B-B. The street radius for all intersecting streets shall be a minimum of 40 feet to the back of curb. Collector roadways shall not provide direct access to adjacent lots in residential-zoned areas. The edge of pavement shall be cleaned and sealed with rubberized asphalt cement hot-poured joint sealer.

Major Collector Roadways

Major Collector Roadways are intended to carry more than 12,000 ADT. The right-of-way width shall be 100 feet. The bituminous concrete surface course shall be a minimum of 1.5 inches in thickness of Class "I" Superpave mixture. The bituminous concrete binder course shall be a minimum of six inches in thickness (2 lifts required). The aggregate stone base shall be 16 inches in thickness of clean, crushed CA-6 gradation gravel or limestone. The roadways shall be bound with B-7.18 combination concrete curb and gutter to a width of 51 feet (four 12-foot lanes) B-B. The City Engineer may require an additional 12-foot center turn lane, as deemed appropriate. The street radius for all intersecting streets shall be a minimum of 50 feet to the back of curb. The edge of pavement shall be cleaned and sealed with rubberized asphalt cement hot-poured joint sealer.

An alternative bituminous base course may be approved by the City Engineer, and B6-18 or B6-24 combination concrete curb and gutter may be required, based upon specific site drainage needs.

Boulevards

Boulevard-style roadways shall have a minimum width of 28 feet B-B for approaches to intersections. The minimum pavement width in other areas shall be 20 feet B-B.

SIDEWALK

Non-reinforced, concrete sidewalks will be required on both sides of all roadways. They shall be a minimum of four (4') feet wide where four (4') feet wide walks now exist, and five (5') feet wide in all other locations. All sidewalks shall be five (5") inches in thickness. They will be a minimum of six (6") inches in thickness across driveway approaches. All sidewalks shall have an aggregate base of CA 7, with a minimum thickness of two inches (five inches across driveway approaches). All concrete shall be Class X, with a minimum of five (5%) percent air-entrainments. Sidewalks shall slope two (2%) percent towards the street. Approved curing and sealing compounds are required, as specified previously for concrete curb and gutter. The back of the sidewalk shall be placed twelve (12") inches from the right-of-way line, unless directed otherwise. The sidewalk shall have a light broom finish. Formed contraction joints are required, at a spacing of five (5") feet. Expansion joint material, one-half inch in thickness, and full-depth, shall be placed every 100 feet. The subgrade for the sidewalk shall be uniform, neat, and compacted to a minimum 90% modified proctor.

Spalling or chips will not be allowed to be patched. All such areas will be removed from contraction joint to contraction joint, and replaced. All sidewalks will be in place prior to acceptance of the public improvements by the City, which includes in front of vacant lots. These areas must be protected during future construction.

No sidewalks are required in Estate-residential subdivisions. However, in the event sidewalks are not provided, a paved trail that abuts every lot must be provided, that meets the City's standards, specifically a ten (10') foot width, with an exit and entrance identification, consisting of two (2") inches of asphalt on eight (8") inches of CA6 aggregate. Dedicated easements at least fifteen (15') feet wide must be provided for the trail.

DRIVE APPROACHES

Drive approaches must be constructed to one of the following:

- Six inches, minimum of Class X concrete, with a minimum of five (5%) percent air-entrainment, over six inches minimum CA6 aggregate base over a 90% modified proctor compacted subgrade, with curing and sealing treatments, as specified above, under concrete curb and gutter. Expansion joint material, one-half (1/2") thick and full-depth, shall be installed at the curb and at the sidewalk.
- 2. Two inches, minimum of Class I bituminous concrete surface course, over a minimum base of eight (8") inches of CA6 aggregate over a 90% modified proctor compacted subgrade. The concrete sidewalk will be constructed through the drive approach, and any construction damage to the concrete sidewalk or curb will cause removal and replacement of those improvements. Drive approaches will not be constructed steeper than eight (8%) percent.
- 3. In Estate-residential subdivisions, all driveways must be paved with brick, asphalt, or concrete, and must have a concrete culvert with flared end sections. Culvert diameter shall be twelve (12") inches or greater, as required by the City.

PARKWAYS AND PARK SITES

All parkways, park sites, and other open spaces shall be landscaped and designed in accordance with the City of Yorkville's Landscape Ordinance and the Park Development Standards, as amended from time to time.

Any existing trees within a development deemed by the Parks Department and Public Works Department to be dead, dying, or of an undesirable species shall be removed by the developer. The developer shall not remove or cut down any trees without the prior consent of the Parks Department and Public Works Department, or as indicated in the approved landscape plan.

STREET LIGHTING SYSTEM

All streets shall have a complete street lighting system designed by a professional engineer. A street light will be required at all intersections, all curves, at all ends of cul-de-sacs, and at a maximum spacing of 300 feet. In Estate-residential subdivisions, street lights shall be required at intersections, and at a maximum spacing of 500 feet, with lights also placed at curves and a he end of dead-end streets. The poles shall be concrete with butt-type foundations. The City Engineer may require a streetlight to be placed at other points, as may be necessary in the public interest in unusual or special conditions. They shall be located at side lot lines, and on the opposite side of the street from the water main, wherever possible, and shall be set two feet from back of curb to face of pole. Occupancy permits cannot be issued until all streetlights in that phase of the development are installed, complete, and operational.

All exterior lighting of private property in new developments shall be designed, located, and mounted at heights no greater than twenty (20') feet above grade for non-cutoff lights, and forty- (40') feet above grade for cutoff lights. The lighting plan, photometrics, and shop drawings for lighting equipment shall be submitted prior to issuance of a building permit. Glare shall be minimized to the extent practical by orienting lights away from the public right-of-way and abutting properties, or by planting vegetation to provide screening. Exterior lighting shall be designed, located, and mounted so that the maximum illumination measured horizontally at the lot line does not exceed one (1') foot-candle.

<u>Light Distribution:</u> Luminaries of the Type II distribution as approved by the Illuminating Engineering Society (herein termed IES) shall be used, except at intersections where Type II or Type IV IES distribution shall be used. The City Engineer may designate the IES Type V distribution luminaries be used in the public interest under unusual or special conditions.

Individual Control: On individual control of lights, the photoelectric control shall be mounted on top of the luminare.

<u>Line Drop:</u> Voltage drop shall be no greater than three (3%) percent from power supply to the last pole, with no wire size smaller than No. Six (6) Type RHH or RHW Underground Service Cable (USC). All streetlights shall operate at 120 volts, except for those on major streets.

<u>Power Supply Location:</u> Connection to the power supply shall be made to comply with Commonwealth Edison Company rules and regulations, as amended fro time to time.

Conduit: All driveways, street, and sidewalk crossovers shall have two (2") inches of HD PVC conduit, used as raceways for underground cable.

<u>Underground Cable:</u> All underground cable shall be direct-buried cable, placed at a depth at least thirty-(30") inches below the normal finished grade. Three cables (Black, White, Green) shall be run from the pole to the power supply. Any underground cable broken more than once prior to Final Acceptance shall be replaced from the power source to the pole or from pole to pole.

Splices: All cable on the underground cable section shall be continuous, and no splicing shall be made underground. All necessary splices shall be made above ground level.

<u>Underground Cable Location:</u> Underground cable shall be installed in a trench not less than two feet from the back of the curb, except that in no case shall the underground cable be installed under the sidewalk.

Grounding: A copper-clad ground rod shall be placed at each pole. The rod shall be minimum 5/8-inch diameter, and ten (10') feet long.

<u>Fusing:</u> All underground feeders shall be fused at or below their rated capacity. Each standard shall contain in-line fuse holders, with proper fusing in series with each underground conductor to protect the luminare located on that pole.

Maintenance Prior to Acceptance: Once streetlights are operational, the Yorkville Public Works Department shall perform normal maintenance, even though the Yorkville City Council has not accepted the streetlight system. Normal maintenance consists of investigating the cause of an outage, and repairing it if the cause is a burned out lamp, fuse, or photocell. All other repairs shall be referred to the developer. The cost of performing normal maintenance prior to acceptance by the Yorkville City Council shall be paid from a "Streetlight Normal Maintenance" deposit established by the developer prior to recording the Final Plat. The deposit shall be \$300.00 per pole, or other such amount, as may be determined by the Yorkville City Council, from time to time. If the deposit proves insufficient, the developer shall replenish the deposit within thirty- (30) days of written request by the City Engineer. The Yorkville City Council shall return any unused funds to the developer upon acceptance of the streetlight system.

Streetlight Standard and Bracket: Local streets shall use 906 B19-AD4, American Concrete Company pole and bracket, or approved equal. Luminare shall be mounted 19'9" above the street, shall have a four-(4') foot arm. The pole shall be buried a minimum of five (5') feet below grade and backfilled with crushed CA6 limestone, watered, and compacted around the butt of the pole. The bracket is to be furnished with the pole.

The luminare shall be a General Electric Company No. M2RR1551N2AMS3F, or approved equal with the 1-1/4" side mount built-in ballast. The luminaries shall be fitted with General Electric Company "Lucalox" high-pressure sodium lamps LU 150/55/D, or approved equal, with GE Company ANSI specification "S55" high-pressure sodium ballasts (or approved equal) or American Electric 115 15-S-RN-120-R2-DA-4B.

Major Collector Streets: The lighting pole shall be Stress Crete E340-BPO-G, with Style 210 low rise tapered aluminum davit, or approved equals. The davit outreach length shall be eight (8') feet. The luminare shall be mounted thirty- (30') feet above the street. The pole shall have an embedment depth of five (5') feet, and be backfilled with CA 6 limestone.

The streetlight system shall be operated through controller(s) in ground-mounted cabinets. The controller and luminare shall operate at 240 volts. The controller shall be housed in a pad-mounted Type NEMA 3R enclosure. The exterior of the cabinet shall have a bronze tone powder-coat finish. The approximate dimensions of the cabinet shall be 42"H x 36"W x 12"D. A Com Ed meter socket shall be provided on the exterior of the cabinet.

The manufacturer or distributor shall guarantee streetlight standards, luminaries, ballast, lamps, and cables for their proper use, for one year, from the date of acceptance.

<u>Testing:</u> The subdivider shall manually trigger the photocell in order to have each street light burn continuously for at least 48 hours. During this burn test, amperage readings shall be taken, and must be within ten (10%) percent of the connected load, based on equipment ratings.

Parking Lot Lighting: Parking lots in areas zoned Business, Residential, or Office-Research, shall be provided with lighting necessary to achieve a minimum average of 2.0 foot-candles, as measured across the entire parking lot, and a maximum of 1.0 foot-candles, as measured at the adjoining property lines. Parking lots in areas zoned Manufacturing shall have a minimum average lighting intensity of one foot-candles, per square foot. Lighting shall be designed to avoid casting direct light or glare onto adjacent residential property.

STORM SEWER SYSTEM

A complete storm sewer system shall be required, consisting of closed conduits to an approved storm water storage system. All storm sewers within the public right-of-way and easements parallel to and adjacent to public right-of-way shall be reinforced concrete pipe (RCP), with a twelve (12") inch minimum diameter. Storm sewers in rear yards and side yards may be high-density polyethylene (H.D.P.E.) of a manufacturer and design, to be approved by the City of Yorkville. All roadways will have a system of inlets/catch basins, tied directly to the storm sewer. These storm water collection locations will be on both sides of the street, with a maximum longitudinal flow interval of 300 feet. All such collection points will be an inlet except the last structure before entering a storm sewer main shall be a catch basin with a two-foot sump. Catch basins or open-lid structures shall not be located over the sewer main. All backfill is to be a CA7 aggregate. All storm sewer roadway crossings from structure to structure must be backfilled with CA7 aggregate and completely encapsulated in an approved drainage fabric. In this manner, the curb subgrade, the storm crossings, and the inlets and catch basins create a roadway underdrain system for longer roadway life.

The City may require that storm sewers be constructed along the centerline of individual roadways at certain locations. Those locations shall normally be limited to within 100 feet of the lowest sag vertical curve of a roadway. Where these locations occur within a horizontal curve of the roadway, storm manholes shall be placed at the centerline of individual roadways.

If subgrade conditions are excessively sensitive to moisture or other special conditions, a capped, perforated, plastic underdrain may be required under the curb and gutter. All storm water conduits 12" diameter and larger shall be internally televised in color just prior to City acceptance, and shall be free of defects, sags, dirt, and debris. All non-RCP storm sewers shall also be mandrel tested (similar to sanitary sewer testing) just prior to City acceptance. All parking lots shall be drained internally, and directed by pipe to the storm sewer. Storm sewers shall extend to the limits of the development with proper sizing, as approved by the City Engineer, based upon current and future runoff conditions, to pick up and safely carry through the development any and all upstream bypass flows.

All new homes with basements or crawl spaces shall have a direct, underground conduit to the storm sewer system. Fill-in lots in areas with no storm sewer within 500 feet shall not be required to have this direct connection. Minimum depth of cover for these lines shall be 30 inches. All discharges shall have an approved automatic diverter calve immediately outside the house and a check valve inside the house. Multiple collection lines of four inch and six inch HD PVC will be allowed by an approved design. Terminal and junction points shall be at two-foot diameter precast concrete inlets with open-lid castings. The pipe from the house shall be a 2" minimum HD PVC with cemented joints. The connection to the storm sewer shall be through a neat, tight fitting, bored hole into the concrete pipe. After insertion of the sump pump discharge pipe into the concrete storm sewer pipe, the joint shall be sealed with hydraulic cement. In no case shall the sump pump discharge pipe extend beyond the inner surface of the concrete storm sewer pipe. Connections, however, shall be into a structure wherever practical.

Individual storm sewer services shall not be required in areas of the development where soil and ground water conditions indicate that sump pumps would run very infrequently. If the developer does not wish to install storm sewer services, he shall perform soil borings at regular intervals (300' to 400' grid typical) during the Final Plan preparation stage, to determine soil types and ground water elevations. Boring locations are subject to approval by the City. Each boring shall extend at least 20 feet below existing ground elevations and be referenced to the development benchmarks. If the boring logs show granular soil and also show ground water elevations at least five (5') feet below planned basement floor elevations, then individual storm sewer services shall not be required in that area of the development. During excavation of every basement in that area, the developer shall verify (with City representative present) that the granular soil and deep ground water conditions exist. If either condition is found not to exist at a building location, the developer shall construct a storm sewer service to that building, in conformance with these Standard Specifications.

The design of the storm water collection system shall be for a ten (10) year storm, running just full. The only exception to this is where the receiving storm water system has less capacity and here the new system of conduits shall be designed for a five (5) year event, running just full. The minimum velocity shall be 2.5 fps and the maximum shall be 8 fps. The storm sewer pipe shall have a minimum cover of three (3') feet. Storm sewer manholes shall be five (5') feet internal diameter, constructed of reinforced concrete, and shall be placed at a maximum spacing of 500 feet. Storm sewer manholes may be four (4') feet internal diameter when the largest sewer entering/leaving the manhole is 18" diameter, and the orientation of sewers connecting to the manhole is such that there is at least 12" of precast wall between the openings provided for sewers. The use of adjusting rings is limited in height to eight (8") inches. Inlet and/or catch basin frames and grates shall be Neenah No. 3015, East Jordan No. 7010, or approved equal. Whenever possible, castings for curb drains shall have a fish logo to discourage dumping of oils, pesticides, and other inappropriate items into the storm sewer system.

Where a continuous grade is carried across an inlet or catch basin casting, the open-vaned cover shall be used, Neenah No. R-32868V, East Jordan No. EV-7520, or approved equal. All manhole castings shall be Neenah No. R-1030, East Jordan No. 105123, and Type B cover, or approved equal. All type B covers shall have "City of Yorkville" and "Storm" cast into the top, and shall be concealed pickhole type. All sections of the manholes shall be completely sealed and butyl rope, including the casting. Manholes shall no be allowed in the pavement, curb, gutter, or sidewalk. All flared end sections 15" or larger shall have grates.

In Estate residential developments, a ditch shall be required on both sides of the street, and shall have a minimum profile slope of one (1%) percent (side slope 4:1 on the street side, and 3:1 on the lot side).

For developments ten acres in size or larger, the developer may use computer-based methods to determine stormwater storage volumes. The specific method and parameters used in employing the method shall be subject to the approval of the City Engineer.

For developments less than ten acres in size, the storm water storage system shall be designed utilizing a Modified Rational Method, as described below:

- 1. Q = (Cm) iA, where a run-off co-efficient or Ca is calculated for the site based upon actual proposed surface coverage. Cm then equals 1.25 times Ca.
- 2. The following run-off co-efficient shall be utilized as minimums:

<u>Surface</u>	<u>C</u>
Grass	.50
Asphalt/Concrete	.98
Roof	1.00
Detention	1.00

- 3. The maximum release at the designated 100-year level is 0.15 cfs/acre. The City Engineer shall reduce this allowable release rate where the downstream accepting system is experiencing drainage problems such as the Elizabeth Street swale where all receiving discharges are limited to 0.10 cfs/acre. The outlet structure design shall address the two-year (0.04 cfs/acre) and the 25-year (0.08 cfs/acre) storm control, in addition to the 100-year event.
- 4. When depressional compensatory storage is provided by increasing the volume of a stormwater detention basin, the maximum allowable release rates of the basin shall be reduced, as directed by the City of Yorkville to approximate the pre-development release of the depressional area, and realize the full storage potential of the enlarged basin.
- 5. The minimum size restrictor shall be a four-inch by twelve-inch long HD PVC pipe. The design must be designed for easy maintenance and cleaning during a storm event. The discharge shall be directly to a downstream storm sewer if one is available within a reasonable distance. If not, the discharge will be to the surface, with approved energy dissipation and downstream erosion protection.
- 6. The rainfall intensities to be utilized are those established by the Illinois State Water Survey's Bulletin #70, as amended for the specific City of Yorkville area. In designating the required storm water storage volumes, the maximum value calculated using the various events should be utilized. See Figure 3 for a sample calculation.
- 7. The storm water storage areas must have containment for twelve inches of additional storm water storage, with an approved calculated overflow area at six inches above calculated 100-year elevation. This overflow shall have an erosion concrete curtain wall, with a minimum thickness of 8 inches, a minimum depth of three feet below grade, and a length to extend a minimum of four feet beyond the limits of the overflow on either end. This wall is not to be formed, but is to be trenched or excavated into natural soil, or into the compacted fill, and is to be finished flush to the ground.
- 8. Storm water storage areas shall be covered by an easement, including access thereto, such that should the owner not maintain said area as necessary, the City can cause such corrections and bill the owner, including any and all administrative costs.

- 9. The engineering plans shall have a full sheet dedicated to the soil erosion and sedimentation control requirements for the development, including silt fencing, straw bales, drainage fabric, etc. Failure to properly maintain this system may result in major storm sewer cleaning within the site and in the offset storm system. The City reserves the right to place a hold on all building permits and inspections if the soil erosion and sedimentation control plan is not properly maintained. Keeping the streets clean is part of this plan, and failure to do so will result in these actions. The developer shall establish a Street Cleaning deposit with the City of Yorkville, in the amount of \$5000.00. If the streets are not cleaned within 48 hours of a written request by the Director of Public Works, the City shall have the streets cleaned, and subtract that cost from the deposit. The developer shall replenish the deposit to the full amount if it falls to less than \$1000.00. The Yorkville City Council shall return any unused portion of the deposit to the developer upon acceptance of the streets.
- 10. The developer shall establish basins onsite where concrete ready-mix trucks must wash out after delivering their load. Signs shall be posted at each entrance to the development to warn truck drivers of the requirement to wash out at specific sites, and notify them of the fine for non-compliance (up to \$100.00 for each offense). Each entrance sign shall include a simplified map of the development, to show the locations of the washout basins in the development. A sign shall also be posted at each washout basin, to identify the site. The developer shall maintain all signs, basins, and appurtenances in good condition until the City accepts the public improvements.

Washout basins shall be located outside of the public right-of-way, parks, and all public utility easements. They shall be located in relatively low-traffic areas, and be at least fifty- (50') feet from storm drains, open drainage facilities, and watercourses, unless approved otherwise by the City Engineer. Basins shall have a minimum twelve (12") inch thick CA-3 aggregate approach of sufficient width over a woven geotextile fabric, to reduce tracking of mud onto roadways. The washout area shall be contained by an earthen berm, and be at least ten (10') wide by ten (10') long. The maximum depth of a washout basin shall be three feet. When the volume of a washout basin is 75% full, the developer shall remove the hardened concrete and transport it to a legal landfill. Burying waste concrete onsite shall not be permitted.

The developer shall incorporate the items necessary to comply with this requirement, as well as provisions for maintenance, onto the erosion and sediment control plan sheet. All signage, washout basins, and appurtenances shall be in place before the first building permit is issued.

11. The engineering plans shall have one or more full sheets dedicated to the Final Grading of the entire site. The minimum grade for all grass areas shall be two (2%) percent, except that swale areas may be at one (1%) percent if it is over an approved, piped underdrain. Slopes shall be shown with arrows at all locations from all break points. A grading plan on an 8-1/2" x 11" paper for the actual building must be submitted for each building permit submitted, and will become a part of the building permit. All top of foundation elevations will be a minimum of two (2') feet, and a maximum of three (3') feet above the street centerline elevation, measured at the center of the lot in question, unless the City Engineer directs otherwise, based on site-specific conditions. Drives must be at a minimum slope of two (2%) percent, and maximum slope of eight (8%) percent towards the curb flow line from the garage. When the forms for the foundation are ready to pour, a top of foundation elevation and location certification of a registered surveyor or engineer, as approved by the building inspector, is required prior to pouring the concrete into the forms. The tolerance here is 0.15 feet lower and 0.5 feet higher, and behind all applicable setback and easement lines.

- 12. Requests for an occupancy permit must include an as-built grading plan, signed and sealed by a registered land surveyor, showing the original, approved grades and slopes, along with the actual grades, just prior to the occupancy permit request. The actual grades must fall within a tolerance of 0.15 feet in order to receive an occupancy permit. Top soiling and seeding or sodding, if applicable, must be in place prior to the final grading plan. All City-incurred costs of reviewing these grading plans shall be the responsibility of the developer. Note that specific building codes, ordinances, and permitting procedures, which may be established by the United City of Yorkville, shall supersede these requirements.
- 13. General grading and landscaping of the storm water areas shall be designated according to the Park Development Standards, Landscape Ordinance, and these Standard Specifications. The City may require that storm water detention and retention facilities, as well as grading, landscaping, and stormwater collection systems, incorporate currently acknowledged Best Management Practices to improve storm water quality. These may include, but are not limited to, naturalized detention basins, bio-swales, low impact design standards, perforated storm sewer, designs that reduce the degree of connected impervious areas, designs that encourage infiltration of stormwater, etc.

Wet ponds shall have a maximum allowable depth of two feet between the normal water level and the high water level corresponding to the Ten-Year Frequency Storm. The City may require wetland-type plantings and appropriate grading around the perimeter of wet ponds.

The developer shall provide a soil report, prepared by a licensed professional engineer, to determine whether or not lake lining will be required. Vertical or nearly vertical edge treatment will require an approved method, allowing a child to easily climb out of the water.

Storm sewers discharging to a stormwater basin shall be designed such that the sewer invert at the discharge point is no lower than 6" below the normal water level of the basin, and the top of sewer is no lower than the ten-year high water level of the basin.

- 14. Storm water storage basins shall operate independently of any watercourse or water body receiving the discharge from the basins. Bypass flows from upstream areas should bypass the storm water storage facility, where practical. The entire development shall be examined under the premise that all storm sewers are blocked and full when a 100-year event occurs, and the development can pass these flows without flooding homes. All overflows are to be contained within the right-of-way, or where absolutely necessary, through special drainage easements. All buildings shall have the lowest water entry a minimum of 18 inches above the elevations determined for this bypass situation.
- 15. Storm water detention shall not be required under the conditions listed below. The City reserves the right to require detention on any parcel of land if special circumstances exist, and to require that sewer be constructed as necessary, to carry away the storm water.
 - a) Proposed development or re-development of the existing lots zoned single-family detached, or duplex residential, less than 2.5 acres in gross area.
 - b) Proposed development or re-development of existing lots zoned other than single-family detached or duplex residential, that are less than 1.25 acres in gross area.

WATER SYSTEM

- 1. All water mains shall be Class 52 ductile iron pipe, conforming to the latest specification requirements of ANSI A21.5.1. Mains shall be cement lined, in accordance with ANSI A21.4. Fittings shall conform to ANSI 21.10. Gate valves shall be resilient wedge type, conforming to the latest revised requirements of AWWA specification C509. All water mains are to be polyethylene wrapped. Main line valves 10" diameter and larger are to be installed in a vault. Smaller main-line valves shall either be installed in a vault, or have a Trench Adapter valve box, similar to those used at fire hydrants. No vaults or valve boxes shall be in the pavement or sidewalk.
- 2. Water services up to 3" diameter shall be type "K" copper, conforming to the latest revised specification requirement of ASTM B88. Minimum size for residential units shall be one inch in diameter. Corporation stops shall be McDonald No. 4701, Mueller H-15000, or Ford F-600. Curb stops shall be McDonald No. 6104, Mueller H-15154, or Ford B22-333m, with Minneapolis patter B-boxes, similar to McDonald N.5614 or Mueller H-10300.
- Minneapolis type B-boxes shall be installed in the right-of-way, but not in the sidewalk or driveway.
- 4. Fire hydrants shall be one of the following:
 - 1. Clow F-2545 (Medallion)
 - 2. Mueller A-423 Super Centurian
 - 3. Waterous WB-67-250

Hydrants shall have a 5-1/4" main valve assembly, one 4-1/2" pumper nozzle, and two 2-1/2" hose nozzles, with national standard threads, a national standard operating nut, and above ground break flange. The installation of the hydrant shall conform to AWWA 600 standards. Auxiliary valve boxes shall either be Trench Adapter Model Six by American Flow Control, Clow F-2546 with F-2493 cover, or approved equal. For valve boxes other than those by American Flow Control, the box shall be attached to the hydrant barrel with grip arms, as manufactured by BLR Enterprises, or approved equal.

- 5. <u>Inspections and Installation</u>: All water mains shall be designed and installed in accordance with the Standard Specifications for Water Mains in Illinois. Upon completion, water mains shall be subjected to hydrostatic pressure test of 150-psi average for up to 4 hours. Allowable recovery shall conform to the Standard Specifications for Water & Sewer Main Construction in Illinois. The water operator in charge or person authorized by the water operator in charge shall be present during all testing. The developer shall use the pressure gauge supplied by the City for the test.
- 6. New water main shall be disinfected in accordance with AWWA standard C601. Water will be tested to assure that 50 mg/l of CL2 is in disinfected water. Sampling shall be taken by water operator in charge or persons authorized by the water in charge. Water must pass two consecutive days of sampling tests by a state approved lab.
- 7. Water mains shall be minimum eight inches internal diameter, with a cover of five feet, six inches below finished grade. Watermain stubs to hydrants shall be at least six inches internal diameter. City water mains and hydrants shall be placed of the North and West sides of the streets, unless approved otherwise the City Engineer. Valves shall be installed each second consecutive hydrant, at intersecting lines, and other locations as required, such that a minimum number of services will be affected during a main isolation.

Fire hydrants shall be installed throughout the subdivision at each intersection and at intervals not exceeding the requirements of two fire hydrants serving any point of any building, or 300 feet along the roadway, whichever is more stringent. Special conditions may dictate a closer spacing, as approved. Fire hydrants shall be located on the property line, except at corners, and shall be set two feet minimum and three feet maximum from the curb back to the face of the pumper nozzle. Where there is no curb and gutter, the face of the pumper nozzle shall be between 18 inches to 20 inches above finished grade line (sidewalk to curb).

Base elbow of hydrant shall be properly thrust blocked, and shall be provided with clean, washed CA7 aggregate and polyethylene covering. All hydrants and any adjustment fittings shall receive one field coat of red paint, as recommended by the manufacturer, prior to final acceptance.

- 8. All tees, bends, fire hydrants, and valves shall be adequately blocked with pre-cast blocks and poured in place thrust blocking against undisturbed earth.
- 9. Services shall be equipped with corporation stop, curb stop, and buffalo box. The buffalo box shall be set in the parkway, on the centerline of the property, approximately centered between the back of sidewalk and the adjacent right-of-way line. Service trenches beneath or within two feet of proposed driveways, sidewalks, or other pavements shall be backfilled full-depth with aggregate. Except as permitted below, the underground water service pipe and the building drain, or building sewer, shall be not less than ten feet apart horizontally, and shall be separated by undisturbed or compacted earth. The water service pipe may be placed in the same trench with the building drain and building sewer if the conditions listed below are met:
 - A. Local conditions prevent a lateral separation of ten feet;
 - B. The bottom of the water service pipe at all points shall be at least 18 inches above the top of the sewer line at its highest point. All water and sewer services must be inspected an approved by the building inspector prior to backfilling.
 - C. The water service pipe shall be placed on a solid shelf, excavated at one side of the common trench, and shall have no joints from the buffalo box to the water meter inside the house; and
 - D. The material and joints of sewer and water service pipe shall be installed in such a manner, and shall posses the necessary strength and durability to prevent the escape of solids, liquids, and gasses there from under all known adverse conditions, such as corrosion, strains due to temperature changes, settlement, vibrations, and superimposed loads.
- 10. Depth of bury shall be 5'6" below finish grade. No joints will be allowed between the corporation stop and the curb stop.
- 11. All watermain shall be looped and double fed, and shall be extended to the far limits of the development, and in size appropriate for future development, as directed by the City Engineer. Recapture and over-sizing may be applicable.
- 12. The developer shall reimburse the City of Yorkville for the cost of water to fill and test new watermains, and also for the cost of laboratory tests after chlorination. The water cost shall be at the bulk rate charged by the City of Yorkville at that time. The volume of water shall be calculated as the volume of two and one-half times the lengths and diameters of new watermains.
- 13. Watermain proposed to cross existing city streets shall be constructed by directional boring. Open-cut construction shall not be allowed without consent from the Public Works Director.
- 14. Connections to existing watermains shall employ line stops to minimize the disruption of service to existing residents.

SANITARY SEWER SYSTEM

A complete sanitary sewer system is required for all new development. The minimum internal size of sanitary sewer main shall be eight inches in diameter. The top of the sewer main shall be a minimum of three feet lower than the lowest floor elevation at all service connection locations, but not less than eight feet below finished grade, wherever possible. Should the sewers serving a particular development not be deep enough to serve the basement, as noted above, then overhead plumbing will be required. However, all levels of the building must be served by gravity, with only the below-grade levels being served by a pump unit. The City Engineer may require that certain buildings not have subgrade levels due to special situations.

The sanitary sewer shall be extended to the development's far extremes, as directed by the City Engineer, for proper and orderly growth. The city Engineer will also direct the sizing and grades for the sewer, so as to fit the overall plan for the City. The City strongly discourages the use of lift stations, but if the City Engineer approves the use of a public lift station, the following shall be required as a minimum:

- A. The pumps shall be submersible, with a back up pump and well-designed wet well.
- B. The station building shall be a brick structure with conventional-pitched roofing and paved access. The building shall comply with all International Building Code regulations, and shall be heated and ventilated. The subdivider shall follow normal building permit procedures, and pay the normal fees for construction of the lift station building.
- C. The unit will be equipped with a back-up power source, utilizing natural gas as a fuel, and can operate on manual or fully automatic mode, complete with a variable exercise mode.
- D. The motor control center shall have a solid-state duplex logic. Sewage level in the wet well shall be measured with a pressure transducer. A dial-out alarm system matching that currently in use in the City shall be provided.
- E. The City Engineer must approve any and all lift stations, and may require other improvements.
- F. There shall be good-quality noise control, and all electronic components shall be explosion-proof.
- G. Force mains shall be sized to carry the initial, intermediate, and ultimate flow rates from the tributary area, at a velocity of between 3.0 and 6.0 feet per second. Material shall be watermain quality Ductile Iron with polyethylene encasement. Gate valves in vaults shall be constructed in the force main at intervals not exceeding 600 feet, to allow quick isolation in the event of a leak. Blow-off valves in vaults shall be constructed at high points in the force main, and shall discharge to sanitary sewers, where possible. Force mains shall be tested at 150-psi for two hours, similar to watermain testing.
- H. The sub-divider shall maintain an inventory of each size and type fuse, relay, and other plugin type devices used in the lift station motor control center, as recommended by the manufacturer. These items shall be housed in a wall mounted metal cabinet. The subdivider shall also supply a heavy-duty free standing metal shelf with not less than square feet of shelf space, and one (1) fire extinguisher rated for Type A, B, and C fires.
- I. The sub-divider shall provide start-up training to the Public Works Department personnel, and shall provide three sets of Operations and Maintenance Manuals for all equipment at the lift station.
- J. Underground conduit shall be heavy-wall PVC.

K. The exterior of the wet well shall be waterproofed. The City may require the wet well to have a minimum internal diameter of up to eight feet.

Sewer construction cannot start until the Illinois Environmental Pollution Agency (IEPA) has notified the City Engineer that approvals have been secured. Sanitary sewer pipe shall be PVC plastic pipe, with a minimum SDR 26. All pipe and fittings shall be pressure rated in accordance with ASTM D-2241 and ASTM D-3139 (per AWWA C-900) for sizes 6-15 inches. Solvent joints are not permitted.

All public sanitary sewers will be air and mandrel tested (7-point minimum) by the developer, at his expense, under the supervision of the City Engineer. One copy of the report shall be forwarded to the Yorkville-Bristol Sanitary District, and one report shall be forwarded to the City Engineer.

All testing will be done in conformance with the "Standard Specifications For Water and Sewer Main Construction in Illinois", current edition.

All public sanitary sewers shall be internally televised in color and recorded on videotape and written log by the developer, at his expense, under the supervision of the City Engineer, to ensure that the sewers are straight, unbroken, tight, and flawless. There must be good-quality lighting for a sharp and clear image of all sewer segments. Poor quality images will result in re-televising the system, at the developer's expense. The videotape must clearly mark the segment being televised through manhole numbering, and the image must clearly identify the footage as it progresses through the pipe. One copy of the complete videotapes and written log shall be forwarded to the Yorkville-Bristol Sanitary District, and one complete set shall be forwarded to the City Engineer.

All manholes will be required to be internally vacuum tested by the developer, at his expense, under the supervision of the Engineer. This test will check the integrity of the complete structure, from the invert to the casting, including all adjusting rings. One copy of the test results shall be forwarded to the Yorkville-Bristol Sanitary District, and one copy shall be forwarded to the City Engineer. Vacuum testing of each manhole shall be carried out immediately after assembly backfilling, and rough grading, and shall be witnessed and approved by the City Engineer. All lift holes shall be plugged with an approved non-shrinking grout. No grout will be placed in the horizontal joints before testing. All pipes entering the manhole shall be plugged, taking care to securely brace the plugs from being drawn into the manhole. The test head shall be placed at the inside of the top of the casting and the seal inflated in accordance with the manufacturer's recommendations. A vacuum of ten inches of mercury shall be drawn and the vacuum pump shut off. With the valve closed, the time shall be measured for the vacuum to drop to nine inches. The manhole shall pass if the time is greater than 60 seconds for a 48-inch diameter manhole, 75 seconds for a 60-inch manhole, and 90 seconds for a 72-inch manhole. All manhole castings shall be Neenah No. R-1030 frame, East Jordan No. 105123, and Type B cover, or approved equal.

If the manhole fails the initial test, necessary repairs shall be made with a non-shrink grout, while the vacuum is still being drawn. Retesting shall proceed until a satisfactory test result is obtained. If the rim of a sanitary manhole needs to be reset or adjusted after successful vacuum testing, but before the expiration oft eh one-year warranty period, it shall be sealed and adjusted properly in the presence of the City Engineer. Failure to do so will require the manhole to be vacuum tested again.

All manhole frames shall be Neenah No. R-1030, East Jordan No., 105123, or approved equal, with Type B covers. All Type B covers shall have "City of Yorkville" and "Sanitary" cast into the lid, and shall have concealed pick holes with a machined surface and watertight rubber gasket seals. All manhole segments, including the frame and adjusting rings, shall be set with butyl rope joint sealant. Manholes shall be minimum four-foot diameter, and shall not be located in pavement, curb, gutter, or sidewalk.

All sanitary sewer manholes shall be provided with approved cast in place rubber boots (flexible manhole sleeve), having a nominal wall thickness of 3/16" with a ribbed concrete configuration and with stainless steel binding straps, properly sized and installed for all conduits.

All manholes shall be reinforced precast concrete, and shall be located at intersections and spaced at a maximum interval of 300 feet, except that a closer spacing may be required for special conditions. The maximum allowable amount of adjusting rings shall be eight inches in height using as few rings as possible. All manholes shall be marked at the time of construction with a four-inch by four-inch hardwood post neatly installed vertically and with a minimum three-feet bury and a minimum four-foot exposed. The top one-foot of the post shall be neatly painted white.

Wells and septic systems are allowed in Estate-residential developments that are not within 250 feet of water and/or sewer service. When each lot is within 250 feet of water and/or service, that lot may maintain their septic and/or well only until failure of the septic or well. At that time the lot must, if within 250 feet of the sewer and/or water line hook-up to the sewer and/or water, as the case may be, connect to the City utilities at the lot owner's sole expense. After connection to the City Sanitary Sewer System, individual septic fields shall be abandoned by pumping out the tank, knocking in the cover, and filling with dirt or stone in accordance with Health Department regulations.

TRAFFIC STUDY

A traffic study may be required, and shall include:

- 1. Levels of service for existing conditions;
- 2. Levels of service for post-construction conditions;
- 3. All calculations shall be conducted according to the "Highway Capacity Manual";
- 4. Recommendations as to additional/limited access, additional lanes, signalization, etc.

If the City of Yorkville requires a traffic study for a development, that study will be contracted for by the City, and paid for by the developer. The developer shall establish a Traffic Study deposit with the City of Yorkville, in an amount to be determined by the City Engineer. The City shall return any unused portion of the deposit to the developer upon approval of a Final Plat or Site Plan.

If the land use plan of the development changes during the approval process, the developer may be required to make additional deposits to fund re-analysis and revisions to the Traffic Study.

The need or requirement for a traffic impact study shall be determined during the concept or preliminary planning stage of the proposed development. The developer/subdivider shall meet with City of Yorkville officials during one of these stages for the purpose of determining the traffic study requirements. When the City of Yorkville requires that a traffic study be prepared based upon the above, the study shall include, but not be limited to, addressing the following issues:

<u>INTRODUCTION</u>: A general description of the proposed development, including it's size, location, the political jurisdiction in which the site is located, the boundary limits of the study area, and any other information needed to aide in the review of the development's traffic impacts.

<u>PROJECT DESCRIPTION:</u> A description of the existing and proposed land uses of the development. If alternative land uses are being proposed, the highest trip generation uses shall be assigned for each land use.

<u>SITE ACCESSIBILITY</u>: A clear and concise description of the proposed ingress/egress points to the proposed development, including a sight distance analysis.

EXISTING EXTERNAL ROADWAY NETWORK: A description of the existing external roadway networking the vicinity of the proposed development, to include functional classification, primary traffic control devices, signalized intersections, roadway configurations, geometric features (curves and grades), lane usage, parking regulations, street lighting, driveways servicing sites across from or adjacent to the site, and right-of-way data. The area of influence shall be determined by the traffic generated from the site, the trip distribution of traffic, and the trip assignment of the traffic generated by the development over the surrounding area road network.

EXISTING AM, PM, & TOTAL DAILY TRAFFIC VOLUMES: Existing AM, PM, and total daily traffic volumes for access driveways (if existing), intersections, and the roadway network in the site vicinity shall be determined and displayed on a graphic(s) in the final report. To determine AM and PM existing traffic volumes, machine counts and/or manual counts shall be conducted during a three-hour period of the morning, between approximately 6:00 AM to 9:00 AM of an average or typical weekday, and also between approximately 3:00 PM to 6:00 PM, on an average or typical weekday. Peak hour counts may be required on Saturday and/or Sunday, depending on the proposed land use. All AM and PM peak hour counts shall be recorded and summarized in fifteen-minute increments, and be included in the Appendix of the final report. Manual counts shall include vehicle classifications, i.e. passenger cars, single-unit, multi-unit trucks and buses. Traffic counts shall show both entering and exiting traffic at the proposed access points (if existing), in addition to turning and through traffic movements at critical intersections.

TRIP GENERATION RATES AND VOLUMES: Trip generation rates and volumes for each type of proposed land use shall be determined for the AM and PM peak hours, and total daily volumes may be required on Saturday and/or Sunday, depending on the proposed land use. The trip generation rates shall be calculated from the latest data available contained in the Institute of Transportation Engineer's "Trip Generation Manual". If trip generation rates for a specific land use are not available from the "Trip Generation Manual", the United City of Yorkville shall approve the substitute rates.

SITE-GENERATED TRIP DISTRIBUTION & ASSIGNMENT: The most logically traveled routes in the vicinity of the development shall be used for trip distribution and assignment purposes. The directional distribution of site-generated traffic approaching and departing the development should be shown in both graphic and tabular form. All assumptions used in the determination of distribution and assignment shall be clearly stated.

EXISTING, PLUS SITE-GENERATED TRAFFIC VOLUMES: Existing, plus site-generated traffic volumes for the AM and PM peak hours, and total daily traffic for access drives, intersections, and the roadway network in the site vicinity shall be determined and displayed on a graphic(s) in the final report. Traffic volumes shall show both entering and exiting traffic at the proposed access points, in addition to turning and through traffic movements at critical intersections.

FUTURE TRAFFIC (EXISTING, PLUS SITE-GENERATED) VOLUMES: Future traffic (existing, plus site-generated traffic volumes) for the AM and PM peak hours, and the total daily traffic for access drives, intersections, and roadway network in the site vicinity shall be determined and displayed on a graphic(s) in the final report. Projected increases in the external (non site-related) roadway traffic must also be determined. The selection of a horizon year for which traffic operation conditions are to be characterized may be considered as the date full build-out and occupancy is achieved. If the project is a large multi-phased development in which several stages of development activity are planned, a number of horizon years may be required, that correspond to the bringing on line of major development phases. Horizon dates should be times to coincide with major stages of the overall project, or to coincide with increments of area transportation system improvements.

INTERSECTION CAPACITY ANALYSIS: Proposed access driveways and influenced intersections shall be subject to an existing, plus projected, capacity analysis. Projected traffic conditions shall include the effects of any committed developments within the influenced area. The existing and projected levels of service derived from the analysis shall be used to aid in the evaluation of design and operation alternatives of the access driveways and influenced intersections. The capacity analysis shall be in accordance with the techniques described in the most recent edition of the Transportation Research Board's "Highway Capacity Manual", Special Report 209.

SIGNALIZATION WARRANTS: If it is anticipated that the development's driveway(s) or existing external non-signalized intersections will satisfy signalization warrants, a warrant analysis shall be conducted, using the projected volumes determined from the trip generation. The results of such an analysis shall be tabulated in the traffic impact study.

<u>CONCLUSIONS AND RECOMMENDATIONS:</u> Clear and concise descriptions of the findings shall be presented in the final report. These findings shall include all recommended improvements for access facilities, internal roadways and intersections, and external roadway and intersection improvements.

DRIVEWAY AND PARKING LOT PAVING

ALL DRIVEWAYS AND PARKING LOTS SHALL BE PAVED AS PER THE FOLLOWING SPECIFICATIONS:

1. ASPHALT:

A. RESIDENTIAL

Two-inch I-11 bituminous concrete surface, over eight-inches (minimum) of compacted CA6 limestone or crushed gravel.

B. COMMERCIAL/INDUSTRIAL

Three-inch I-11 bituminous concrete surface, over ten-inches (minimum) of compacted CA6 limestone or crushed gravel.

2. CONCRETE:

A. RESIDENTIAL

Six-inch Class X, over six-inches (minimum) of compacted CA6 limestone or crushed gravel.

B. COMMERCIAL/INDUSTRIAL

Eight-inch Class X, over eight-inches of compacted CA6 limestone or crushed gravel.

3. PAVING BRICK:

A. RESIDENTIAL

Paving brick over one inch of sand and eight inches of compacted CA6 limestone or crushed gravel.

4. **SEALCOAT:**

A. COMMERCIAL/INDUSTRIAL

An A3 seal coat, as defined by the IDOT's Standard Specifications for Road and Bridge Construction, may be allowed on areas behind the building, when used as a temporary surface, not to exceed three years, after which it must be paved to the above specifications. The same base should be ten inches (minimum) of compacted CA6 limestone or crushed gravel.

This Resolution shall be in full force and effect form and after its due passage, approval, and publication, as provided by law.

Passed and approved by the Mayor of the United City of Yorkville, Kendall County, Illinois,

This 12 day of 000, 200

Passed and approved by the City Council of the United City of Yorkville, Kendall County, Illinois,

This day of Cale, 2004

ATTEST: <

City Clerk

SEAL

RICHARD STICKA	5	WANDA OHARE	7
VALERIE BURD	<u>→</u>	LARRY KOT	4
MARTY MUNNS	-	PAUL JAMES	~
JOE BESCO	2	ROSE SPEARS	3

STATE OF ILLINOIS)

COUNTY OF KENDALL)

ORDINANCE NO. 2008- 🔼

ORDINANCE AMENDING TITLE 8 OF THE CITY CODE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS

Whereas, the United City of Yorkville (the "City) has determined that the protection, preservation, replacement, maintenance and restoration of the Isolated Waters of Yorkville are important goals needed to protect fragile resources which provide many public benefits to the City's residents; and

Whereas, the City directed Conservation Design Forum to prepare Wetland Protection Regulations For Water Quality and Storm Water Management Benefits for review by the City Engineer and the City Council; and

Whereas, after months of review, discussion and comment, the City is prepared to adopt and implement the Wetland Protection Regulations For Water Quality and Storm Water Management Benefits and all Appendixes attached thereto, dated January 1, 2008.

Now therefore be it Ordained by the Mayor and City Council of the United City of Yorkville, Kendall County, as follows:

Section 1. The City Code of the United City of Yorkville is hereby amended in adding the following new Chapter to Title 8:

Chapter 16

WETLAND PROTECTION AND WATER QUALITY AND STORM WATER MANAGEMENT BENEFITS

- 16-1-1: Purpose: Preservation of the remaining Isolated Waters of Yorkville and Waters of the United States, in a natural condition, is necessary to maintain hydrological, economic, recreational, and aesthetic natural resource values for existing and future residents and therefore it is a long-term goal of net gain of Isolated Waters of Yorkville and Waters of the United States to be accomplished through the mitigation requirements of regulations providing for protection and management of these resources.
- 16-1-2: Regulations Adopted: The United City of Yorkville Wetland Protection Regulation For Water Quality and Storm Water Management Benefits, dated January 1, 2008, hereinafter referred to as "Wetland Regulations", copies of which are on file with the City Clerk are hereby adopted.
- 16-1-3: Permit Required: No person, firm, corporation, governmental agency or organized district shall commence any development or construction on any lot or parcel of land without obtaining a permit therefore, if required by the Wetland Regulations.
- 16-1-4: Enforcement: It shall be the duty of the City Administrator to enforce the provision of this title and the City Administrator or such other person as may be designated by the City Council may order work stopped whenever any development or construction is being done in violation of this title.

Section 2. This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

ROBYN SUTCLIFF ARDEN JOE PLOCHER GARY GOLINSKI	JOSEPH BESCO WALLY WERDERICH MARTY MUNNS	- W
ROSE SPEARS	JASON LESLIE	
Approved by me, as Mayor of the Un Illinois, this day ef	ited City of Yorkville, Kendall A.D. 2008. Value Bo	County,

Passed by the City Council of the United City of Yorkville, Kendall County,

Illinois this _____, A.D. 2008.

ATTEST:

CITY CLERK

MAYOR

Prepared by: Kathleen Field Orr City Attorney United City of Yorkville 800 Game Farm Road Yorkville, Illinois 60560

UNITED CITY OF YORKVILLE WETLAND PROTECTION REGULATION FOR

WATER QUALITY AND STORMWATER MANAGEMENT BENEFITS

THE UNITED CITY OF YORKVILLE

January 1, 2008

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Article 1
Authority and Purpose

Section 1.1 Statutory Authority

These regulations are enacted pursuant to the police powers granted to this City by The Illinois Municipal Code

Section 1.2 Findings

The United City of Yorkville finds that Isolated Waters of Yorkville and Waters of the U.S. for the Fox River, Aux Sable, Blackberry Creek, and Rob Roy watersheds including their tributaries, are indispensable and fragile resources that provide many public benefits including maintenance of surface and groundwater quality through nutrient cycling and sediment trapping as well as flood and storm water runoff control through temporary water storage, slow release, and groundwater recharge. In addition, Isolated Waters of Yorkville provide open space; passive outdoor recreation opportunities; fish and wildlife habitat for many forms of wildlife including migratory waterfowl, and rare, threatened or endangered wildlife and plant species; and pollution treatment via biological and chemical oxidation processes.

Preservation of the remaining Isolated Waters of Yorkville and Waters of the U.S. in a natural condition shall be and is necessary to maintain hydrological, economic, recreational, and aesthetic natural resource values for existing and future residents of the United City of Yorkville, and therefore the City Council declares a policy of no net loss of Isolated Waters of Yorkville and Waters of the U.S. Furthermore the City Council declares a long-term goal of net gain of Isolated Waters of Yorkville and Waters of the U.S. to be accomplished through mitigation these regulations

Section 1.3 Objectives

The principal objective of these regulations is the protection, preservation, replacement, proper maintenance, restoration, and use in accordance with the character, adaptability, and stability of the Isolated Waters of Yorkville in order to prevent their pollution or contamination; minimize their disturbance, and prevent damage from erosion, siltation, and flooding. Other objectives of these regulations include:

- Preserve and enhance the natural hydrologic and hydraulic functions and natural characteristics of
 watercourses and wetlands to protect water quality, aquatic habitats, provide recreational and aesthetic
 benefits, and enhance community and economic development
- Maintain and enhance the special aquatic resources of the City.
- Protect environmentally sensitive areas from deterioration or destruction by private and public actions
- Protect and improve surface water quality and promote best management practices of surface water runoff prior to entering lakes, ponds, wetlands, streams, and rivers
- Require planning for development to carry out water resource management including the protection of
 natural areas such as remnant woodland and prairie habitats, wetlands, waterways, steep topography,
 and highly erodible soils, in order to reduce potential impacts, or creation of unstable conditions that
 may promote erosion and degradation of ground and surface water quality.
- Coordination of and support for the enforcement of applicable federal, state, and county statutes, ordinances, and regulations pertaining to Waters of the U.S., floodplain regulations, and soil erosion and sediment control.
- Establishment of standards and procedures for the review and regulation of the use of Isolated Waters
 of Yorkville
- A procedure for appealing decisions

Section 2.1 Definition of Terms

Terms not specifically defined shall have the meaning customarily assigned to them.

Agricultural land is land predominantly used for agricultural purposes.

Applicant is any person, firm, or governmental agency who submits an application for a permit under these regulations and shall be responsible for meeting and complying with all conditions and standards of these regulations.

BMP or best management practices is a measure used to control the adverse stormwater related effects of development, and includes structural devices (e.g., swales, filter strips, infiltration trenches, level spreaders, and site runoff storage basins designed to remove pollutants), reduce runoff rates and volumes, and protect aquatic habitats. In addition, nonstructural approaches used to prevent contamination of runoff include planning and design practices that reduce impervious areas, provide comprehensive site planning, and implement buffer zones, setback requirements, easements, and critical areas. Other nonstructural approaches include public education and maintenance programs

Buffer is an area of predominantly vegetated land adjacent to Isolated Waters of Yorkville and Waters of the U.S. that are to be left as open space for the purpose of providing stabilization, reduction of contaminants, and eliminate or minimize impacts to such areas. For all new development, buffer areas shall consist of deep-rooted native vegetation unless otherwise approved by the Staff

Category I wetland impact means wetland impacts to Isolated Waters of Yorkville that are less than or equal to one (I) acre and does not impact high quality aquatic resources

Category II wetland impact means wetland impacts to Isolated Waters of Yorkville that are greater than one (1) acre and does not impact high quality aquatic resources

Category III wetland impact means wetland impacts to roadside drainage ditches or manmade stormwater management facilities that meet the definition of Isolated Waters of Yorkville

Category IV wetland impact means wetland impacts for the restoration, creation, and enhancement of Isolated Waters of Yorkville provided that there are net gains in aquatic resource function.

Category V wetland impact means wetland impacts to high quality aquatic resources as defined in these regulations

Category VI wetland impact means wetland impacts to farmed wetland

Channel is 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 that has a definite bed and bank or shoreline, in or into which surface, groundwater, effluent, or industrial discharges flow either perennially or intermittently.

Channel modification is alteration of a channel by changing the physical dimensions or materials of its bed or banks, and includes damming, riprapping (or other armoring), widening, deepening, straightening, relocating, lining, and significant removal of bottom or woody rooted vegetation, but does not include the clearing of debris or removal of trash or dredging to previously documented thalweg elevations and sideslopes

City is the United City of Yorkville

Developer is a person, firm, or institution who creates or causes a development. The developer of any said development that is under the these regulations shall be responsible for meeting and complying with all conditions and standards of these regulations

Development is any manmade change to the land and includes -

- A the construction, reconstruction, repair, or replacement of a building or any addition to a building;
- B the installation of utilities, construction of roads, bridges or similar projects;
- C. the construction or erection of levees, walls, fences, dams, or culverts;
- D drilling or mining activities;
- E the clearing of land as an adjunct of construction;
- F channel modifications, filling, dredging, grading, excavating, paving, or other nonagricultural alterations of the ground surface;
- G any direct or indirect wetland impacts including the removal of vegetation to the extent such that the wetland would no longer meet the criteria of supporting a dominance of hydrophytic vegetation as defined in the 1987 Wetlands Delineation Manual except that which would be considered appropriate for management purposes;
- H any other activity of man that might change the direction, height, or velocity of flood or surface water, including the extensive removal of vegetation;
- I the storage of materials and the deposit of solid or liquid waste; and
- J. the installation of a manufactured home on a site, the preparation of a site for a manufactured home, or the installation of a recreational vehicle on a site for more than 180 days

Development does not include maintenance of existing buildings and facilities such as resurfacing of roadways when the road elevation is not significantly increased or gardening, plowing, and similar agriculture practices that do not involve filling, grading, or construction of levees. Nor does development include agricultural uses, maintenance of existing drainage systems for the limited purpose of maintaining cultivated areas and crop production or for any agricultural uses or improvements undertaken pursuant to a written NRCS conservation plan

Ecological restoration is the re-establishment of a natural area or plant community via associated management practices such as prescribed burns, weed control, selective clearing, reintroduction of native plant species, etc.

Endangered species See Threatened and Endangered species.

Ephemeral stream is a stream whose bed elevation does not intersect with the groundwater table and carries flow only during and immediately after a runoff producing rainfall event.

Ephemeral wetland is a temporary wetland or shallow mudifat that supports a unique ecosystem. This also includes temporary and intermittent wetlands

Erosion is the process whereby soil is removed by flowing water, wave action, or wind.

Farmed wetland means wetlands that are identified by the NRCS in a Certified Wetland Determination as currently farmed, or have been farmed within 5 years previous to the permit application date, as defined in 7 CFR Part 12 (61 FR 47025).

Fen is a wetland community that occurs in areas where glacial formations are such that carbonate-rich ground water discharges at a constant rate along the slopes of kames, eskers, moraines, river bluffs, dunes, or in flats associated with these formations

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Floristic inventory is a record of all existing vegetation within a defined project area. This includes all woody (trees and shrubs) as well as herbaceous plants, i.e., wildflowers and grasses

Floristic Quality Assessment (FQA) refers to a method of assessing landscapes based upon the existing vegetation. A useful method for determining the floristic quality of an area is through an analysis of the conservatism and diversity of species appearing in a plant inventory. Refer to floristic quality index and Mean C for further definition of terms

Floristic Quality Index (FQI) is a statistic derived by multiplying Mean C by the square root of the number of species inventoried. This parameter is correlated to the diversity and conservatism of native plant species present within a plant community as defined in *Plants of the Chicago Region*, 4th Ed. (Swink and Wilhelm, 1994)

Forested wetland is an area dominated by wetland plants that have a predominance of woody vegetation with periodic flooding. Two types of forested wetlands exist as defined by the Illinois Department of Natural Resources. The most common are areas adjacent to rivers and swamps with silver maple, sycamore, and cottonwood as predominant species and rotting logs littering the forest floor. Drier forested wetlands experience occasional flooding with oaks, elms and hickory as predominant species with a variety of annual and perennial plants that cover the forest floor.

Functional assessment is an assessment of a wetland's flood storage, water quality, wildlife habitat, and other beneficial functions

Groundwater is that water that is located within soil or rock below the surface of the earth.

High Quality Aquatic Resources (HQAR) means aquatic areas considered to be regionally critical due to their uniqueness, scarcity, and/or value, and other wetlands considered to perform functions important to the public interest, as defined in 33 CFR Part 320 4(b) (2). These resources include ephemeral pools, fens, forested wetlands, sedge meadows, seeps, streams rated Class A or B in the Illinois Biological Stream Characterization study, streamside marshes, wet prairies, wetlands that support Federal or Illinois endangered or threatened species, and wetlands with a native floristic quality index (FQI) of 25 or greater and a native Mean C value of 3 2 or greater.

Hydric Soils are formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper horizon of the soil.

Hydrology is the science of the behavior of water that includes its dynamics, composition, and distribution in the atmosphere, on the surface of the earth, and underground.

Hydrologically disturbed is an area where the land surface has been cleared, grubbed, compacted, or otherwise modified to alter stormwater runoff, volumes, rates, flow direction, or inundation duration.

Index of Biotic Integrity (IBI) is a biological stream characterization rating system that assesses the quality of a stream from the sum of 12 metrics based on fish population composition, quality, and abundance. The IBI value can range from 12 to 60 (low to high rating).

Isolated Waters of Yorkville means all wetlands; waterbodies such as ponds, lakes, streams, - including ephemeral and intermittent streams, and roadside ditches (that meet the criteria of wetland habitat as defined in the USACE 1987 Wetlands Delineation Manual and with a drainage area greater than 20-acres); farmed wetlands; and detention basins (that meet the criteria of wetland habitat); and are not under U.S. Army Corps of Engineers jurisdiction and are located within the limits of the United City of Yorkville or with any area under consideration for annexation into the United City of Yorkville

A The limits of Isolated Waters of Yorkville extend to the ordinary high water mark or the delineated wetland boundary

B Compensatory wetland mitigation created to meet these regulations or Section 404 of the Clean Water Act is not excluded.

Intermittent stream is a stream whose bed intersects the groundwater table for only a portion of the year on average or any stream that flows continuously for at least one month out of the year, but not the entire year

Lake is a body of water two or more acres in size that retains water throughout the year.

Linear Waters of the U.S. means wetlands along creeks, streams, rivers, ponds, lakes, or impoundments that are hydraulically connected to jurisdictional Waters of the U.S.

Mean C is the average coefficient of conservatism for a site. The concept of "conservatism" refers to the fundamental character of native plant species to display varying degrees of tolerance to disturbance, as well as varying degrees of fidelity to specific habitat integrity. As a result, each native species can be assigned a coefficient of conservatism (C value) ranging from 0 to 10, "weedy to conservative," reflecting its disposition within a defined geographic region

Mitigation is the measures that are taken to eliminate or minimize negative direct or indirect impacts caused from development activities, such as impact to Isolated Waters of Yorkville, by replacement of the resource.

Native Mcan Wetness is the wetness value (W) designated to each species. This value defines the estimated probability of each species occurring in a wetland. Plants are designated as Obligate Wetland (OBL=-5), Facultative Wetland (FACW=-3), Facultative (FAC=0), Facultative Upland (FACU=3), and Obligate Upland (UPL=5)

Natural area is a landscape with a sufficient level of intact habitat structure and plant species composition to resemble a pre-settlement landscape, e.g., prairie, oak savanna, and other landscapes native to Kendall County

NRCS is the United States Department of Agriculture, Natural Resources Conservation Service

Open Space refers to undeveloped land that is protected from development by legislation or land that is to remain undeveloped for preservation purposes

Pond is a body of water less than two acres in size that retains a normal water level year-round.

Qualified professional is 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

Relative Importance Value (RIV) The RIV for each species is calculated by summing relative frequency and relative cover and dividing by 2. The RIV is calculated from data collected during the transect inventory.

Roadside ditches are drainage ditches created for the purpose of providing roadway drainage

Runoff is the water derived from melting snow or rain falling within a tributary drainage basin that exceeds the infiltration capacity of the soils for that basin.

Seep is a wetland, herbaceous or wooded, with saturated soil or inundation resulting from the diffuse flow of groundwater to the surface stratum.

Site is all of the land contemplated to be part of a coordinated development of one or more parcels.

Staff is the person designated by the City Administrator of the United City of Yorkville to administer and enforce these regulations

Threatened and endangered species for Kendall County as defined in the Illinois Natural Heritage Database

USACE is the United States Army Corps of Engineers.

Valid wetland delineation means an on-site wetland delineation that is conducted in accordance with the 1987 U.S. Army Corps of Engineers Wetlands Delineation Manual within three years of the initial permit application date.

Watershed is the land area above a given point that contributes stormwater to that point.

Waters of the U.S. is a term that refers to those water bodies and wetland areas that are under the U.S. Army Corps of Engineers jurisdiction.

Wetland is land that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, under normal conditions, a prevalence of vegetation adapted for life in saturated soil conditions (known as hydrophytic vegetation). A wetland is identified based upon the three attributes: 1) hydrology, 2) soils, and 3) vegetation as mandated by the USACE 1987 Wetlands Delineation Manual methodology.

Wetland impact is the direct or indirect loss of Isolated Waters of Yorkville that results from implementation of a proposed activity. This includes Isolated Waters of Yorkville that are adversely affected by flooding, excavation, dredging, fill, drainage, hydrological disturbance, vegetation removal (other than for maintenance or restoration purposes), that results from implementation of a development activity or dumping, or non-permitted discharge of chemicals or other pollutants into Isolated Waters of Yorkville

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Article 3 Wetland Protection Standards and Permit Provisions

Section 3.1 General Standards

These regulations are for the region of the United City of Yorkville and based on the ecological characteristics of this region

Section 3.1.1 Buffer Requirements

- Buffer areas shall be required for all areas defined as either Isolated Waters of Yorkville or Waters of the US except for areas that meet a Category III definition—Isolated Waters of Yorkville are under the jurisdictional authority of the United City of Yorkville and these regulations and are defined in Section 2.1 of these regulations—Waters of the U.S. as defined in Section 2.1 of these regulations refers to areas that are under the jurisdictional authority and regulated by the United States Army Corps of Engineers (USACE).
- Buffer areas are divided into two types, linear buffers and water body buffers. The following buffer requirements shall be met for all proposed development projects and provided for all wetlands except for areas meeting the definition of a Category II) wetland (roadside ditches and manmade stormwater management facility, refer to Section 2.1) For areas under the jurisdiction of the USACE, the most stringent buffer requirements shall apply.
 - Linear buffers shall be designated along both sides of the channel. The buffer width shall be determined as follows:
 - a. All channels except those determined to be High Quality Aquatic Resource (HQAR) shall be provided a minimum buffer of 30 feet. Also, five (5) additional feet of buffer shall be provided for each percent of buffer slope towards the channel that is greater than 10% up to a maximum of a 100-foot buffer. For example, a 30-foot buffer with a 20% slope will require an additional 50 feet of buffer for a total buffer width of 80 feet. The buffer slope shall be calculated as the average slope from the landward edge of the buffer to the top of bank of the channel or highest point in elevation immediately adjacent to the "waters", be it natural or artificial.
 - b Streams rated Class A or B in the Illinois Biological Stream Characterization study or with an Index of Biotic Integrity (IBI) greater than 40 shall have a minimum buffer width of 100 feet on each side of the channel. (Initial IBI based on IEPA Illinois Water Quality Report A site-specific IBI assessment may override this report)
 - c. For streambank stabilization projects, those projects that involve a change in land use shall apply the minimum 30 foot buffer and up to a maximum of 100 foot buffer criteria. If the project does not involve a change in land use, then a 10 foot buffer shall be required adjacent to all streambank stabilization work
 - 2) Buffers shall encompass all wetlands greater than ¼ acre and determined not to be a high quality aquatic resource (HQAR). The buffer width shall be determined as follows:
 - a. For all wetlands with a total surface area greater than one quarter (1/4) acre with floristic quality values of native Mean C < 2.8 and/or native FQl < 20, and determined not to be a HQAR, a minimum buffer width of 30 feet shall be established. Also, five (5) additional feet of buffer shall be required for each percent of buffer slope towards the wetland that is greater than 10% up to a maximum of a 100 foot buffer.</p>
 - b. For all wetlands with a total surface area greater than one quarter (1/4) acre with floristic quality values of native Mean $C \ge 2.8$ and native FQI ≥ 20 , and determined not to be a HQAR, a minimum buffer width of 50 feet shall be established. Also, five (5) additional feet of buffer shall be required for each percent of buffer slope towards the wetland that is

- greater than 10% up to a maximum of a 100 foot buffer (Refer to Section 3.1 1 2(1)a for example of calculating additional buffer based on average slope towards the wetland)
- For all wetlands regardless of size that meet the definition of a HQAR (ephemeral pools, fens, forested wetlands, sedge meadows, seeps, streamside marshes, wet prairies, wetlands supporting Federal or Illinois endangered or threatened species, and wetlands with a native floristic quality index (FQI) of 25 or greater and a native Mean C value of 3 2 or greater), shall have a minimum buffer width of 100 feet.
- Buffer areas for all linear Isolated Waters of Yorkville or Waters of the U.S., shall extend from the top of bank. The buffer area for non-linear Isolated Waters of Yorkville or Waters of the U.S., except wetlands, shall extend from waters edge at normal water level. The buffer area for wetlands shall extend from the edge of the approved delineated wetland boundary. A site may contain buffer that originates from Isolated Waters of Yorkville or Waters of the U.S. on another property.
- Buffer averaging shall be permitted, at the discretion of the Staff, but at no time shall the buffer width at any given point be less than 50% of the required width, and provided that the total buffer area required is achieved. A reduction of buffer width shall not occur for any portion where the adjacent landscape has a slope towards the wetland, equal to or greater than 3:1; except if an existing barrier, e.g. earthen berm, is in place that slows and/or contains the surface water runoff toward the wetland. In such case, the existing barrier shall remain in place and be incorporated into the design. The barrier shall be maintained as part of the required buffer area.
- 5 The requirement of buffers is strictly for preservation measures of wetlands and shall not constitute enhancement measures of existing wetlands for any mitigation requirements of said development.
- 6 Buffers shall be established using appropriate deep-rooted vegetation, protected from direct and indirect disturbance, and shall be appropriately managed and maintained according to an approved plan as provided under Section 3.2.4. Buffers shall typically consist of native vegetation unless otherwise approved by Staff.
- 7 If a buffer area is disturbed by permitted activities during construction, the buffer area shall be stabilized following the provisions of the United City of Yorkville's Soil Erosion and Sediment Control Ordinance and planted with appropriate vegetation as stated above.
- 8. Access through buffer areas shall be provided, when necessary, for maintenance purposes. Unless otherwise dedicated for a public purpose or to a public entity, buffer areas shall remain private property and shall not be generally accessible for the public.
- Preservation of buffer areas shall be provided by deed or plat restrictions. Only public or quasi-public
 property, e.g. municipal, common Homeowners Association (HOA) lot lines shall be allowed within the
 limits of the buffer areas.
- 10 Features of a stormwater management system approved by Staff may be allowed within the buffer area provided it is a naturalized detention basin that consists of a natural design shape as well as native plant communities, or other naturalized stormwater management feature and provided there is no direct discharge to the wetland habitat. A stormwater management feature shall be located, at a minimum, fifteen (15) feet from the edge of wetland, or top of bank for linear buffers. Discharge from the stormwater management feature shall be directed to the outside edge of the required buffer width to allow the full width of the buffer to be used for energy dissipation and water quality protection. Staff shall review and approve, as appropriate, well-designed stormwater management systems within the buffer area on a project by project basis
- 11. Stormwater discharges that enter a buffer shall have appropriate energy dissipation measures to prevent erosion and scour. These can include, but are not limited to; level spreaders, riprap, drop catch basins (plunge pools), or other measures as deemed appropriate by Staff.

- 12. All buffer areas shall be maintained free from development including disturbance of soil, dumping or filling, erection of structures, and placement of impervious surfaces except as follows:
 - 1) A buffer area may be used for passive recreation (e.g., bird watching, walking, jogging, bicycling, and picnicking) and it may contain pedestrian or bicycle trails, provided that the created path is no wider than ten (10) feet. Paths or trails, excluding a mowed grass path, shall be located, at a minimum, fifteen (15) feet from the edge of wetland or stream. If the path leads to a wetland, it must be designed to prevent erosion.
 - 2) Paved surfaces including trails may not occupy more than 15% of the total width of the required buffer. If a paved path or trail width is greater than 15% of the buffer width, then the path width shall be added to the overall buffer width. (For example, an eight (8) foot paved trail is being installed within a 30-foot buffer. The paved trail width is greater than 15% of the buffer width (approximately 27%). Therefore, an additional eight (8) feet the width of the path shall be added to the overall required buffer width for a total buffer width of 38 feet). Where grass "mow strips" are desired adjacent to paths they shall be no wider than two (2) feet on each side of the path. An eight (8) foot high clearance zone must be provided, no plant material can overhang the path within this area.
 - 3) Limestone paths, as pervious surfacing, do not require additional buffer width but still require a two (2) foot clear zone on each side of the path. Limestone paths cannot be located near a habitat that can be affected by a potential change in soil pH. The path shall not erode into the natural area. Special precautions to eliminate this may require subdrainage, edging, compaction, etc.
 - 4) Utility maintenance and maintenance of drainage facilities and drainage easements shall be allowed provided the maintenance activity meets all other federal, state, and local regulations.

Section 3.1.2 Wetland Hydrology Protection

Any development that may reasonably be expected to impact the recharge zone of a fen, seep, or other
groundwater-driven wetland with vegetation characteristic of these habitats requires a higher level of
protection. Due to the uniqueness and fragility of these habitats, the developer of any proposed
development within potential recharge zones shall to the extent possible identify, maintain, and protect said
recharge zones. Staff shall evaluate and determine if additional documentation is required on a case by
case basis

Section 3.1.3 Stormwater Management within Isolated Waters of Yorkville

- Stormwater management facilities shall only be allowed in areas that meet the definition of farmed wetlands or Isolated Waters of Yorkville that contain at a minimum, vegetative cover of ≥ 75% of one or more of the following species
 - Reed Canary Grass (Phalaris arundinacea)
 - Purple Loosestrife (Lythrum salicaria).
 - Common Reed (Phragmites australis)
 - European or Common Buckthorn (Rhammus cathartica).
 - Canada Thistle (Cirsium arvenser).
 - Narrow-leaved cattail (Typha angustifolia).
 - Sandbar willow (Salix interior)
 - 1) The stormwater management facility shall be designed as a naturalized wetland basin that contains native vegetation communities and does not exceed a 4-foot bounce for the 100-year, 24-hour storm event Mitigation credit for designed permanent open water area(s) shall not be granted for more than 20% of the overall required mitigation acreage At the discretion of Staff, however, greater than 20% up to a maximum 50% mitigation credit for open water may be

applied for mitigation designs that create interspersion of open water with emergent wetland habitat. The area of the basin as measured between the contours corresponding to one (i) foot above NWL and two (2) feet below NWL shall be at least equal to the remaining impacted wetland acreage. The designed naturalized basin shall demonstrate an overall environmental improvement.

- 2) A naturalized buffer that contains appropriate native vegetation shall be provided, at a minimum, up to the High Water Level (HWL).
- 3) A three (3) year management and monitoring plan shall be provided for the naturalized stormwater management facility. The management/monitoring plan shall include performance standards, which identify percent of seeded/planted species to be alive and apparent; vegetative cover of native, non-weedy species; and floristic quality for each monitoring year, monitoring methods, prescribed maintenance activities for the 3-year period, and long-term management provisions.
- 2 Staff may waive mitigation requirements for wetland impacts from the development of stormwater management facilities within wetland habitat if the designed naturalized wetland basin meets the above criteria If the proposed stormwater management facility does not meet the above criteria, the mitigation requirements of Article 4 of these regulations shall apply.

Section 3.1.4 Discharge to Isolated Waters of Yorkville or Waters of the U.S.

There shall be no direct discharge of stormwater runoff to Isolated Waters of Yorkville or Waters of the U.S. without pre-treatment. Accepted methods of pre-treatment include, but are not limited to created wetland detention basins, naturalized swales, biofiltration practices, and other measures that filter and/or detain runoff. It must be demonstrated that the proposed pre-treatment measure will remove a minimum of 80% total suspended solids (TSS) and prevent increases in water level fluctuations up to and including the 2-year event within the wetland. All discharges shall be to the wetland buffer. Pre-treatment measures may be located within the buffer with approval from the Staff. Appropriate energy dissipation measures, such as level spreaders, shall be provided to prevent erosion and scour.

Section 3.1.5 Protection of Isolated Waters of Yorkville During Development

- 1. All Isolated Waters of Yorkville designated for preservation shall be protected during development such that a FQI calculated two years after the commencement of development shall not be more than five (5) points less than the originally calculated FQI. The re-evaluation of all preserved wetlands shall be completed during a similar stage of the growing season as was conducted for the original assessment (±30 days) If final build out of all lots contiguous to Isolated Waters of Yorkville has not occurred, the re-evaluation of all preserved wetlands shall be repeated each year until completion of development. If there is a decrease in the FQI value for two consecutive years, and/or a > 5 point drop in the FQI value from the original value, a wetland impact to Isolated Waters of Yorkville shall be assumed, and the mitigation requirements of Article 4 of these regulations shall apply.
- 2 The initial re-evaluation data shall be submitted to Staff during the second year after commencement of the development. All subsequent re-evaluation data shall be provided to Staff on an annual basis until final build out of the development has occurred.

Section 3.1.6 Maintenance of Stormwater Management Facilities

Dredging of stormwater management facilities that meet the definition of Isolated Waters of Yorkville for the purpose of periodic maintenance shall be allowed without the issuance of a Wetland Protection Permit given that the dredging activity will only re-establish the original design depths and measures shall be taken to preserve any wetland fringe and/or buffer (if applicable). If any disturbance to the wetland fringe is unavoidable, then the wetland fringe shall be restored with appropriate native vegetation. Dredging frequency

shall allow the habitat to be re-established. All applicable federal, state, and other local regulations and ordinances shall be met, and Staff shall approve maintenance activities prior to commencement of the activity. All spoils must be properly disposed of whether off site or on site.

Section 3.2 Wetland Permit Provisions

Section 3.2.1 Applicability

- 1 No person, firm, corporation, governmental agency, or organized district shall commence any development regulated by the City on any lot or parcel of land without first submittal of applicable items presented in 3 2.2 and 3.2.4 and receipt of applicable permit.
- No lot lines shall occur in created, restored, enhanced, or preserved Isolated Waters of Yorkville or Waters of the U.S and their associated buffer areas.

Section 3.2.2 Wetland Determination Requirements

Development projects near water courses, depressional areas, wetlands or Waters of the U.S. identified on National Wetlands Inventory (NWI) map, Natural Resource Conservation Service wetland map, or as requested by the City shall provide a letter of findings from a qualified professional that identifies all Isolated Waters of Yorkville, Waters of the U.S., and natural areas on or within 100 feet of the project site. Identification of each of these areas shall include a floristic inventory and floristic quality assessment (FQA) data. Offsite wetlands or Waters of the U.S., within 100 feet of project site shall be assessed for vegetative quality and size to the extent feasible. If applicant demonstrates that access to offsite property was not obtainable, the Staff may waive the requirement for surveying of offsite wetland boundaries. If no wetlands are identified within the limits of the site or within 100 feet of the site, then a wetland determination letter of findings shall be submitted that contains a brief description of the plant communities present on site and a copy of the Natural Resources Information (NRI) Report prepared by the County Soil and Water Conservation District for the site. If Isolated Waters of Yorkville or Waters of the U.S. are identified within the limits of the site or within 100 feet of the site, a Wetland Permit Submittal following Section 3.2.4 shall be required. The survey shall be completed by an individual or firm carrying the Certified Wetland Professional in training credentials or Certified Professional Wetland Scientist, or other qualified professional as approved in writing by the City Planner.

Section 3.2.3 Pre-Submittal Meeting

- 1. It is recommended that the applicant schedule a pre-submittal meeting with Staff to review the proposed project, discuss submittal requirements and questions the applicant may have.
- 2 If the proposed development contains a HQAR, a pre-submittal meeting with Staff is mandatory.

Section 3.2.4 Wetland Permit Submittal Requirements

Appendix A contains the Wetland Permit Application and Permit Submittal Flowchart Appendix B contains the Wetland Permit Submittal Checklist for use with the permit submittal requirements. With the filing of a Wetland Permit Application, the applicant and owner (if not the applicant) grants permission to Staff and his/her designees to access said property to assess site conditions for the review and assessment of the wetland permit submittal. The Wetland Permit Submittal shall provide the following:

- I A wetland delineation report as specified in Section 3 2.5.
- A narrative report and Site Plan that demonstrates compliance with the provisions of Sections 3 1.1 through 3 1.5 of these regulations and specifies prescribed management activities, long-term management provisions and funding mechanism, and the long-term responsible party as presented in Article 5 of these regulations for the buffer area(s).

- USACE statement of jurisdictional determination that identifies Waters of the U.S. and Isolated Waters of Yorkville for all wetlands on the development site A copy of the letter shall be provided to Staff.
- 4 For proposed impacts only to Waters of the U.S. the following requirements shall be followed:
 - 1) Completion of the Wetland Permit Application as provided in Appendix A of these regulations
 - 2) Provide a copy of the USACE permit submittal for the proposed development or a letter from the USACE that states the proposed development does not require USACE authorization. Upon receipt of any USACE, Illinois Environmental Protection Agency (IEPA), and/or Illinois Department of Natural Resources Office of Water Resources (OWR) authorizations, the applicant shall provide a copy(s) to Staff.
 - 3) All wetland impacts that occur in the City's jurisdiction shall be mitigated for within the same watershed as the impact(s) at the mitigation ratio specified by the USACE for that development impact
 - Provide a Soil Erosion and Sediment Control Plan that demonstrates compliance with the City's Soil Erosion and Sediment Control Ordinance
- 5 For proposed impacts only to Isolated Waters of Yorkville the following information shall be provided:
 - 1) Completion of the Wetland Permit Application as provided in Appendix A of these regulations
 - 2) A statement on the permit category of impacts to be used for the development project. The categories are as follows:
 - a. Category I: Wetland impacts less than or equal to one (1) acre and does not impact a HOAR.
 - b Category II: Wetland impacts greater than one (1) acre and does not impact a HQAR
 - c. Category III: Roadside ditches and stormwater management facilities that meet the definition of Isolated Waters of Yorkville.
 - d. Category IV: Wetland impacts for the restoration, creation, and enhancement of Isolated Waters of Yorkville as approved by Staff, provided that there are net gains in aquatic resource function
 - c Category V: Wetland impacts that affect a HQAR
 - Category VI: Wetland impacts to farmed wetlands
 - Documentation that the development is in compliance with the Illinois Department of Natural Resources' Endangered Species Consultation Program and the Illinois Natural Areas Preservation Act [520 ILCS 10/11 and 525 ILCS 30/17].
 - Documentation that the development is in compliance with the U.S. Fish and Wildlife Service's consultation program under the Endangered Species Act
 - 5) A statement on the occurrence of any HQAR on or within 100 feet of the development site.
 - 6) Mitigation plan (if applicable) that meets the requirements of Article 4 of these regulations
 - For Category II or Category V impacts only: A narrative of measures taken, in sequence, to avoid and minimize wetland impacts before mitigation is considered Category II or Category V

impacts shall also require a detailed discussion of alternative analysis to avoid, minimize, and mitigate for wetland impacts to Isolated Waters of Yorkville

- 8) For Category III impacts only: A narrative of the measures taken to mitigate for lost water quality functions, such as the implementation of BMPs. Approval of appropriate BMPs will be at the discretion of Staff.
- For Category IV impacts only: A narrative of the proposed plan that demonstrates net gains in aquatic resource functions
- For Category VI impacts only: A narrative of mitigation measures that will provide an environmental benefit, e.g. improved habitat, water quality, etc.
- Soil erosion and sediment control measures following the City's Soil Erosion and Sediment Control Ordinance.
- 6. For proposed impacts to both Isolated Waters of Yorkville and Waters of the U.S., the wetland submittal shall include all applicable items within Section 3.2.4

Section 3.2.5 Requirements for Wetland Delineation

Before any development in or near Isolated Waters of Yorkville or Waters of the U.S., a wetland delineation that identifies the boundaries, location, function, and applicable floristic quality of all onsite Isolated Waters of Yorkville and Waters of the U.S. as well as a floristic inventory and FQA data of natural areas on the project site shall be submitted. The presence and limits of wetland areas shall be determined by a valid wetland delineation conducted in accordance with the 1987 USACE Wetlands Delineation Manual. Delineations for permitting purposes shall generally be performed only during the period beginning the 2nd week of March and ending the first week of December. At the discretion of Staff, the acceptable delineation period may be modified due to unusual weather or other conditions. Any presence of farmed wetlands shall be determined by the Natural Resource Conservation Service (NRCS).

For Isolated Waters of Yorkville and Waters of the U.S. within 100 feet of the development property for which an on-site delineation is not possible, then wetlands identified on a NWI map may be sufficient

The following are minimum requirements for the Wetland Delineation Report:

- A plan shall be submitted that shows the exact location of Isolated Waters of Yorkville and Waters of the US within the development boundaries. The wetland boundary shall be flagged in the field and in order to determine buffer and any applicable wetland mitigation requirements, the wetland boundary shall be surveyed.
- 2 An aerial photograph with wetland and development boundaries delineated
- 3 A copy of the following maps (most recent available) with the development boundary delineated:
 - 1) USGS topographic map.
 - 2) Kendall County soil survey map.
 - 3) NWI map
 - 4) FEMA floodplain map
- 4. Completed USACE data sheets with representative color photographs provided for each data point.
- 5 A description of each wetland habitat(s) that includes the following:
 - FQA data that follows the methods provided in Swink, F. and G Wilhelm's <u>Plants of the Chicago Region</u> (latest edition). In general, the floristic inventory shall be conducted between

May 15th and October 15th At the discretion of Staff, the acceptable vegetation assessment period may be modified due to unusual weather or other conditions. Floristic assessments conducted outside this time period may require additional sampling during the growing season to satisfy this requirement

- Wildlife habitat assessment for each wetland that evaluates utilization of the wetland by wildlife, interspersion and structure of vegetative cover (number of plant communities, e.g., emergent marsh, wet prairie, seep, forested, etc., present within the wetland system), and ratio of vegetative cover to open water
 - 3) Description of the present functions provided by each wetland
- 6. For all farmed wetlands that are present within the project site, the NRCS Certified Wetland Determination Report shall be provided.

Section 3.2.6 Wetland Permit Conditions

- Staff shall attach any additional reasonable permit conditions considered necessary to ensure that the intent
 of the Wetland Protection Ordinance will be fulfilled, to avoid, minimize or mitigate damage or impairment
 to, encroachment in, or interference with natural resources and processes within the protected wetlands or
 watercourses, or to otherwise improve or maintain the water quality.
- Any change in the size or scope of the development and that affects the criteria considered in approving the
 permit as determined by Staff or City Council as applicable, may require the filing of a new wetland permit
 submittal
- 3. Any temporary, seasonal, or permanent operation that is discontinued for one (1) year shall be presumed to have been abandoned and the wetland permit automatically voided Abandonment of the project may subject the permittee to forfeiture of the performance security.
- 4 Any permit granted under these regulations may be revoked or suspended by Staff or City Council, as applicable, after notice and an opportunity for a hearing, for any of the following causes:
 - 1) A violation of a condition of the permit
 - 2) Misrepresentation or failure to fully disclose relevant facts in the application
 - 3) A change in site condition(s) that requires a temporary or permanent change in the proposed activity
- 5. A developer who has received a wetland permit under these regulations shall comply with the following in connection with any construction or other activity on the property for which the wetland permit has been issued:
 - 1) Comply with the City's Soil Erosion and Sediment Control Ordinance.
 - 2) Maintain clear delineation of the protected wetlands and wetland buffers during the on-going development activities.
- The wetland permit shall remain effective for two (2) years. The granting authority upon request by the permittee may approve a maximum one (1) year extension.

WETLAND PROTECTION STANDARDS AND PERMIT PROVISIONS

Article 4 Wetland Impacts and Mitigation Requirements

Section 4.1 Unmitigable Wetland Impacts

1. Wetlands of any size identified as having a FQI greater than or equal to 35 or mean C value of 3 5 or greater shall not be impacted via flooding, excavation, dredging, fill, drainage, or other hydrological disturbance, vegetation removal (other than for maintenance or restoration purposes) as part of any development or dumping, or non-permitted discharge of chemicals or other pollutants. The FQI is solely based on the wetland vegetation To determine the floristic value of the wetland, buffers and adjacent plant communities shall not be included in the calculation

Section 4.2 Wetland Mitigation Requirements

Section 4.2.1 General Mitigation Requirements

- 1 Mitigation shall be required for all impacts, regardless of size to Category V wetlands
- 2 Mitigation shall be required for wetland impacts greater than or equal to ¼ (0.25) acre to Isolated Waters of Yorkville defined under Category I, Category II, and Category VI wetland impacts.
- 3 Mitigation shall provide for the replacement of the wetland habitat impacted due to development activities at the following ratios (creation acreage to wetland impact acreage):
 - A minimum of 1.5:1 for wetland impacts under Category I or II that are not to a HQAR and are mitigated on-site
 - 2) A minimum of 1:1 for wetland impacts under Category VI and are mitigated on-site
 - A minimum of 10:1 for wetland impacts that are to a HQAR under Category V and are mitigated on-site
- 4. Wetland impacts covered under Category III will not require mitigation per se, but at a minimum, shall replace the water quality functions through BMP's as approved by Staff.
- 5 No mitigation is required for Category IV wetland impacts provided the restoration, creation, or enhancement contributes a net gain of aquatic resource function(s). Category IV wetland impacts, however, shall be required to provide all Wetland Permit Submittal Requirements, as applicable, following Section 3 2 4 of these regulations
- 6 Wetland mitigation shall be designed wherever possible to restore wetland hydrology to historic hydric soils that have been drained or dewatered Grading activities for wetland creation and/or restoration should be minimized
- Mitigated wetlands shall be designed to optimize hydrologic stability and native species diversity Designed permanent open water area(s) shall not constitute more than 20% of the required mitigation acreage. At the discretion of Staff, however, greater than 20% up to a maximum 50% mitigation credit for open water may be applied for mitigation designs that create interspersion of open water with emergent wetland habitat
- 8 Any creation of wetlands for required mitigation shall take place only within areas that are not of a remnant plant community, wetlands, or other natural areas
- 9 Enhancement within existing wetlands may be used as part of the mitigation credits, provided that at a minimum, wetland creation and/or restoration is at a 1:1 ratio, the mitigation creation/restoration is provided on-site, and the impacted wetland(s) does not meet the definition of HQAR. Mitigation credit for enhancement measures will be at a 0.25:1 ratio (0.25 acre credit for every 1.0 acre enhanced).

- 10. All wetland mitigation areas shall be buffered according to the requirements of Section 3.1.1 No buffer is required for that portion of a wetland mitigation area that is adjacent to an existing preserved wetland
- 11. A five-year wetland initigation irrevocable letter of credit in favor of the City or equivalent security for 110% of initigation cost following the provisions of Article 10 of these regulations shall be submitted prior to receipt of the permit
- 12. For those impacts that will have a total welland impact of less than or equal to 1 0 acre and not affect a HQAR, the fee-in-lieu of mitigation option may be required by the City Conditions under which the fee-in-lieu option may be required include, but are not limited to:
 - 1) There are no other on-site or immediately adjacent wetlands that could be expanded.
 - 2) The total size of the impacted wetland is 2.0 acres or less and due to development conditions, the long-term viability of the wetland is questionable.

In addition, the fee-in-lieu option may be used by the developer for wetland impacts; this will be at the discretion of Staff and City Council. Fees paid in lieu that are not required by Staff and City Council, shall be comparable to the cost of mitigation off-site, but within the same watershed as the wetland impact, including land costs. The mitigation rate shall be 1 ½ (1.5) times the on-site required mitigation acreage for calculation of the estimate of probable mitigation cost for non-HQAR sites. The mitigation rate shall be 3.0 times the on-site required mitigation acreage for calculation of the estimate of probable mitigation cost for HQAR sites. Fees paid in lieu that are required by City Countil with Staff's recommendation shall be comparable to the cost of on-site mitigation, including land costs.

13 Wetland impacts occurring prior to issuance of a Wetland Permit shall presume the wetland disturbed was a HQAR and shall require mitigation at a minimum rate of 10:1

Section 4.2.2 Mitigation Hierarchy

All mitigation shall occur within the limits of the City's jurisdiction. For the off-site mitigation purposes of these regulations, wetland mitigation shall occur within the same primary watershed (Aux Sable or Fox River) as the wetland impact, unless there is an available wetland mitigation bank within the sub-watershed corresponding to the impact (Blackberry, Rob Roy). Mitigation shall use the following hierarchy

- On-site wetland mitigation is preferred, but only if the applicant can document that the mitigation can expand the extent or improve the quality of other existing, undisturbed on-site or immediately adjacent wetlands or on-site mitigation will create or restore a wetland equal to or greater than 1.5 acres in size. On-site mitigation shall meet the requirements of Article 4 of these regulations.
- Off-site wetland mitigation within the same primary watershed as the wetland impact or within an approved
 wetland mitigation bank located within the primary watershed when on-site mitigation is not feasible.
 Required mitigation acreage shall be the on-site required mitigation acreage Off-site created or restored
 wetland mitigation shall meet the requirements of Article 4 of these regulations.
- 3. Mitigation as a fee-in-lieu payment option that is not required by the City. The mitigation rate shall be 1½ (15) times the on-site required mitigation acreage for calculation of the estimate of probable mitigation cost for non-HOAR sites, 3.0 times for HOAR sites
- 4 Off-site wetland mitigation within the same primary watershed as the wetland impact and meets the requirements of Article 4 of these regulations or within an approved wetland mitigation bank located within the primary watershed. Required mitigation acreage shall be 1 ½ (1.5) times the on-site required mitigation acreage for non-HQAR sites, 3 0 times for HQAR sites

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Off-site wetland mitigation and outside the primary watershed of the wetland impact or within an approved wetland mitigation bank located outside the primary watershed shall require three (3) times the on-site required mitigation acreage and meet the requirements of Article 4 of these regulations

Section 4.3 Wetland Mitigation Plan

- In addition to the requirements of Article 3, if wetland mitigation is required a wetland mitigation plan shall be submitted Refer to Appendix C for the wetland mitigation plan checklist. At a minimum, the wetland mitigation plan shall contain the following
 - Narrative description of wetland impacts and proposed mitigation. Include a summary table
 with acreage for each existing wetland, proposed impact, and proposed mitigation
 - A narrative of the proposed plan that includes a description of the proposed hydrologic regime, planting plan, soils, and site geomorphology, where applicable
 - 3) Provide a Wetland Mitigation Plan Graphic that depicts each wetland impact and all proposed wetland mitigation and limits of required wetland buffer areas and contains the planting plan for each proposed plant community, existing and proposed grades with 1-foot contour lines, protection measures for all preserved wetlands, and location of water level structures, BMPs (if applicable)
 - 4) Specifications for wetland mitigation, which includes but is not limited to the following:
 - Earthwork rough and final grading, allowable compaction limits, treatment of compacted soils, and topsoil placement
 - b Compliance with the City's soil erosion and sediment control ordinance
 - Water control structures, if applicable.
 - d BMP design and implementation if proposed within wetland buffer area
 - e Seed/plant installation that includes seed/plant bed preparation; procurement, list of plant material by scientific and common name including seeding and planting rates for each designated plant community, initial maintenance requirements and warranty performance criteria, and any special planting provisions.
 - 5) Provide a proposed implementation schedule that includes site preparation, installation of soil erosion and sediment control measures, planting schedule, and post-planting maintenance and monitoring schedule that indicates approximate month and year for each of the proposed activities.
 - 6) Provide a maintenance and monitoring plan that identifies activities during the 5-year monitoring period and follows the requirements of Sections 4.4 and 4.5 of these regulations. Activities should include, but not limited to, control of undesirable plant species, herbivore control, trash removal, prescribed burn management, enhancement planting, bi-annual monitoring events, and any other necessary activities.
 - 7) All wetland mitigation shall include a plan for the long-term management and maintenance of the preserved wetlands, mitigation wetlands, and their associated buffers. This plan shall include a description of the sources of funding, and designation of the long-term responsible party that follows the provisions of Article 5 and as approved by Staff In addition, the long-term management plan shall identify long-term management strategies that include but not limited to prescribed burn management for all applicable portions of the mitigation If burn management is

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not utilized, documentation shall be submitted that specifies the reasons why burn management will not be used and describes alternative management strategies that are known to be effective. Alternatives such as herbicide application or weed pulling shall be applied with Staff approval.

8) If the owner is different then the applicant, identify the owner of the site and provide a written assurance from the owner that the applicant has permission to use the site for mitigation

Section 4.4 Wetland Mitigation Monitoring Protocol

- Following the general USACE guidelines, a 5-year mitigation monitoring period shall be required to assess the success of the mitigation. The first monitoring year is considered the first full growing season after planting. In general, if the full mitigation plan including seeding/planting is completed by end of May in a particular year, that year can be considered the first monitoring year. If installation is not completed until later in the growing season, then the first monitoring year will be the next calendar year.
- 2 Provide a description of a monitoring protocol that meets the following provisions.
 - 1) General Sampling Methods.
 - a. Monitoring for every year of the required monitoring period shall include two (2) monitoring events: one in late spring (May mid-June) and the second during the late summer period from mid-August to mid-October.
 - The purpose of the spring visit is a qualitative assessment of the mitigation site, accomplished through meander search methodology throughout the entire mitigation area, including the buffer area, and inventories of vegetation across the different plant communities/zones. Denote any site conditions where land management should be addressed (e.g., weed control, herbivory impacts, soil erosion, and sedimentation impacts) The spring site visit shall be documented in a field report as described in Section 4.6
 - b The second monitoring event shall provide a more detailed qualitative assessment, and conduct quantitative sampling along transect lines and document site conditions with photographs that are taken at permanent photo stations.

The general inventory and FQA data shall be compiled and summarized in the annual monitoring report as described in Section 4.6

- 2) Transect Sampling Methods.
 - a Generally, at least one (1) transect line shall be established within each of the proposed wetland mitigation areas and within each plant community across the mitigation site, including one in the buffer area. Transect locations shall be documented so that sampling can be repeated year to year.
 - A sufficient number of quadrants shall be sampled along each transect line to provide full representation of the plant community. In general, a minimum of ten (10) 0.25 square meter quadrants per transect is sufficient Quadrant intervals and number will depend on the size and uniformity of the plant community.

The sampling procedure includes the recording of all plant species within the quadrant and the assignment of a cover value. For further detail of the sampling method refer to the "Monitoring Vegetation" chapter in <u>The Tallgrass Restoration Handbook: for prairies, savannas, and woodlands</u> (Packard, S. and Mutel, C. 2005).

From these data, the Mean C, FQI, and relative importance values (RIV) are generated and are to be compared with results of the previous monitoring events.

3) Additional Monitoring Parameters

In addition to the FQA method stated above, some projects may require additional monitoring parameters for the mitigation and/or preserved wetland(s) such as hydrology, wildlife, etc. The requirements of additional monitoring parameters shall be reviewed and required (if any) by Staff on a project by project basis

4) Preliminary Wetland Delineation

A preliminary wetland delineation of the mitigation wetland(s) boundary shall be conducted during the third (3rd) year of monitoring The extent of developed wetland shall be based on the prevalence of hydrophytic vegetation. If the delineated wetland acreage deviates negatively, 10% or greater than the required mitigation acreage, the developer shall be required to prepare and submit a Remedial Action Plan to Staff Refer to Section 4.7 Mitigation Requirements for Non-performing Wetlands.

Final Wetland Delineation.

A final wetland delineation of the mitigation wetland(s) boundary shall be conducted during the fifth (5th) monitoring year

Section 4.5 Wetland Mitigation Performance Standards

Erosion Control - A biodegradable erosion blanket shall be used for areas up to the 2-year stage and a temporary cover crop shall be seeded within the wetland mitigation, which includes the buffer area above the 2-year stage, within seven (7) calendar days of completion of construction activities. If the developer is unable to comply with the 7-day requirement then the developer shall follow the City's Soil Erosion and Sediment Control Ordinance. Any additional soil and erosion control measures shall be in accordance to the City's Soil Erosion and Sediment Control Ordinance.

2 Floristic Quality Assessment

1) General Inventory

- a. By the end of the third full growing season, 30% of the seeded species and 90% of the plugged species should be present; and native Mean C and native FQI values shall be greater than or equal to 2.5 and 15, respectively, for each installed plant community
- b. By the end of the fifth full growing season, 40% of the seeded species and 80% of the plugged species should be present. The native Mean C and FQI values shall be equal to or greater than 3 2 and 20, respectively, as measured for each plant community type that comprises the mitigation area, including the native plant community within the buffer area. The native Mean C and FQI values should increase each successive year after installation.
- By the end of the fifth full growing season, the native Mean W shall be less than or equal to zero (0) for each of the wetland communities.

Generally, prior to the fifth monitoring year, the FQA data presented in the annual report should reflect a positive trend in floristic metrics in order to be confident that the mitigation shall meet the stated performance standards in the fifth year. If the mean wetness coefficient is greater than zero (0), this is an indication that wetland conditions are not developing. If the native Mean C has not increased from the previous year's monitoring

results, this is an indication that additional management activities may be required. It is in the permittee's best interest to take necessary measures early in the project in order to ensure compliance with the proposed wetland mitigation

2) Transect Inventory.

The RIV of total native plants should increase each successive year after installation

Generally, at the transect level there should be a positive trend in the floristic metrics for the mitigation monitoring period. If such a trend is observed, one can conclude that for a particular plant community all reasonable measures have been taken to manage that area

3 General Standards

- 1) By the end of the third full growing season, there shall be no area, across the entire mitigation site, greater than 1 square meter that is devoid of vegetation, as measured by aerial coverage, unless specified in the approved mitigation plan. Overall aerial coverage must be 90%, and seedlings of at least 50% of all seed species found.
- 2) By the end of the fifth full growing season, there shall be no area, across the entire mitigation site, greater than 0.5 square meter that is devoid of vegetation, as measured by aerial coverage, unless specified in the approved mitigation plan. Overall aerial coverage must be 99%, and seedlings of at least 40% of all seed species found.
- 3) By the end of the fifth full growing season, none of the three most dominant plant species in any of the communities that comprise the mitigation site, which includes the buffer area, may be nonnative or weedy species including, but not limited to, Reed Canary Grass, Common Reed, Kentucky Blue Grass, Purple Loosestrife, Narrow-leaved cattails, Sandbar Willow, Field Thistle, sweet clover, woody shrubs such as buckthorn, Eurasian honeysuckles, European High Bush Cranberry, and other non-native, weedy species
- 4) By the end of the fifth full growing season, the proposed wetland acreage as depicted in the approved plan shall have been achieved. The extent, or deficiency of wetland acreage, that has not been achieved, is the extent to which the developer shall be liable. Refer to Section 4.7 Mitigation Requirements for Non-performing Wetlands
- 5) Should the developer choose to provide additional required mitigation credits via creation, restoration, or enhancement measures, the developer shall be required at a minimum, to maintain and monitor the creation, restoration, or enhancement wetland(s) for an additional three (3) years. Should the developer choose to provide enhancement measures, the developer shall provide baseline floristic data of the proposed enhancement wetland(s).
- 6) Additional Proposed Criteria Depending upon the mitigation plan submitted there may be additional criteria required to supplement the above standards These shall be evaluated on a project by project basis.

Section 4.6 Post Construction Submittal Requirements

- 1 Submit as-built conditions to Staff for review and approval as identified below
 - Final Grading upon completion of final grading but before planting, submit certified as-built
 plans with benchmarks that depict elevations in the mitigation area(s), including invert elevations
 of all water control structures. The normal water level elevation and resulting acreage of open
 water, if applicable, shall be specified. Provide a narrative explanation for any deviation from

the approved mitigation plan. If the grades are not within 0.2'± of the approved plan, the permittee may be responsible for taking necessary corrective measures.

2) Vegetation – submit a list of the actual species seeded and planted by scientific and common names for each community zone, including the quantity of each species installed (seed weight/acre, number of plugged plants/acre), dates of seeding and/or planting, source of stock, and the installation method(s). The vegetation as-built submittal shall include the Wetland Mitigation Plan graphic that demarks the limits of each community zone installed and identifies any revisions to the planting plan.

2 Monitoring Reports

- Field reports shall be prepared and submitted to Staff within four (4) weeks of the spring
 monitoring visit. The field report shall include a brief description of existing site conditions and
 proposed management activities that should be addressed during the present growing season
- 2) Annual monitoring reports shall be prepared and submitted to Staff by December 30th of the monitoring year. The annual reports shall include the FQA data and discussion of FQA results, when applicable, discussion of adherence to the appropriate performance standards, narrative of the general site conditions, identification of management activities that occurred during the growing season, recommended management activities to occur over the successive 12-month period, and photographs from the established photo stations.

The first year monitoring report shall also include a description of the transect line locations as well as a graphic of the Wetland Mitigation Plan that denotes the location of all established transect lines and permanent photo stations.

Years 3 and 5 monitoring reports shall include the results of the surveyed wetland delineation including completed data forms and a graphic that depicts the location of data points.

Section 4.7 Mitigation Requirements for Non-performing Wetlands

- 1. If the Preliminary Wetland Delineation, performed during the third monitoring year, determines that the delineated wetland acreage deviates negatively, 10% or greater than the required mitigation acreage, the developer shall be required to prepare and submit a Remedial Action Plan to Staff. The Remedial Action Plan shall address measures that will be undertaken to resolve the lack of wetland habitat. A Remedial Action Plan shall be submitted to Staff within sixty (60) days of submitting the preliminary wetland delineation findings. If the developer fails to comply with the provisions of this section, the City may draw upon the required performance security following the provisions of Article 10 of these regulations to remediate the mitigation site conditions.
- If the Final Wetland Delineation, performed during the fifth monitoring year, determines that the delineated wetland acreage does not meet the required mitigation wetland acreage, Staff may require an extension of the 5-year monitoring period, payment of fee-in-lieu equivalent to the costs associated with the construction, planting, monitoring and maintenance of the wetland acreage that is lacking, or request other measures to meet the intention, requirements, and spirit of these regulations. Failure to meet the required wetland acreage shall be reviewed and measures required on a project by project basis.
- In addition, if Staff or his/her agent determines that the wetland mitigation does not meet the Wetland Mitigation Requirements of Section 4.2 and the Wetland Mitigation Performance Standards of Section 4.5, the developer shall meet with Staff to determine the acceptable means by which the developer shall meet his/her wetland mitigation obligation(s). Based upon the review and decision of Staff and City Council, the developer may be required to:

- Continue management and enhancement measures of the mitigation area(s) for a specified period beyond the 5-year monitoring for the improvement of vegetative quality and diversity in order to meet the required performance standards of these regulations
- Provide additional initigation credits through enhancement measures for other existing wetland(s)
- 3) Provide funding into the fee-in-lieu program.
- If Staff and City Council requests that the developer meet his/her mitigation requirements via payment inlieu, Staff shall make an estimate of the probable cost of mitigating for the deficiency in performance Staff shall have the right to draw on the performance security the amount of funds appropriate to remedy the wetland mitigation to meet the performance standards, conditions, and wetland protection standards of these regulations. The remainder of the performance security shall then be released. The amount withheld for remedy of the mitigation shall be deposited in the fund created under and expended in the manner described in Article 11

Article 5
Long-Term Maintenance Provisions

Section 5.1 Long-term Maintenance

- Unless maintenance responsibility has been delegated to and accepted by another person under this section, the owner shall maintain that portion of the preserved and mitigation wetlands and their associated buffers With the approval of the Staff the preserved and mitigation wetlands and their associated buffers may be:
 - 1) Dedicated or otherwise transferred to and accepted by the City or other public entity.
 - Conveyed or otherwise transferred to and accepted by a homeowner's association, or similar entity, with the members being the owners of all lots or parcels comprising the development.
 - 3) Conveyed to a person or entity that specializes in conservation and protection of wetlands.

Section 5.2 Transfer to City or Other Public Entity

If any portion of the preserved and mitigation wetlands and their associated buffers is to be dedicated or otherwise transferred to the City or other public entity under Section 5.1.1, appropriate easements for ingress and egress and maintenance of such portions shall be reserved for the benefit of such entity on the final plat.

Section 5.3 Transfer to Homeowner's or Similar Association

- If any portion of the preserved and mitigation wetlands and their associated buffers is to be conveyed or otherwise transferred to a homeowner's or similar association under Section 5.1.2 then:
 - 1) Appropriate easements for ingress and egress and maintenance of such portions shall be reserved for the benefit of such association and the City on the final plat
 - The association shall be duly incorporated and a copy of the Certificate of Incorporation, duly recorded, and bylaws and any amendment to either of them, shall be delivered to Staff
 - The bylaws of the association shall, at a minimum, contain the following:
 - A provision acknowledging and accepting the association's obligation to maintain those portions of the preserved and mitigation wetlands and their associated buffer areas conveyed or otherwise transferred to it under these regulations
 - A mechanism for imposing an assessment upon the owners of all of the lots or parcels comprising the development that is sufficient, at a minimum, to provide for the maintenance of those portions of the preserved and mitigation wetlands and their associated buffers conveyed or otherwise transferred to it under these regulations, and the payment of all taxes levied thereon. A Special Service Area shall be established for the development area to provide an ongoing revenue source in the event that the homeowners association is not managing the wetland.
 - A provision adopting the plan of long-term maintenance set forth in the application for a wetland permit, with approved amendments
 - d A provision identifying the officer of the association responsible for carrying out the obligations imposed upon the association under these regulations
 - e. A provision requiring the consent of the City to any amendment of the bylaws changing any of the provisions of the bylaws required by these regulations.
 - f A provision requiring the consent of the City to the dissolution of the association.

Article 5 28

4) Any conveyance or other instrument of transfer delivered under Section 5.1.2 shall include a covenant that imposes upon the association the obligations set forth in this section and the association's affirmative acceptance thereof.

Section 5.4 Conveyance to a Person or Entity Specializing in Conservation

- I fany portion of the preserved and mitigation wetlands and their associated buffers are to be conveyed to a person or entity under Section 5.1.3 then:
 - Appropriate easements for ingress and egress and maintenance of such portions shall be reserved for the benefit of the City on the final plat.
 - 2) The final plat shall contain a legend imposing the maintenance obligations of this section upon the grantee and his successors in interest as a covenant running with the land and incorporating by reference the plan of long-term maintenance set forth in the application for a wetland permit, with approved amendments.
 - 3) The final plat shall contain a legend reserving the right of the City to enter upon the land to perform the maintenance required in this section if the owner does not do so and to place a lien against the land for the cost thereof.
 - 4) A Special Service Area shall be established for the development area to provide an ongoing revenue source in the event that the person or entity is not managing the wetland.
 - 5) Any conveyance delivered under Section 5.13, and any subsequent conveyance, shall include a covenant that imposes upon the grantee the obligations, restrictions and provisions set forth in this section and the grantee's affirmative acceptance thereof

Section 5.5 Incorporation of Maintenance Obligations in Wetland Permit

1. The provisions of this section shall be incorporated by reference in the wetland permit and the developer's acceptance of the permit shall be deemed to be the developer's acceptance and assumption of the obligations imposed under this section. The developer shall record such obligations on the deed.

Article 6
Fees, Enforcement and Penalties

Section 6.1 Fees and Application Review Times

- 1. Applications for a wetland permit under these regulations shall be accompanied by a non-refundable administrative application fee in an amount of \$100. In addition, the developer shall provide a minimum review deposit in the amount of \$5,000 that will be drawn on for the hourly fee invoices of outside consultant(s) who may be retained by the United City of Yorkville in connection with the review of the application. In the event the review deposit is drawn down to less than \$1,000, the developer shall be required to provide an additional deposit to re-establish the deposit balance to \$5,000. In the event the cost of the services of the consultant(s) is less than the review deposit, the developer shall be refunded the balance. A denial of an application for a wetland permit shall not affect the developer's obligation to pay the review fee provided for in this Section.
- Additional fees for wetland mitigation construction administration and review will be covered under the Administration Fee based on the approved estimate of costs
- Permit applications shall be approved or denied within 30 business days of a complete permit submittal; if written approval or denial of the permit has not been received within 30 business days, the permit application shall be assumed to be approved. The application review period begins once all submittal items are provided to Staff.

Section 6.2 Enforcement

- One of the primary duties of Staff or his/her agent shall be the review of all wetland submittal applications
 and issuance of wetland permits for those projects that are in compliance with the provisions of these
 regulations. Staff shall be responsible for the administration and enforcement of these regulations.
- 2 Staff or his/her agent, officer, or employee shall have authority under these regulations to enter upon privately owned property for the purposes of inspecting any development activity to ensure the activity conforms with requirements, standards, and provisions of these regulations and/or the terms and conditions of an issued wetland permit
- 3 If a wetland mitigation area is constructed as part of the wetland permit, Staff or his/her agent shall at a minimum perform the following inspections:
 - 1) After final grading and before seeding or plant installation
 - 2) After seeding and plant installation
 - 3) Annual inspections during the 5-year monitoring and maintenance period.

Section 6.3 Penalties and Legal Actions

- Whenever Staff or his/her agent finds a violation of these regulations, or of any permit or order issued pursuant thereto, Staff or City Council, as applicable, may issue a stop-work order on all development activity on the subject property or on that portion of the activity that is in direct violation of the Ordinance or withhold issuance of a Certificate of Occupancy, permits or inspection until the provisions of these regulations, including any conditions attached to a wetland permit, have been fully met. Staff shall issue an order that (1) describes the violation (2) specifies the time period for remediation, and (3) requires compliance with these regulations prior to the completion of the activity in violation Failure to obey a stop-work order shall constitute a violation of these regulations
- 2. In the event a violation involving illegal alteration of an Isolated Waters of Yorkville as protected under these regulations, the City shall have the power to order complete restoration of the Isolated Waters of Yorkville by the person or agent responsible for the violation. If such responsible person or agent does not prepare and submit a restoration plan for review and approval by Staff within 30 days of notice of violation, the City shall have the authority to restore the affected Isolated Waters of Yorkville to their prior condition wherever possible, and the person or agent responsible for the original violation shall be held liable to the City for the cost of such restoration

In addition to the rights and remedies herein provided to the City, any person violating any of the provisions of these regulations shall be subject to a fine in an amount not exceeding Seven Hundred and Fifty Dollars (\$750 00) for each offense Each calendar day a violation continues to exist shall constitute a separate offense

Article 7
General Provisions

Section 7.1 Scope of Regulation

These regulations applies to all new development as well as any dumping or non-permitted discharge of chemicals or other pollutants into Isolated Waters of Yorkville within the United City of Yorkville and all new development within an area under consideration for annexation into the United City of Yorkville. Any person undertaking a development having a wetland on the project site or a wetland within 100 feet of the project site shall obtain a wetland permit from Staff. This includes any new development on partially developed sites

Section 7.2 Exemptions

- I These regulations do not apply to:
 - Development which has obtained preliminary or final plat approval within the past 12 months before the effective date of these regulations
 - 2) Wetland impacts that have occurred before the effective date of these regulations.

Section 7.3 Severability

- 1 The provisions of these regulations shall be severable in accordance with the following rules:
 - If any court of competent jurisdiction shall adjudge any provision of these regulations to be invalid, such judgment shall not affect any other provision of these regulations.
 - 2) If any court of competent jurisdiction shall adjudge to be invalid the application of any provision of these regulations to a particular parcel of land or a particular development, such judgment shall not affect the application of said provision to any other land or development

Section 7.4 Abrogation and Greater Restrictions

- 1 These regulations are not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where these regulations and other ordinances, easements, covenants, or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- 2. When provisions of these regulations differ from any other applicable law, statute, ordinance, rule, or regulation, the more stringent provision shall apply

Section 7.5 Effective Date

These regulations shall be in full force and effective from and after its passage, approval, and publication according to law. The effective date of these regulations is January 8, 2008

Article 7 34

Article 8 Variances and Appeals

Section 8.1 Variances

- 1 The developer may apply to the City Council for a variance The City Council shall have the authority to grant variances from these regulations, but only in compliance with the procedures set forth in Section 8.1
- 2 The petition for a variance shall accompany or follow an application for a Wetland Permit and shall include all necessary submittal items
- 3 Every variance petition filed pursuant to this Section 8 1 shall provide the following information:
 - The specific feature or features of the proposed construction or development that require a variance
 - 2) The specific provision(s) of these regulations from which a variance is sought and the precise extent of the variance therefrom.
 - A statement of the characteristics of the development that prevent compliance with the provisions
 of these regulations
 - 4) A statement that the variance requested is the minimum variance necessary to permit the development.
 - A statement as to how the variance requested satisfies the standards set forth in Section 8.1 4 of these regulations
- 4. The City Council may grant such petition for a variance only when it is consistent with the general purpose and intent of these regulations and when the development meets the majority (four or more) of the following conditions:
 - The relief requested is the minimum necessary and there are no means other than the requested variance by which the alleged hardship can be avoided or remedied to a degree sufficient to permit the reasonable continuation of the development.
 - 2) Demonstration that failure to grant the variance would result in exceptional hardship to the developer Economic hardship is not a valid reason to request a variance
 - The variance is not requested solely for the purpose of increasing the density of the development nor impervious areas on the site.
 - 4) The developer's circumstances are unique and do not represent a general condition or problem
 - 5) The subject development is exceptional as compared to other developments subject to the same provision
 - 6) Granting the variance shall not dramatically alter the essential character of the wetland area involved, including existing stream uses
 - 7) The proposed development could not be constructed if it were limited to areas outside the Isolated Waters of Yorkville and required buffer areas

Section 8.2 Variance Conditions

1 A variance of less than or different from that requested may be granted when the record supports the developer's right to some relief, but not to the relief requested

Article 8 36

- In granting a variance, the City Council may impose such specific conditions and limitations on the developer concerning any matter relating to the purposes and objectives of these regulations as may be necessary or appropriate
- 3 Whenever any variance is granted subject to any condition to be met by the developer, upon meeting such condition, the developer shall file evidence to that effect with Staff
- 4 A granted variance shall be issued as a "special use" permit and shall be valid for one (1) year from the date of issuance.

Section 8.3 Appeals

1 A developer may appeal any decision of Staff to the City Council provided that no such appeal shall be taken until and unless the developer has requested a conference with Staff and not a subordinate of Staff, and either the conference has been held or Staff has not scheduled a conference within 30 days of the initial request.

Article 8

Article 9 Administration

Section 9.1 Responsibility for Administration

I Staff shall oversee the enforcement and administration of these regulations. In performing his/her duties, Staff may delegate routine responsibilities to any named designee.

Section 9.2 Representative Capacity

In all cases when any action is taken by Staff or his/her duly appointed designee, to enforce the provisions of these regulations, such action shall be taken in the name of the City, and neither Staff nor his/her designee, in so acting shall be rendered personally liable.

Section 9.3 Service of Notice

- Unless otherwise provided herein, service of any notice or other instrument under these regulations may be made upon any person by:
 - First class mail, postage prepaid, addressed to address then on file for such person, if any, or if none, to such person's last known address
 - 2) Any method prescribed under the Illinois Code of Civil Procedure.

Article 9

Article 10 Performance Security

Section 10.1 General Security Requirements

- 1. To secure the performance of the developer's obligation to successfully complete any required wetland mitigation as part of the wetland permit, and to pay all costs, fees, and charges due under these regulations, and to fully and faithfully comply with all of the provisions of these regulations, the developer shall, prior to the issuance of a wetland permit post the security as provided in Section 10.2.
- 2 The developer shall bear the full cost and responsibility of obtaining and maintaining the security required by this Article

Section 10.2 Wetland Mitigation and Naturalized Basin Performance Security

- 1. A development performance security shall include the following.
 - 1) A schedule, agreed upon by the developer and Staff, for the completion of the wetland mitigation required by the permit
 - 2) A statement of the estimated probable cost to install, monitor, and maintain the wetland mitigation area as required by the permit. The estimated probable costs shall be categorized by earthwork, including erosion and sediment control measures; landscape installation; and maintenance and monitoring costs Such estimate is subject to approval by Staff.
 - 3) An irrevocable letter of credit in favor of the City or other such adequate security as Staff may approve, in an amount equal to 110% of the approved estimated probable cost to complete any required wetland mitigation.
 - 4) A statement signed by the developer granting Staff the right to draw on the security and the right to enter the development site to complete required work, in the event that work is not completed according to the work schedule or the mitigation area is not meeting the required performance standards and the developer has failed to implement management activities or remedial measures to address noncompliance issues.
- 2 Required 5 year wetland mitigation development security may be released based on the following mitigation milestones:
 - 50% estimated probable costs for earthwork activities may be released following review and approval of certified final grading as-built plans.
 - 2) Remaining 50% estimated probable costs for earthwork activities and 50% estimated probable costs for landscape installation may be released following review and approval of the preliminary wetland delineation (conducted in the third year of monitoring) and compliance with the prescribed performance standards for 3rd-year monitoring requirements
 - 3) Subsequent release of security shall be based on progress of mitigation and at the discretion of Staff. At no time, however, shall more than 50% of the remaining security be released prior to review and approval of the final wetland delineation (conducted in the fifth year of monitoring) and compliance with the prescribed performance standards for the 5th-year monitoring requirements
- 3 Required 3-year naturalized wetland detention basin development security may be released based on the following milestones:
 - 50% estimated probable costs for earthwork activities may be released following review and approval of certified final grading as-built plans
 - 2) Remaining 50% estimated probable costs for earthwork activities and 50% estimated probable costs for landscape installation may be released following review and approval of the naturalized wetland basin establishment after two years of development and compliance with the prescribed performance standards for the 2nd—year monitoring requirements.
 - 3) Subsequent release of security shall be based on progress of naturalized wetland basin and at the discretion of Staff At no time, however, shall more than 50% of the remaining security be

Article 10 41

released prior to review and approval of the naturalized wetland basin after three years of development and compliance with the prescribed performance standards for the 3rd-year monitoring requirements

4. Generally, at the end of the applicable monitoring period or upon an earlier request for the release of the performance security, Staff or his/her agent shall evaluate the wetland mitigation and/or naturalized wetland basin for compliance with the performance standards, conditions, and standards of these regulations. If Staff or his/her agent determines that the wetland mitigation meets the performance standards, conditions, and wetland protection standards of these regulations, he/she shall recommend release of the performance security

Section 10.3 Performance Security

- 1 Performance security posted pursuant to this Article shall be in a form satisfactory to Staff
- If the developer fails or refuses to fully meet any of its obligations under these regulations then the City may, at their discretion, draw on and retain all or any of the funds remaining in the performance security. The City thereafter shall have the right to take any action deemed reasonable and appropriate to mitigate the effects of such failure or refusal, and to reimburse the City from the proceeds of the performance security for all of its costs and expenses, including legal fees and administrative expenses, that resulted from or incurred as a result of the developer's failure or refusal to fully meet its obligations under these regulations. If the funds remaining in the performance security are insufficient to fully repay the City for all such costs and expenses, or after said payment to the City, the remaining cash reserve of the performance security is less than the amount that would otherwise be required to be maintained under this Article, the developer shall on demand by the City immediately deposit with the City such additional funds as the City determines are necessary to fully repay such costs and expenses, and to establish appropriate cash reserve as required under this Article

Article 10 42

Article 11 Fee-In-Lieu of Wetland Mitigation

Section 11.1 Fee-in-lieu of Wetland Mitigation

- If fee-in-lieu of mitigation is required by the City, the applicant shall prepare a statement of the estimated probable cost to construct wetlands that includes costs associated with land acquisition, wetland construction, planting, and the 5-year monitoring and maintenance activities The estimate of probable costs is subject to the approval of the City
- 2 If fee-in-lieu of mitigation is not required by the City, the applicant's estimated probable cost shall be determined based on a mitigation ratio 1 5 times the on-site required mitigation acreage. The probable cost estimate shall include costs associated with land acquisition, wetland construction, planting, and the 5-year monitoring and maintenance activities. The estimate of probable costs is subject to the approval of the City.

Section 11.2 Procedures and Use of Funds

- 1 An applicants' statement of its intention to satisfy the wetland mitigation requirement by the payment of a fee-in-lieu of wetland mitigation shall be in writing and filed with the City along with the estimates described in Section 11.1
- 2 Fees paid in lieu of wetland mitigation shall be deposited by the City in a separate fund created for such purpose
- Fees paid in lieu of wetland mitigation shall be expended to plan, design, restore, improve, acquire, or enhance Isolated Waters of Yorkville and/or Waters of the U S located within the City's jurisdiction

Article 11 44

APPENDIX A

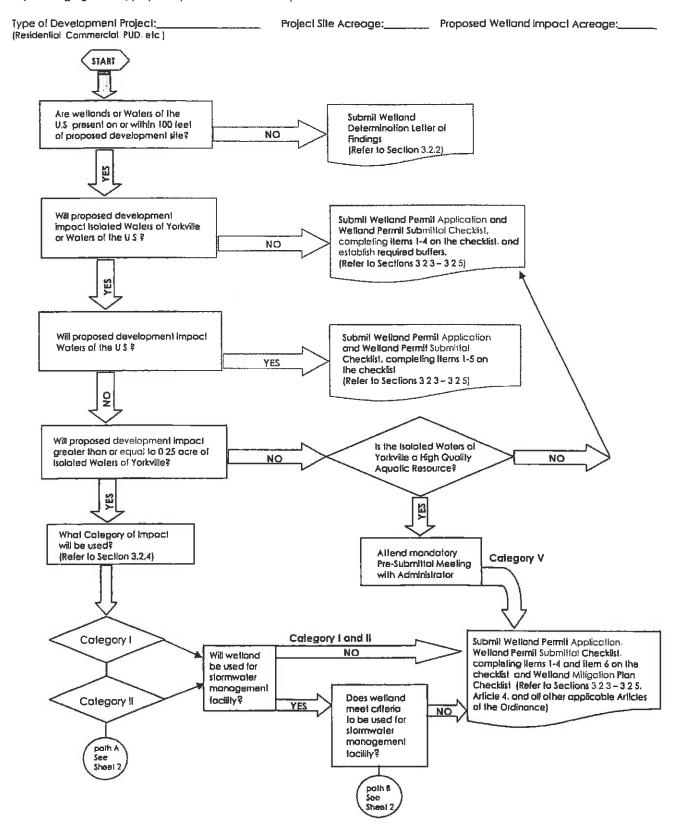
WETLAND PERMIT APPLICATION AND PERMIT SUBMITTAL FLOWCHART

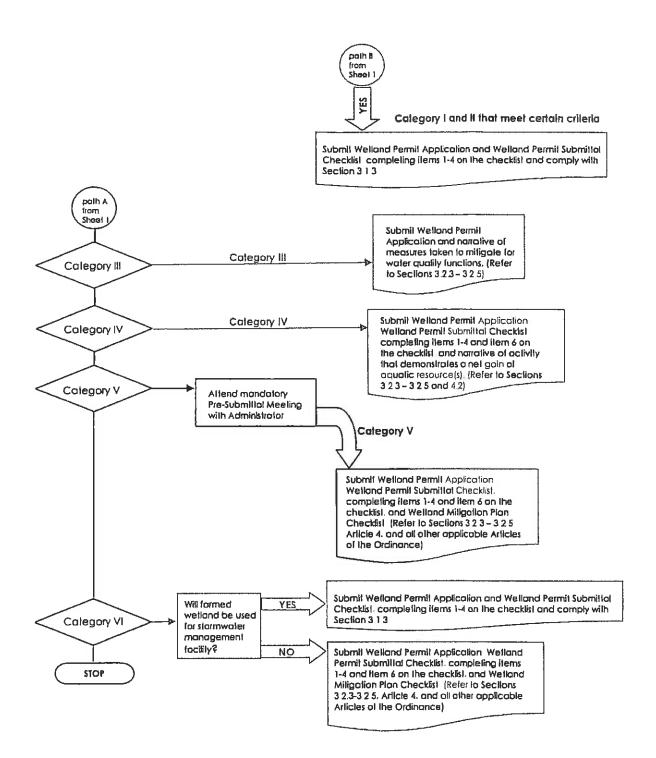
UNITED CITY OF YORKVILLE WETLAND PERMIT APPLICATION

or ally use only) Date Application Receiv	red:	Date Perr	nli issued:	
structions: Applicant shall submit complete	d application permit sumbitte	al checklist permit subr	niltal flowchart, miligation plan checklist	
nd all other applicable submittal items as re all begin once a complete submittal has b		dinance to the Adminis	rator. The welland permit review process	
Iame & Address of Applicant:	Name & Address of Ov	vner(s):	Name & Address of Developer:	
				
elephone No. during business hours:	Telephone	e No during busines	s hours:	
<u> </u>	(fax		fax	
\	(1	IUX	
Describe the general intent of the prop	oosed activity, its purpose	and the proposed	Calegory (I-VI) of impact.	
Names, addresses and lelephone num	nbers of all adjoining prop	perty owners within 2	250 feel of the development site.	
•		•	· ·	
P 45.34		Legal Description		
ocation of activity:		regor pescripitori	•	
treet, road or other descriptive location		1/4 Sec	Twp Range	
		Tax Assessor's Des	cription (if known);	
City County State	Tip Code			
Name of waterbody within or adjacent to sit	e (il opplicable)	Map No. Subdiv No	Lol No	
s any portion of activity for which a w	eiland permit is sought ne	ow complete?	NoYes, if yes expla	in:
				_
hereby certify that all information pre				
ead and understand the United City	DI TORKVIIIE WEIRONG PROTE	cilon Ordinance, al	in folly ittlesing to combity with its blo.	ARIOIS
Signature of Developer		Dale		
R. O. O.C. Et m. a. andless.		2-10		
Signature of Owner		Dale		

UNITED CITY OF YORKVILLE TYPICAL WETLAND PERMIT SUBMITTAL FLOWCHART

The following flowcharl identifies the typical submittal items that are required for a permit application based on the type of proposed impact. Highlight the appropriate path and circle the required submittal items.





APPENDIX B

WETLAND PERMIT SUBMITTAL CHECKLIST

United City of Yorkville WETLAND PERMIT SUBMITTAL CHECKLIST

REQUIREMENT	ITEM REQUIRED (√)	ITEM PROVIDED (√)	IF NOT PROVIDED. EXPLANATION
Welland Delineolion Report that provides all information as required in Section 3.2.5 of the Ordinance.			
2 Narrative Report and Site Plan Ihal demonstrates compliance of: a Section 3.1.1 Buffer Requirements, including planting plan for buffer area(s). b Section 3.1.2 Wetland Hydrology Protection c Section 3.1.3 Stormwater Management within Isolated Waters of Yorkville (Including buffer and 3-year management and monitoring plan) d Section 3.1.4 Discharge to Isolated Water of Yorkville or Waters of the U.S. e. Section 3.1.5 Protection of Isolated Waters of Yorkville During Development			
3 Narralive that specifies prescribed management activities and long-term management provisions for all buffers, perserved wellands, and welland miligation (if applicable), and includes the following: a. Maintenance activities and tentative schedule b. Maintenance activities and tentative schedule subsequent to required monitoring period c. Description of funding source d. Designation of the responsible party following Article 5.			
USACE statement of jurisdictional determination for all wellands on development sile.			
5. For proposed Impacts to Waters of the U.S. the following shall be provided: a Completed United City of Yorkville Welland Permit Application			
b Provide USACE permit submitted for the proposed development or a letter from the USACE that states the proposed development does not require USACE authorization			
c Provide copies of all USACE. IEPA. and IDNR Office of Waler Resources authorizations to the Administrator			
d Statement that all wellands within the City's jurisdiction will be milligated for within the same primary watershed as the impact(s) at the milligation ratio specified by the USACE			
e Soil Erosion and Sediment Control Plan that demonstrates compliance with the City's Soil Erosion and Sediment Control Ordinance.			
6. For proposed impacts to isolated Waters of Yorkville the following shall be provided: a. Completed United City of Yorkville Welland Permit Application			
b Statement of Permit Category (Category I-VI) to be used for development Impact(s)			
c Documentation for compliance with Itinois Department of Natural Resources' Endangered Species Consultation Program and the Itinois Natural Areas Preservation Act.			

WETLAND PERMIT SUBMITTAL CHECKLIST

		QUIREMENT	ITEM REQUIRED (√)	ITEM PROVIDED (√)	IF NOT PROVIDED, EXPLANATION
6.	d.	Documentation for compliance with U.S. Fish and Wildlife Service's Endangered Species Act			
	е	 Stotement on the occurrence of High Quality Aqualla Resources on or within 100 feet of the development site Applicant has completed a Pre-Submittot meeting with the Administrator if so give date of meeting 			
	f	Millgallon Plan (if applicable) refer to Appendix C for Millgalian Plan checklist			
	g	For Category II or Category V Impacts provide the following: 1) Natrative of measures taken in sequence, to avoid and minimize welland impacts before milligation is considered. 2) Detailed discussion of alternative analysis to avoid minimize and miligate for welland impacts			
	h	For Calegory III Impacts provide the following: 1) Narrative of measures taken to mittgate for water quality functions			
	i	For Category IV Impacts provide the following: 1) Narrative of proposed plan that demonstrates net gains in aquatic resource functions			
	J	For CategoryVI Impacts provide the following: 1) Namative of miligation measures that demonstrates an environmental benefit e.g Improved habital water quality etc.			

APPENDIX C

WETLAND MITIGATION PLAN CHECKLIST

United City of Yorkville WETLAND MITIGATION PLAN CHECKLIST

REQUIREMENT	ITEM	ITEM	IF NOT PROVIDED,
	REQUIRED	PROVIDED	EXPLANATION
	(4)	(4)	
Narrative description of wetland impacts and			
proposed mitigation. Provide a summary table		1 1	
with acreage for each existing wetland,		1 1	
proposed impact, and proposed mitigation.			
2. Narrative of proposed mitigation plan that includes a			
description of the following parameters:			
a <u>Hydrologic Conditions</u> – Identify source(s) of water,			
both on-site and off-site surface and groundwater.		1 1	
Describe and provide model results of the			
expected hydroperiod (at a minimum, 2-yr, 10-yr, and			
100-yr, 24-hr storm events) that include frequency,			
duration, and elevation of inundation or saturation.			
b. 1) <u>Planting Plan</u> – Describe each proposed plant			
community and approximate size. Provide a list			
of plant species for each community, including			
proposed cover crop, NOTE; All seed and			
plant material shall originate within 200 miles			
of site.			
Or since.		 	
2) Planting narrative that describes the planting			
methods and planting schedule.		1	
Themoos and planning schedule.		 	
c. Soil Characteristics – Provide a soil profile		i	
of the proposed conditions. Identify			
soil conditions that will be present from		1	
12 - 24 inches below the surface			
12 - 24 Inches below the solidce			
d. Topography ~ Submit existing and proposed grades			
with 1-foot contour lines and reference elevations.			
Specifications for wetland mitigation earthwork	_	 	
including final grading, allowable compaction limits,			
treatment of compacted soils, and topsoil placement;			
water control structures, if applicable; BMP design and	1		
Implementation if proposed within wetland buffer			
area; plant and seed procurement, installation			
methods and schedule; and all other appropriate			
1 1			
specifications for the wetland miligalion activities.			
4 Proposed implementation schedule that includes:		 	
4. Proposed implementation schedule that includes:			
a. Site preparation.		 	
b. Installation of soil erosion and sediment			
control measures.			
New Company of the data			
c. Planting schedule.	L		L

WETLAND MITIGATION PLAN CHECKLIST

REQUIREMENT	ITEM	ITEM	IF NOT PROVIDED,
	REQUIRED	PROVIDED	EXPLANATION
	(4)	(√)	
4. d. Post-planting maintenance and monitoring.			
5. Maintenance and Monitoring Plan that Includes:			
a Proposed monitoring protocol that follows			
Section 4 4 of the Ordinance.			
to Constitute of the state of t			
b. Specified performance standards that follows Section 4.5.	341	1	
5ecilon 4.5.	+	 	
c. Proposed annual maintenance activities to be			
performed during the 5-year monitoring period.			
Activities should include, but not be limited to			
control of undesirable plant species, herbivore			
control, burn management, enhancement planting.		<u> </u>	
6 Provide o Wetland Millgation Plan Graphic Ihai			
contains the following information.			
a. A summary table with acreage for each existing	ì		
wetland, proposed impact acreage, and			
proposed mitigation acreage.			
b. Clearly identify proposed wetland impacts, wetland			H:
mitigation area(s) denoting creation vs. enhancement wetlands, and limits of required		1	
buffer oreas.			
bullet dieds.			
c. Planting Plan that includes a complete list of plants			
by common and scientific name for each			
community type; quantities per species of seed,			
plugs, rootstock, transplants, or propagules; and			
specific planting zones			
d. Existing and proposed grades with 1-foot contour			
lines and reference elevations to bench marks.		ļ	
e. Protection measures for all preserved isolated			
Waters of Yorkville and Waters of the U.S.		 	
f. Location of water level control structures, BMPs, etc.			
7. If off-site miligation is proposed, the following maps			
shall be provided with the location of the mitigation			
site clearly marked:			
a. USGS topographic map.			
b. County soil survey			
c. NWI map.			
d. NRCS swampbuster map (if applicable)			
e. Hydrologic Allas.			
f. Aerial pholograph(s).			

WETLAND MITIGATION PLAN CHECKLIST

RE	QUIREMENT	ITEM REQUIRED (√)	ITEM PROVIDED (√)	IF NOT PROVIDED, EXPLANATION
7. g	Site photographs			
8.	Performance Security following the provisions of Article 10.			
9.	If owner of the property is different then the applicant, provide written assurance from the owner that the applicant has permission to use the site for mitigation.			

Ordinance No. 2009-

AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, PROVIDING FOR THE REGULATION OF POST-CONSTRUCTION IMPLEMENTATION OF STORMWATER BEST MANAGEMENT PRACTICES

WHEREAS, the United City of Yorkville (the "City") is a duly organized and validly existing non-home-rule municipality created in accordance with Article VII, Section 7 of the Constitution of the State of Illinois of 1970; and,

WHEREAS, pursuant to 35 Ill. Administrative Code, Subtitle C, Chapter 1, the United City of Yorkville storm sewer system has been identified by the Illinois Environmental Protection Agency (IEPA) as a Small Municipal Separate Storm Sewer System (MS4); and,

WHEREAS, the IEPA has issued a National Pollutant Discharge Elimination System (NPDES) General Storm Water Permit for the United City of Yorkville's Small MS4; and,

WHEREAS, said NPDES permit requires the United City of Yorkville to adopt an ordinance or other regulatory mechanism related to post-construction runoff minimum control measures; and,

WHEREAS, proper implementation of stormwater Best Management Practices are essential to minimizing the pollutant content of storm water discharges to receiving streams,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, as follows:

Section 1. That the United City of Yorkville Standards for Regulating Post-Construction Maintenance of Stormwater Best Management Practices, dated October 12, 2009, a copy of which is attached as Exhibit "A", is hereby approved and adopted.

Section 2. This ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

ATTEST CIDMOLERK

ROBYN SUTCLIFF GARY GOLINSKI WALTER WERDERICH ROSE ANN SPEARS	DIANE TEELING ARDEN JOSEPH PLOCHER MARTY MUNNS GEORGE GILSON, JR.
Approved by me, as Mayor of tellinois, this 7 Day of JANUAR	the United City of Yorkville, Kendall County, A.D. 2009. Lalle Burd MAYOR

UNITED CITY OF YORKVILLE

STANDARDS FOR REGULATING POST-CONSTRUCTION IMPLEMENTATION OF STORMWATER BEST MANAGEMENT PRACTICE(S)

This document establishes stormwater Best Management Practice(s) which shall be used to meet the requirements of the National Pollutant Discharge Elimination System and the Illinois Environmental Protection Agency Small Municipal Separate Storm Sewer Systems (MS4's).

Section 1. Definitions

For the purposes of these standards, the following definitions are adopted:

- 1. Best Management Practice (BMP) Any technique, process, activity, structure, prohibition of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. Best Management Practice(s) also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage of raw materials storage.
- 2. City The United City of Yorkville, Kendall County, Illinois.
- 3. Development Any man-made change to real estate including, but not limited to:
 - a. More than fifty percent (50%) increase in impervious area of an existing building and/or the affected parcel.
 - b. Installation of utilities, construction of roads, bridges, culverts or similar projects.
 - c. Construction or erection of levees, dams, walls or fences.
 - d. Drilling, mining, filling, dredging, grading, excavating, paving, or other alterations of the ground surface.
 - e. Storage of materials including the placement of gas and liquid storage tanks, and channel modifications or any other activity that might change the direction, height, or velocity of flood or surface waters.

- f. Development does not include routine maintenance or existing buildings and facilities, resurfacing roads, or gardening, plowing, and similar practices that do not involve filling, grading, or construction of levees.
- 4. Maintenance Agreement An agreement between the City and the Responsible Party, recorded against the real estate to which it pertains, that acts as a property deed restriction and which provides for long-term operation and maintenance of stormwater Best Management Practice(s).
- 5. Responsible Party The developer, organization, property owner or entity owning the property upon which the stormwater Best Management Practice(s) is required to be performed.
- 6. Violation- The failure of a developer, organization, property owner, or other entity to be fully compliant with the City's Post-Construction Stormwater Best Management Practice ordinance.

Section 2. Best Management Practices

Examples of structural stormwater Best Management Practice(s) include but are not limited to:

Application	Benefit
Buffer Strips	Provides additional distance between homes and natural areas; attenuates runoff rates and promotes infiltration.
Created Wetlands	Can move existing wetlands and re-create at a new location.
Infiltration Trenches	Attenuates runoff rates and promotes infiltration.
Naturalized Basins	Attenuates runoff rates and promotes infiltration.
Sand Filters	Allows additional water infiltration.
Stream Bank Reinforcement	Reduces long-term erosion of stream banks.
Turf Reinforcement Mat	Prevents rainfall from washing away plant seeds.
Vegetated Filter Strips	Attenuates runoff rates and promotes infiltration.

Examples of non-structural stormwater Best Management Practice(s) include but are not limited to:

Method

Education and enforcement campaigns
Educational and participation programs
Pollution prevention practices and procedures (street sweeping, fertilizer control, etc.)
Regulatory controls
Stormwater drain stenciling
Strategic planning
Town planning controls
Training programs

Section 3. Implementation

All redevelopment of previously developed properties and all development of previously undeveloped properties shall incorporate stormwater Best Management Practice(s) into the design, construction, operation, and maintenance requirements of those properties. The final design of stormwater Best Management Practice(s) is subject to approval as provided in Section 7 of these Standards. Said Best Management Practice(s) shall vary based on specific characteristics of the property, and may include but are not limited to grassy swales, disconnected impervious areas, minimization of impervious areas, green roofs, naturalized stormwater basins, etc. All stormwater Best Management Practice(s) shall be operated, maintained, or performed by the Responsible Party as necessary to ensure that the intended function and/or benefit of the stormwater Best Management Practice(s) is realized.

Proposed developments/re-developments shall submit a plan detailing specific stormwater Best Management Practice(s), and shall include:

- A written or graphic inventory of the natural resources at the site and surrounding area as it exists prior to commencement of the project and a description of the watershed and its relation to the project site. This description shall include a discussion of soil conditions, forest cover, topography, wetlands, and other native or man-made vegetative areas on the site. Particular attention should be paid to environmentally sensitive features that provide particular opportunities or constraints for development.
- A specific analysis to show that the proposed stormwater Best Management Practice(s) are capable of improving or maintaining the quality or stormwater runoff from the site.
- A written description of the required operation and maintenance requirements for compliance with proposed Best Management Practice(s).

Section 4. Inspections

1. All Responsible Parties shall adequately construct, operate, maintain and/or perform the stormwater Best Management Practice(s) that have been incorporated into the design of their property. Said stormwater Best Management Practice(s) shall be subject to inspection by the City at least once a year. Responsible Parties shall keep records of all maintenance and repairs, and shall retain the records for a minimum of 5 years. These records shall be made available to the City during inspection of the stormwater Best Management Practice(s) and at other times upon request.

Section 5. Maintenance Agreements

1. All stormwater Best Management Practice(s) shall be subject to an enforceable Maintenance Agreement to ensure that the system functions as designed. This agreement will include any and all maintenance easements required to access and inspect the stormwater Best Management Practice(s), and to perform routine maintenance as necessary to ensure proper functioning of the stormwater Best Management Practice(s). In addition, a legally binding covenant specifying the parties responsible for the proper operation and maintenance of all Best Management Practice(s) shall be secured prior to issuance of any building permits or recording of plats of subdivision for the property in question.

Section 6. Previously Developed Properties

 Most stormwater facilities inherently result in some improvement to stormwater quality and meet the requirements of a stormwater Best Management Practice(s). Such facilities shall be operated and maintained by the Responsible Party as approved in their original design. No changes shall be made to tributary conveyances, basins, or outfalls without specific approval from the City.

Section 7. Administration

- The City Administrator or his/her designee shall be responsible for the general
 administration of these standards and ensure that all development and/or
 maintenance activities within the United City of Yorkville meet the requirements
 of these standards. Specifically, the City Administrator or his/her designee shall:
 - a. Perform periodic site inspections of all properties that have stormwater facilities to ensure compliance with this ordinance.
 - b. Meet with the Responsible Parties regarding construction, operation, maintenance and/or performance of stormwater Best Management Practice(s) as necessary to ensure that they understand their responsibilities regarding stormwater Best Management Practice(s).
 - c. At his/her discretion, issue a stop-work order requiring the suspension of the subject development or activity if there is a violation of these standards. The stop-work order shall be in writing, indicate the reason for the issuance, and shall order the action, if necessary, to resolve the circumstances requiring the stop-work order.
 - d. Arrange for city personnel or contractors to mitigate/repair any damage to stormwater Best Management Practice(s) if the Responsible Party does not perform the work within 60 days (or other timeframe specified by the City) of written direction from the City to do so. The cost of mitigation/repair and any related administrative or legal activities shall be borne by the Responsible Party.

e. If the Responsible Party does not perform the work or reimburse the City within the specified timeframe, the City Administrator or his/her designee shall prosecute the Responsible Party through the administrative adjudication process or other available means.

Section 8. Variances

- If a Responsible Party feels that these standards place undue hardship on a
 specific development proposal or property, the Responsible Party may apply
 to the City Administrator for a variance. The City Administrator or his/her
 designee shall review the applicant's request for a variance and shall submit
 his/her recommendation to the City Council. The City Council may attach
 such conditions to granting of a variance as it deems necessary to further the
 intent of these standards.
- 2. No variance shall be granted unless the applicant demonstrates that all of the following conditions are met.
 - a. An exceptional hardship would result if the variance were not granted. Economic hardship is not a valid reason to grant a variance.
 - b. The relief requested is the minimum necessary.
 - c. The applicant's circumstances are unique and do not establish a pattern inconsistent with the intent of the city's NPDES General Storm Water Permit.

Section 9. Best Management Practice(s) Lien Claim

- Lien Claim: All costs for work performed under Section 7.1.d of these
 Standards are the responsibility of the Responsible Party. Whenever a bill for
 such costs remains unpaid for thirty (30) days after it has been rendered, the
 clerk may file with the recorder of deeds of Kendall County a lien claim. This
 lien claim shall contain the legal description of the property, the costs incurred
 and the date(s) when the work was performed.
- 2. Notice Of Lien Claim: Notice of such lien claim shall be mailed to the responsible party at the last known address of such Responsible Party; provided, however, that failure of the clerk to record such lien claim or to mail such notice, or the failure of the Responsible Party to receive such notice, shall not affect the rights of the city to collect for such charges as provided in this section.

Section 10. Backup Special Service Areas

For properties that have back-up special service areas established or allowed by
agreement to fund maintenance of common areas, the city may activate said SSA to
collect un-reimbursed costs or to fund ongoing or future costs related to operation,
maintenance, or performance of stormwater Best Management Practice(s). Prior to
the activation of a back up special service area, notice shall be published in a
newspaper with circulation in the effected area.

Section 11. Conflicts

 These standards do not repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where this ordinance and other easements, covenants or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Section 12. Separability

 The provisions and sections of these standards shall be deemed separable and the invalidity of any portion of these standards shall not affect the validity of the remainder.

Ordinance No. 2010-05

ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS TO PROVIDE FOR THE REGULATION OF ILLICIT DISCHARGES AND CONNECTIONS TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM

BE IT ORDAINED by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, that the City Code be and is hereby amended to add the following new Chapter 17 to Title 8:

CHAPTER 17 PROVISIONS REGULATING NON-STORM WATER DISCHARGES AND CONNECTIONS TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM

8-17-1: Purpose. The objections of this chapter are to provide for the health, safety, and general welfare of the citizens of the United City of Yorkville through the regulation of non-storm water discharges to the municipal separate storm sewer system to the maximum extent practicable as required by federal and state law. This chapter establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process by:

- (1) Regulating the contribution of pollutants to the municipal separate storm sewer system by stormwater discharges by any user;
- (2) Prohibiting illicit connections and discharges, as hereinafter defined, to the municipal separate storm sewer system; and,
- (3) Establishing legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this chapter.

8-17-2: Definitions. For the purposes of this chapter, the following shall mean:

Authorized Enforcement Agency: Employees or designees of the Mayor of the United City of Yorkville designated to enforce the provisions of this chapter.

Best Management Practices: Schedules of activities, prohibitions of practices, general good house keeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. Best Management Practices also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

Clean Water Act: The federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), as amended from time to time.

Construction Activity: Activities subject to NPDES construction permits. These include construction projects resulting in land disturbance of 10,000 square feet or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

<u>Hazardous Materials</u>: Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a potential substantial hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

<u>Illegal Discharge</u>: Any direct or indirect non-storm water discharge to the Municipal Separate Storm Sewer System, as hereinafter defined, except as exempted in Section 8-17-5 of this chapter.

Illicit Connection: Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the Municipal Separate Storm Sewer System including but not limited to any conveyances which allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the Municipal Separate Storm Sewer System and any connection to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an Authorized Enforcement Agency or, any drain or conveyance connected from a commercial or industrial land use to the Municipal Separate Storm Sewer System which has not been documented in plans, maps, or equivalent records and approved by an Authorized Enforcement Agency.

Industrial Activity: Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b) (14).

Municipal Separate Storm Sewer System: Publicly-owned facilities by which storm water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit: Permit issued by EPA (or by a State under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-Storm Water Discharge: Any discharge to the Municipal Separate Storm Sewer System that is not composed entirely of storm water.

<u>Person</u>: Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

<u>Pollutant</u>: Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

<u>Premises</u>. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Storm Water: Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Stormwater Pollution Prevention Plan: A document which describes the Best Management Practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to a Storm Drainage System, to the maximum extent practicable.

Wastewater: Any water or other liquid, other than uncontaminated storm water, discharged from a facility.

8-17-3: Applicability: This Chapter shall apply to all water entering the Municipal Separate Storm Sewer System generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency.

8-17-4: Responsibility for Administration: The City shall administer, implement, and enforce the provisions of the Chapter.

8-17-5: Discharge Prohibitions:

- A. No person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than storm water, except for the following:
 - (i) Water line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat or wet-land flows, swimming pools (if dechlorinated typically less than one particle per million chlorine), fire fighting activities, and any other water source not containing Pollutants.

- (ii) Discharges specified in writing by the City Engineer as being necessary to protect public health and safety.
- (iii) Dye testing if a verbal notification to the City Engineer is given prior to the time of the test.
- (iv) Any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.
- 8-17-6: Prohibited Illicit Connections: The construction, use, maintenance or continued existence of Illicit Connections to the Municipal Separate Storm Sewer System is prohibited, including, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

8-17-7: Suspension of Municipal Separate Storm Sewer System Access:

- A. The City may, without prior notice, suspend access to the Municipal Separate Storm Sewer System when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the Municipal Separate Storm Sewer System or waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the Authorized Enforcement Agency may take such steps as deemed necessary to prevent or minimize damage to the Municipal Separate Storm Sewer System or waters of the United States, or to minimize danger to persons.
- B. Any person discharging to the Municipal Separate Storm Sewer System in violation of this chapter may have access terminated if such termination would abate or reduce an illegal discharge. The City Engineer shall notify a violator of the proposed termination of its Municipal Separate Storm Sewer System access.

Municipal Separate Storm Sewer System access to premises terminated pursuant to this Section shall not be reinstated without the prior approval of the City Engineer.

8-17-8: Industrial or Construction Activity Discharges: Any person subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the City Engineer prior to the allowing of discharges to the Municipal Separate Storm Sewer System.

Section 8-17-9: Monitoring of Discharges:

- (a) The City Engineer shall be permitted to enter and inspect facilities subject to regulation under this chapter as often as may be necessary to determine compliance. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the City.
- (b) Facility operators shall allow the City Engineer ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge storm water, and the performance of any additional duties as defined by state and federal law.
- (c) The City Engineer shall have the right to set up on any permitted facility such devices as are necessary in the opinion of the Authorized Enforcement Agency to conduct monitoring and/or sampling of the facility's storm water discharge.
- (d) The City Engineer has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.
- (e) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the City Engineer and shall not be replaced. The costs of clearing such access shall be borne by the operator.
- (f) Unreasonable delays in allowing the City Engineer access to a permitted facility is a violation of a storm water discharge permit and of this chapter. A person who is the operator of a facility with a NPDES permit to discharge storm water associated with industrial activity commits an offense if the person denies the City Engineer reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this chapter.
- (g) If the City Engineer has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this chapter or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the City Engineer may seek issuance of a search warrant from any court of competent jurisdiction.

Section 8-17-10: Requirement to Prevent, Control and Reduce Storm Water Pollutants by the Use of Best Management Practices: The City has adopted requirements identifying Best Management Practices for any activity, operation, or facility which may cause or contribute to pollution or

contamination of storm water, the storm drain system, or waters of the United States. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the Municipal Separate Storm Sewer System or watercourses through the use of these structural and non-structural facilities meeting Best Management Practices requirements. Any person responsible for a property or premise, which is, or may be, the source of an illegal discharge, may be required to implement, at said person's expense, additional structural and non-structural facilities to prevent the further discharge of pollutants to the Municipal Separate Storm Sewer System. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section.

8-17-11: Watercourse Protection: Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

Section 8-17-12: Notification of Spills: Any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in Illegal Discharges or pollutants discharging into storm water, the Municipal Separate Storm Sewer System, or water of the United States said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release and immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the City in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the City within three business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

Section 8-17-13: Ultimate Responsibility: The standards set forth herein and promulgated pursuant to this Chapter are minimum standards; therefore this Chapter does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.

Section 8-17-14: Enforcement: Whenever the City Engineer finds that a person has violated a prohibition or failed to meet a requirement of this chapter, the authorized enforcement agency may order compliance by written notice of violation to the responsible person in accordance with the requirements of Chapter 14, Title I of this City Code.

The provisions of this ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Ordinance.

This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois, this

13 Day of ______, A.D. 2010.

ATTEST

ROBYN SUTCLIFF

GARY GOLINSKI

WALTER WERDERICH

ROSE ANN SPEARS

DIANE TEELING

ARDEN JOSEPH PLOCHER

MARTY MUNNS

GEORGE GILSON, JR.

Approved by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this

19 Day of JANUARY, A.D. 2010.

Valerie Burd

94-4 AN ORDINANCE PROHIBITING THE CONNECTION OF SANITARY SEWAGE AND INDUSTRIAL WASTE WATER INTO STORM SEWERS AND OTHER HIGHWAY DRAINAGE SYSTEMS

BE IT ORDAINED, by the city of Yorkville, Kendall County, Illinois:

<u>Section 1</u>. It shall be unlawful for any person, firm or corporation, or institution, public or private, to connect or cause to be connected, any drain carrying, or to carry, any toilet, sink, basement, septic tank, cesspool, industrial waste or any fixture or device discharging polluting substances, to any open ditch, drain, or drainage structure installed solely for street or highway drainage purposes in the city of Yorkville.

<u>Section 2</u>. This ordinance is intended to and shall be in addition to other ordinances. State statutes, rules and regulations concerning pollution and shall not be construed as repealing or rescinding any other ordinance or part of any ordinance unless in direct conflict herewith.

Section 3. Any person, firm, or corporation violating this ordinance shall be fined not less than her Dollars (\$ 25.00), nor more than the Dollars (\$500.00) for each offense, and a separate offense shall be deemed committed for each and every day during which a violation continues or exists.

STATE OF ILLINOIS CITY OF YORKVILLE

COUNTY OF KENDALL JACQUELINE

City Clerk in and for the city of Yorkville hereby certify the foregoing to be a true, perfect, and complete copy of an Ordinance adopted by the Yorkville City Council at its meeting on Francisco 27

1994.

(SEAL)

STATE OF ILLINOIS) ss COUNTY OF KENDALL)

ORDINANCE No. 2006-133 ORDINANCE AMENDING CITY CODE TITLE 7 - PUBLIC WAYS AND PROPERTIES, CHAPTER 5 - WATER USE AND SERVICE, SECTION 15 - WATER CONSERVATION REGULATIONS

Whereas the United City of Yorkville has taken up, discussed and considered amending the City Code (Title and Chapter as referenced above) regarding dissemination of information, and

Whereas the Mayor and City Council have discussed that it may be prudent to amend Title 7 – Public Ways and Properties, Chapter 5 – Water Use and Service, Section 15 – Water Conservation Regulations, by amending Item J as depicted on the attached Exhibit "A".

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE UNITED CITY OF YORKVILLE, upon Motion duly made, seconded and approved by a majority of those so voting, that Title 7 – Public Ways and Properties, Chapter 5 – Water Use and Service, Section 15 – Water Conservation Regulations, by amending Item J as depicted on the attached Exhibit "A".

This Ordinance shall be effective upon its passage.

JAMES BOCK

VALERIE BURD

PAUL JAMES

DEAN WOLFER

MARTY MUNNS

ROSE SPEARS

JASON LESLIE

Approved by me, as Mayor of the United City of Yorkville, Kendall County,

Illinois, this M day of the A.D. 2006

Passed by the City Council of the United City of Yorkville, Kendall County,

Illinois this day of October, A.D. 2006.

ATTEST:

CITY CLERK

Prepared by:

John Justin Wyeth City Attorney United City of Yorkville 800 Game Farm Road Yorkville, IL 60560

EXHIBIT A

TITLE 7 – PUBLIC WAYS AND PROPERTY

Chapter 5 - Water Use and Service

Section 15 - Water Conservation Regulations

- J. Restriction On Permanent Landscape Watering Systems Of Nonresidential Properties:
 - 1. This subsection J shall apply only to nonresidential properties, and common and/or open space areas of residential developments.
 - 2. For this subsection J, a "permanent landscape watering system" shall be defined as any system of pipes, sprinkler heads or similar devices installed underground to be used to provide landscape watering.
 - 3. Landscape watering upon nonresidential properties shall be limited as follows:
 - a. For properties with one building, a total area within the property not to exceed one (1) acre may be watered by a permanent landscape watering system using the City's potable water. This area shall be measured by the amount of non-impervious surface on the property including all landscaped areas, lawn areas and greenspace regardless of the size of the area initially planned to be irrigated.
 - b. For properties with more than one building, a total area within the property not to exceed three (3) acres may be watered by a permanent landscape watering system using the City's potable water. This area shall be measured by the amount of non-impervious surface on the property including all landscaped areas, lawn areas and greenspace regardless of the size of the area initially planned to be irrigated.
 - c. For the common space and/or open space of a primarily residential development, no permanent landscape watering system shall be allowed using the City's potable water.
 - d. All permanent landscape watering systems permitted to use the City's potable water shall be metered the same as domestic water service. No special meters will be permitted.
 - 4. The total area to be watered shall be measured as the area within reach of any permanent device used to water landscape including, but not limited to, sprinkler heads, hoses, trenches or similar devices to water landscape. (Ord. 2005-47, 5-24-2005)

States of Illinois)
) ss
County of Kendall)

ORDINANCE No. <u>SO</u> ORDINANCE AMENDING UNITED CITY OF YORKVILLE WATER CONSERVATION REGULATIONS ORDINANCE NO. 2004-17

WHEREAS, THE UNITED CITY OF YORKVILLE, after careful consideration by the Mayor and City Council, has determined it necessary to amend the Water Conservation Regulations; and

WHEREAS, THE UNITED CITY OF YORKVILLE, after careful consideration by the Mayor and City Council has determined that it is in the best interests of the community to amend the Section 7-5-15 (I) Penalty in order to ensure the orderly and efficient enforcement of the Water Conservation Regulations.

NOW THEREFORE BE IT ORDAINED BY THE UNITED CITY OF YORKVILLE; that Section 7-5-15(I) Penalty is hereby revoked; and a new Section 7-5-15(I) is created to read as follows:

- 1. Any United City of Yorkville inspector, employee, officer or citizen observing a violation of Title 7 may file a complaint for violation of Title 7 by notifying the United City of Yorkville Police Department.
- 2. Any person who or which violates, disobeys, neglects, fails to comply with or resists enforcement of the provisions of this Article other than Section (3)(A)(3) or Section (3)(F) above, shall be subject to penalties as provided in section 1-4-1 of this code in conjunction with the following provisions:
 - a. \$50.00 for a first offense;
 - b. \$125.00 for a second offense; and
 - c. \$500.00 for each subsequent offense.
- 3. Within ten (10) days of receiving notice of such violation any person may pay at the Office of the United City of Yorkville Water Department the fine.
- 4. The amount of any fine due pursuant to Title 7, for a violation of the provisions of Title 7 occurring at a property in the City, if not paid as provided therein, a notice to appear shall issue and upon adjudication of the matter and assessment of a fine, the fine amount owed to the City shall be added to the bill for water consumption for the property at which the offense occurred.

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Any Ordinance or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict. The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section of clause is adjudged unconstitutional or invalid by a Court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

IN WITNESS WHEREOF, this Ordinance has been enacted this 27th day of May, 2004.

PAUL JAMES

MARTY MUNNS

RICHARD STICKA

WANDA OHARE

VALERIE BURD

ROSE SPEARS

LARRY KOT

JOSEPH BESCO

APPROVED by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this 27th day of May, 2004.

APRIL

PASSED by the City Council of the United City of Yorkville, Kendall County, Illinois this 27th day of May 2004.

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This Document Prepared by: Law Offices of Daniel J. Kramer 1107A South Bridge Street Yorkville, IL 60560 630-553-9500 United City of Yorkville
Ordinance No. <u>2004-20</u>
Ordinance Amending
Water Conservation Regulations
Ordinance No. 2004-17

Text

TITLE 7

PUBLIC WAYS

CHAPTER 5

WATER CONSERVATION REGULATIONS

SECTION 7-5-15

7-5-15. Definitions. The following words and phrases when used in this Article shall, for the purpose of this Article, have the following meanings:

Drip-Irrigation System: A soaking hose that when in use does not result in an actual dissipation of Water.

Drip-Line: Pertaining to a tree or shrub, the ground area immediately beneath the branches of the tree or shrub.

Landscape/Landscaping: Sod and seeded turf lawns, gardens, trees, shrubs, and other living plants.

Permitted Hours of Water Use: A time period between 5:00a.m. and 9:00a.m., and between 9:00p.m. and 12:00 midnight, each day.

Person: Any individual, firm, partnership, association, corporation, company, organization, or entity of any kind.

City: The United City of Yorkville.

Water: The water provided by and obtained by a person from the City water supply and distribution system.

A. Application

1. The provisions of this Article shall apply to all Persons using Water, and to all properties within the City or unincorporated areas which are connected to the City's Water supply and distribution system, regardless of whether any Person using the Water has a contract for service with the City.

- 2. The provisions of this Article shall apply annually from May 1 through September 30, subject to any modifications thereof, including application of these or other regulations during this or any other time, by an Emergency Proclamation issued pursuant to Section (1) below.
- B. Restricted Hours and Days for Specified Uses:
 - 1. Water may be used for landscape watering or the filling of swimming pools only as follows:
 - a. All properties with even-number street numbers (i.e. numbers ending in 0, 2, 4, 6 or 8) may use Water for landscape watering or for pool filling, only on even-number calendar dates during Permitted Hours of Water Use.
 - b. All properties with odd-numbered street numbers (i.e. number ending in 1, 3, 5, 7, and 9) may use Water for landscape watering or for pool filling only on odd-numbered calendar dates during Permitted Hours of Water Use.
 - c. There shall be no restrictions as to hours or days when Water may be used for any of the following:
 - a) Landscape watering or sprinkling where such watering or sprinkling is done by a Person using a hand-held watering device;
 - b) Filling swimming pools with a volume of fifty (50) gallons or less;
 - c) The automatic watering of trees and shrubs by means of automatic root-feed or Drip-Irrigation Systems within the drip line of the tree or shrub; or
 - d) Vehicle and equipment washing; or
 - e) Any other lawful use of Water such as bathing, clothes washing, and other normal household uses not otherwise specifically restricted by the provisions of this Article.
- C. Restrictions for Sod Laying and Lawn Seeding for New Lawns. Notwithstanding the provisions of Section 8-3-3 above, the following special regulations shall apply:
 - 1. Sod laying, lawn seeding, and the planting of other landscaping for the establishment of a new lawn or new landscaping is prohibited from July 1st through August 31st each year unless the source of watering for said sod, lawn seeding and/or planting of landscaping is derived from a private well, imported water source or means other than any municipal water source.

2. From May 1st through June 30th and from September 1st through September 30th, Water may be used on new lawns (sod or seed), only as follows:

Prior to sod laying or lawn seeding, a Sod Watering Permit (Exhibit A) must be obtained from the United City of Yorkville.

- a. On the day new sod or seed has been placed on a property, a Person may use an automatic sprinkling device to apply Water to the sod or seed for a total period of time not to exceed eight (8) hours.
- b. For the next nine (9) days thereafter, a Person may apply water to said sod or seed each day during Permitted Hours of Water Use.
- c. Following the first ten (10) days after the sod or seed is placed, the provisions of Section 8-3-3 above shall apply.
- 3. Prior to the execution of any real estate contract for the sale of newly constructed property, the builder or owner of such new construction shall:
 - A. Inform prospective purchasers of the restrictions upon the installation of new lawns set forth in this Article:
 - B. Attach a Copy of these regulations to the contract; and
 - C. Obtain the signature of the purchaser(s) on a statement that he, she or they has (have) been informed of the new lawn installation restrictions set forth in this Article.
- 4. The applicant for a certificate of occupancy for any newly constructed property shall submit as a part of his application, and as a condition of issuance of such certificate, a copy of said signed statement. When an application for certificate of occupancy is submitted prior to sale of the property, and the future occupant is unknown, the applicant shall submit his signed statement that he shall comply with the requirements of this Section at the time the real estate contract is executed.
- D. Waste of Water Prohibited. No Person shall allow a continuous stream of Water to run off into any gutter, ditch, drain, or street inlet while using Water for restricted purposes during the Permitted Hours of Water Use.
- E. Exceptions. The provisions of the article shall not apply any commercial or industrial entity for which use of Water is necessary to continue normal business operations, or to maintain stock or inventory. Provided, however, this exception shall not apply to any and all uses of Water not essential to normal business operations or maintenance of inventory or stock, and specifically shall not apply to landscape watering or pool filling.
- F. Bulk Water Rates. Bulk Water rates shall be increased to three (3) times the non-resident Water rate during the time described in Section 8-3-2 (B) above.

G. Hydrant Use Prohibited. Hydrants connected to the City water supply and distribution system for the purpose of providing Water for fire fighting purposes shall not be opened by any Person, other than authorized City or Fire District personnel, except for the purpose of fighting a fire.

H. Emergency proclamation.

- 1. Whenever the Water supply of the City is diminished from any cause, including but not limited to prolonged dry period, increased Water demand, equipment failure, or Water quality concerns, to an amount which in the opinion of the City Engineer or Director of Public Works is or is likely to become dangerous to the health and safety of the public, the City Mayor is hereby authorized and empowered to issue an Emergency Proclamation specifying different or additional regulations on the use of water.
- Such regulations may provide for limitations on the usage of Water, limitations on days and hours of use of Water for some or all purposes, and the prohibition of specified uses of Water.
- 3. Upon issuing such Proclamation, the City Mayor shall make the contents thereof known to the public by posting a copy at the City Hall, and by new release to local newspapers and radio media, and may also endeavor to notify the City residents and other Persons in any other practical manner that he or she shall devise. Further, the City Mayor shall immediately deliver notice of such Proclamation, and the regulations that have been imposed by such Proclamation, to all members of the City Council.
- 4. The Emergency Proclamation of the City Mayor, and the regulations imposed thereby, shall remain in full force and effect until any one of the following shall first occur:
 - a. The City Mayor determines that the emergency no longer exists and that the Emergency Proclamation, and the regulations imposed thereby, shall no longer continue in effect.
 - b. The City Council modifies or repeals the Emergency Proclamation, and the regulations imposed thereby, by means of an ordinance enacted at any regular or special meeting of the City Council
 - c. The first regular meeting of the City Council occurring more than 30 days after the date of the Emergency Proclamation of the City Mayor.
- 5. Any City employee or officer may, at the direction of the City Mayor, notify and warn any Person of the effect of said Emergency Proclamation and direct said Person to comply with said watering or sprinkling restrictions. If any said Person, after having first been warned about said restrictions of the Emergency Proclamation, they shall be deemed to be in violation of this Article.

I. Penalty.

- 1. Any United City of Yorkville inspector, employee, officer or citizen observing a violation of Title 7 may file a complaint for violation of Title 7 by notifying the United City of Yorkville Police Department.
- 2. Any person who or which violates, disobeys, neglects, fails to comply with or resists enforcement of the provisions of this Article other than Section (3)(A)(3) or Section (3)(F) above, shall be subject to penalties as provided in section 1-4-1 of this code in conjunction with the following provisions:
 - a. \$50.00 for a first offense;
 - b. \$125.00 for a second offense; and
 - c. \$500.00 for each subsequent offense.
- 3. Within ten (10) days of receiving notice of such violation any person may pay at the Office of the United City of Yorkville Water Department the fine.
- 4. The amount of any fine due pursuant to Title 7, for a violation of the provisions of Title 7 occurring at a property in the City, if not paid as provided therein, a notice to appear shall issue and upon adjudication of the matter and assessment of a fine, the fine amount owed to the city shall be added to the bill for water consumption for the property at which the offense occurred.

Exhibit A

UNITED CITY OF YORKVILLE

800 Game Farm Road Yorkville, IL 60560

Phone: 630-553-4350 Fax: 630-553-7575

Sod Watering Permit

Name:	Date:
Address:	
Start Date:	Ending Date:
Official Sod Watering Rules:	
establishment of a new lawn of through August 31st of each ye lawn seeding and/or planting of	d the planting of other landscaping for the real new landscaping is prohibited from July 1 st ar unless the source of watering for said sod, of landscaping is derived from a private well, other than any municipal water source.
	0 th and September 1 st through the end of the two lawns (sod or seed) only as follows:
	as been placed on a property, a person may use ce to apply water to the sod or seed for a total eight (8) hours.
b. For the next nine (9) days the seed each day during permitte	reafter, a person may apply water to said sod or ed hours of water use.
` ,	ays after the sod or seed is placed, the provi- ion Regulations Ordinance No. 2004-17
Signature of Responsible Party:	

Illinois Erroronmental Protection Agency Division of Water Poliution Control 1021 North Grand East P.O. Box 19276 Springfield, Illinois 62794-9276

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

General NPDES Permit For Discharges from Small Municipal Separate Storm Sewer Systems

Expiration Date: March 31, 2014 Issue Date: February 20, 2009

Effective Date: April 1, 2009

In compliance with the provisions of the Illinois Environmental Protection Act, the Illinois Pollution Control Board Rules and Regulations (35 Ill. Adm. Code, Subtitle C, Chapter 1) and the Clean Water Act, the following discharges may be authorized by this permit in accordance with the conditions herein:

Discharges of only storm water from small municipal separate storm sewer systems, as defined and limited herein. Storm water means storm water runoff, show melt runoff, and surface runoff and drainage.

Receiving waters: Discharges may be authorized to any surface water of the State.

To receive authorization to discharge under this general permit, a facility operator must submit an application as described in the permit conditions to the Illinois Environmental Protection Agency. Authorization, if granted, will be by letter and include a copy of this permit.

Alan Keller, P.E. Manager, Permit Section

Division of Water Pollution Control

ILR40.wpd

CONTENTS OF THIS GENERAL PERMIT

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PART I. COVERAGE UNDER THIS PERMIT

A. Permit Area

This permit covers all areas of the State of Illinois.

B. Eligibility

- This permit authorizes discharges of storm water from small municipal separate storm sewer systems (MS4s) as defined in 40 CFR 122.26(b)(16) as designated for permit authorization pursuant to 40 CFR 122.32.
- 2. This permit authorizes the following non-storm water discharges provided they have been determined not to be substantial contributors of pollutants to a particular small MS4 applying for coverage under this permit:
 - water line and fire hydrant flushing,
 - landscape Imigation water,
 - rising ground waters,
 - ground water infiltration,
 - pumped ground water,
 - discharges from potable water sources, (excluding wastewater discharges from water supply treatment plants)
 - foundation drains,
 - air conditioning condensate,
 - irrigation water, (except for wastewater irrigation),
 - springs,
 - water from crawl space pumps,
 - · footing drains,
 - storm sewer cleaning water,
 - water from individual residential car washing.
 - routine external building washdown which does not use detergents,
 - flows from riparian habitats and wetlands,
 - dechlorinated pH neutral swimming pool discharges,
 - residual street wash water,
 - discharges or flows from fire fighting activities
 - · dechloringlad water reservoir discharges, and
 - pavement washwaters where spills or leaks of toxic or hazardous meterials have not occurred (unless all spilled material has been removed).
- 3. Any municipality covered by this general permit is also granted automatic coverage under Permit No. ILR10 for the discharge of storm water associated with construction site activities for municipal construction projects disturbing one acre or more. The permittee is granted automatic coverage 30 days after Agency receipt of a Notice of Intent to Discharge Storm Water from Construction Site Activities from the permittee. The Agency will provide public notification of the construction site activity and assign a unique permit number for each project during this period. The permittee shall comply with all the requirements of Permit ILR10 for all such construction projects.

C. Limitations on Coverage

The following discharges are not authorized by this permit:

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- Storm water discharges that are mixed with non-storm water or storm water associated with industrial activity unless such discharges are:
 - in compliance with a separate NPDES permit, or
 - identified by and in compliance with Part I.B.2 of this permit.
- Storm water discharges that the Agency determines are not appropriately covered by this general permit. This determination may include discharges identified in Part 1.B.2.
- Storm water discharges to any receiving water specified under 35 Ill, Adm. Code 302.105(d)(6).

D. Obtaining Authorization

In order for storm water discharges from small municipal separate storm sewer systems to be authorized to discharge under this general permit, a discharger must:

- Submit a Notice of Intent (NO:) in accordance with the requirements of Part II using an NOI form provided by the Agency (or a
 photocopy thereof) or the appropriate U.S. EPA NOI form.
- 2. Submit a new NO! in accordance with Part II within 30 days of a change in the operator or the addition of a new operator.
- 3. Unless notified by the Agency to the contrary, submit an NOI in accordance with the requirements of this permit to be authorized to discharge storm water from small municipal separate storm sewer systems under the terms and conditions of this permit 30 days after the date that the NOI is received. The Agency may dany coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI or other information.

PART II. NOTICE OF INTENT REQUIREMENTS

A Deadlines for Notification

- If you were automatically designated under 40 CFR 122.32(a)(1) to obtain permit coverage, then you were required to submit an NOt or apply for an individual permit by March 10, 2003.
- If you have coverage under the previous general permit for storm water discharges from small MS4s, you must renew your
 permit coverage under this part. You must submit a NOI within 90 days of the effective date of this reissued general permit for
 storm water discharges from small MS4s to renew your NPDES permit coverage.
- If you are designated by IEPA under Section 122.32 (a)(2) during the term of this general permit, then you are required to submit an NOI within 180 days of such notice.
- 4. You are not prohibited from submitting an NOI after established deadlines for NOI submittals. If a late NOI is submitted, your authorization is only for discharges that occur after permit coverage is granted. IEPA reserves the right to take appropriate enforcement actions against MS4s that have not submitted a timely NOI.

B. Contents of Notice of Intent

Dischargers seeking coverage under this permit shall submit either the Illinois MS4 NOI form or the U.S. EPA MS4 NOI form. The Notice(s) of Intent shall be signed in accordance with Standard Condition 11 of this permit and shall include the following information:

- 1. The street address, county, and the latitude and longitude of the municipal office for which the notification is submitted;
- 2. The name, address, and telephone number of the operator(s) filing the NOI for permit coverage;
- The name of the receiving water(s), their impairments from any approved 303(d) list and any appropriate TMDL or alternate water quality study; and
- 4. The following shall be provided as an attachment to the NOI:
 - a description of the best management practices (BMPs) to be implemented and the measurable goals for each of the storm water minimum control measures in paragraph IV. B. of this permit designed to reduce the discharge of pollutants to the maximum extent practicable;

- b. the month and year in which you implemented any BMPs of the six minimum control measures, and the month and year in which you will start and fully implement any new minimum control measures or indicate the frequency of the action:
- for existing permittees, provide adequate information or justification on any BMPs from previous NOIs that could not be implemented; and
- identification of a local qualifying program, or any partners of the program if any.
- For existing permittees, certification that states the permittee has implemented necessary BMPs of the six minimum control measures.
- C. All required information for the NOI shall be submitted electronically to the following email and office addresses: epa.ms4noipermit@illinois.gov

Illinois Environmental Protection Agency Division of Water Pollution Contro! Permit Section Post Office Box 19276 Springfield, Illinois 62794-9276

D. Shared Responsibilities

You may partner with other MS4s to develop and implement your storm water management program. You may also jointly submit an NOI with one or more MS4s. Each MS4 must fill out the NOI form. The description of your storm water management program must clearly describe which permittees are responsible for implementing each of the control measures. Each permittee is responsible for implementation of Best Management Practices for the Storm Water Management Program within its jurisdiction.

PART III. SPECIAL CONDITIONS

- A. Your discharges, alone or in combination with other sources, shall not cause or contribute to a violation of any applicable water quality standard outlined in 35 lh. Adm. Code 302.
- B. If there is evidence indicating that the storm water discharges authorized by this permit cause, or have the reasonable potential to cause or contribute to a violation of water quality standards, you may be required to obtain an individual permit or an alternative general permit or the permit may be modified to include different limitations and/or requirements.
- C. If a total maximum daily load (TMDL) allocation or watershed management plan is approved for any water body into which you discharge, you must review your storm water management program to determine whether the TMDL or watershed management plan includes requirements for control of storm water discharges. If you are not meeting the TMDL allocations, you must modify your storm water management program to implement the TMDL or watershed management plan within eighteen months of notification by the Agency of the TMDL or watershed management plan approval. Where a TMDL or watershed management plan is approved, you must:
 - Determine whether the approved TMDL is for a pollutant likely to be found in storm water discharges from your MS4.
 - Determine whether the TMDL includes a pollutant waste load allocation (WLA) or other performance requirements specifically for storm water discharge from your MS4.
 - Determine whether the TMDL addresses a flow regime likely to occur during periods of storm water discharge.
 - 4. After the determinations above have been made and if it is found that your MS4 must implement specific WLA provisions of the TMDL, assess whether the WLAs are being met through implementation of existing storm water control measures or if additional control measures are necessary.
 - Document all control measures currently being implemented or planned to be implemented to comply with TMDL waste load
 allocation(s). Also include a schedule of implementation for all planned controls. Document the calculations or other
 evidence that shows that the WLA will be met.
 - Describe and implement a monitoring program to determine whether the storm water controls are adequate to meet the WLA.
 - If the evaluation shows that additional or modified controls are necessary, describe the type and schedule for the control
 additions/revisions.

- Continue Paragraphs 4 above through 7 until two continuous monitoring cycles show that the WLAs are being met or that WQ standards are being met.
- D. If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with the Administrative Procedures Act and remain in force and effect. Any permittee who was granted permit coverage prior to the expiration date will automatically remain covered by the continued permit until the earlier of:
 - Reissuance or replacement of this permit, at which time you must comply with the Notice of Intent conditions of the new permit to maintain authorization to discharge; or
 - Your submittel of a Notice of Termination; or
 - 3. Issuance of an individual permit for your discharges; or
 - A formal permit decision by the Agency not to reissue this general permit at which time you must seek coverage under an elternative general permit or an individual permit.
 - The permittee shall submit a revised or updated NOI to the Agency no later than 180 days prior to the expiration date of this permit in order for permit coverage to be administratively continued.
- E. The Agency may require any person authorized to discharge by this permit to apply for and obtain either an individual NPDES permit or an alternative NPDES general permit. Any Interested person may petition the Agency to take action under this paragraph. The Agency may require any owner or operator authorized to discharge under this permit to apply for an individual NPDES permit only if the owner or operator has been notified in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the owner or operator to file the application, and a statement that on the effective date of the individual NPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. The Agency may grant additional time to submit the application upon request of the applicant. If an owner or operator falls to submit in a timely manner an individual NPDES permit application required by the Agency under this paragraph, then the applicability of this permit to the individual NPDES permittee is automatically terminated at the end of the day specified for application submittal.
- F. Any owner or operator authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. The owner or operator shall submit an Individual application with reasons supporting the request, in accordance with the requirements of 40 CFR 122.28, to the Agency. The request will be granted by issuing an individual permit or an alternative general permit if the reasons cited by the owner or operator are adequate to support the request.
- G. When an individual NPDES permit is issued to an owner or operator otherwise subject to this permit, or the owner or operator is approved for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the issue date of the individual permit or the date of approval for coverage under the alternative general permit, whichever the case may be.
- H. When an individual NPDES permit is denied to an owner or operator otherwise subject to this permit, or the owner or operator is denied coverage under an alternative NPDES general permit the applicability of this permit to the individual NPDES permittee is automatically terminated on the date of such denial, unless otherwise specified by the Agency.

PART IV. STORM WATER MANAGEMENT PROGRAMS

A. Requirements

The permittee must develop, implement, and enforce a storm water management program designed to reduce the discharge of pollutants from your small municipal separate storm sewer system to the maximum extent practicable (MEP), to protect water quality, and to satisfy the appropriate water quality requirements of the Illinois Pollution Control Board Rules and Regulations (35 Ill. Adm. Code, Subtitle C, Chapter 1) and the Clean Water Act. Your storm water management program must include the minimum control measures described in section B of this Part. For new permittees, the permittee must develop and implement a program by the date specified in your coverage letter. The U.S. Environmental Protection Agency's National Menu of Storm Water Best Management Practices (http://cfpub.epa.gov/npdes/stormwater/menuofomps/index.cfm) and the most recent version of the Illinois Urban Manual should be consulted regarding the selection of appropriate BMPs.

B. Minimum Control Measures

The 6 minimum control measures to be included in your storm water management program are:

Public education and outreach on storm water impacts

The permittee must:

5,10 General Permit ILR40

- a. Implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps that the public cantake to reduce pollutants in storm water runoff; the permittee should incorporate into its education materials information about green infrastructure strategies such as green roofs, rain gardens, rain barrels, bioswales, permeable piping, dry wells and permeable pevernent, that mimic natural processes and direct storm water to areas where it can be infiltrated, evapotranspirated or reused, discuss the benefits and costs of such strategies and provide guidance to the public on how to implement them; and
- b. define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in your storm water discharges to the maximum extent practicable.

2. Public Involvement/Participation

The permittee must:

- at a minimum, comply with State and local public notice requirements when implementing a public involvement/ participation program; and
- define appropriate BMPs for this minimum control measure and measurable goals for each BMP, which must ensure the
 reduction of all of the pollutants of concern in your storm water discharges to the maximum extent practicable.
- 3. Illicit discharge detection and elimination

The permittee must:

- develop, Implement and enforce a program to detect and eliminate illicit discharges into your small MS4;
- develop, if not already completed, a storm sewer system map, showing the location of all outfalls and the names and location of all waters that receive discharges from those outfalls;
- c. to the extent allowable under state or local law, effectively prohibit, through ordinance, or other regulatory mechanism, non-storm water discharges into your storm sewer system and implement appropriate enforcement procedures and actions, including enforceable requirements for the prompt reporting to the MS4 of all releases, spills and other unpermitted discharges to the separate storm sewer system, and a program to respond to such reports in a timely manner.
- develop, implement, and adequately fund a plan to detect and address non-storm water discharges, including illegal dumping, to your system;
- e. inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste and the requirement and mechanism for reporting such discharges;
- f. address the categories of non-storm water discharges fisted in Section I.B.2 only if you identify them as significant contributor of pollutants to your small MS4 (discharges or flows from the fire fighting activities are excluded from the effective prohibition against non-storm water and need only be addressed where they are identified as significant sources of pollutants to waters of the United States); and
- g. define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in your storm water discharges to the maximum extent practicable.
- conduct periodic (annual is recommended) inspections of the storm sewer outfalls for detection of non-storm water discharges and illegal dumping.
- Construction site storm water runoff control

The permittee must:

a. develop, implement, and enforce a program to reduce pollutants in any storm water runoff to your small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Control of storm water discharges from construction activity disturbing less than one acre must be included in your program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more or has been designated by the permitting authority.

Your program must include the development and implementation of, at a minimum;

- an ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to
 ensure compliance, to the extent allowable under state or local law;
- requirements for construction site operators to Implement appropriate erosion and sediment control best management practices, including green infrastructure storm water management techniques where appropriate and practicable;
- iii. requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality;
- iv. require all regulated construction sites to have a storm water pollution prevention plan that meets the requirements of Part IV of NPDES permit No. ILR10 including management practices, controls, and other provisions at least as protective as the requirements contained in the Illinois Urban Manual, 2002, or as amended including green infrastructure techniques where appropriate and practicable;
- procedures for site plan review which incorporate consideration of potential water quality impacts and review of individual pre-construction site plans to ensure consistency with local sediment and erosion control requirements;
- vi. procedures for receipt and consideration of information submitted by the public; and
- vii. procedures for site inspections and enforcement of control measures.
- b. define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in your storm water discharges to the maximum extent practicable.
- 5. Post-construction storm water management in new development and redevelopment

The permittee must:

- a. develop, Implement, and enforce a program to address and minimize storm water runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a large: common plan of development or sale or that have been designated to protect water quality, that discharge into your small MS4 within the MS4 jurisdictional control. Your program must ensure that appropriate controls are in place that would protect water quality and reduce the discharge of pollutents to the maximum extent practicable. In addition, each permittee should adopt strategies that incorporate storm water infiltration, reuse and evapotranspiration of storm water into the project to the maximum extent practicable;
- b. develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for all projects within your community for all new development and redevelopment that will reduce the discharge of pollutants, the volume and velocity of storm water flow to the maximum extent practicable. When selecting BMPs to comply with requirements contained in this Part, the permittee should adopt one or more of the following general strategies, in order of preference. Proposal of a strategy should include a rationale for not selecting an approach from among those with a higher preference. When approving a plan for development, redevelopment, highway construction, maintenance, replacement or repair on existing developed sites or other land disturbing activity covered under this Part, the permittee should require the person responsible for that activity to adopt one or more of these strategies, in order of preference, or provide a rationals for selecting a more preferred strategy.
 - preservation of the natural features of development sites, including natural storage and infiltration characteristics;
 - preservation of existing natural streams, channels, and drainage ways,
 - lii. minimization of new impervious surfaces;
 - iv. conveyance of storm water in open vegetated channels;
 - construction of structures that provide both quantity and quality control, with structures serving multiple sites being preferable to those serving individual sites; and
 - construction of structures that provide only quantity control, with structures serving multiple sites being preferable to those serving individual sites.

- c. develop and implement a program to minimize the volume of storm water runoff and pollutants from public highways, streets, roads, parking lots and sidewalks (public surfaces) through the use of BMPs that alone or in combination result in physical, chemical or biological pollutant load reduction, increased infiltration, evapotranspiration and reuse of storm water. The program shall include, but not be limited to the following elements:
 - appropriate training for all MS4 employees who manage or are directly involved in (or who retain others who manage
 or are directly involved in) the routine maintenance, repair or replacement of public surfaces in current green
 infrastructure or low impact design techniques applicable to such projects.
 - ii. appropriate training for all contractors retained to manage or carry out routine maintenance, repair or replacement of public surfaces in current green infrastructure or low impact design techniques applicable to such projects. Contractors may provide training to their employees for projects which include green infrastructure or low impact design techniques.
- d. develop and implement a program to minimize the volume of storm water runoff and pollutants from existing privately owned developed property that contributes storm water to the MS4 within the MS4 jurisdictional control. Such program may contain the following elements:
 - source identification establishment of an inventory of storm water and pollutants discharged to the MS4
 - ii. Implementation of appropriate BMPs to accomplish the following:
 - A. education on green infrastructure BMPs
 - B. identify a relevant set of BMPs for all departments
 - c. evaluation of existing flood control techniques to determine the feasibility of pollution control retrofits
 - Implementation of additional controls for special events expected to generate significant pollution (false, parades, performances)
 - E implementation of appropriate maintenance programs, including maintenance agreements, for structural pollution control devices or systems
 - F. management of pesticides and fertilizers
 - G. street cleaning in targeted areas
- use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects, public surfaces and existing developed property as set forth above to the extent allowable under state or local law; and
- require all regulated construction sites to have post-construction management plans that meets or exceeds the requirements of Section IV (DX2Xb) of NPDES permit No. ILR10 including management practices, controls, and other provisions at least as protective as the requirements contained in the Illinois Urban Manual, 2002;
- g. ensure adequate long-term operation and maintenance of BMPs; and
- define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals must ensure the reduction of all of the pollutants of concern in your storm water discharges to the maximum extent practicable.
- 6. Pollution prevention/good housekeeping for municipal operations

The permittee must:

- a develop and implement an operation and maintenance program that includes a training component and is designed to prevent and reduce the discharge of pollutants to the maximum extent practicable;
- b. using training materials that are available from EPA, the state of Illinois, or other organizations, your program must include employee training to prevent and reduce storm water pollution from activities such as park and open space maintenance, fleet and building maintenance, operation of storage yards, show disposal, new construction and land disturbances, and storm water system maintenance procedures for proper disposal of street cleaning debris and catch basin material, address ways that flood management projects impact water quality, non-point source pollution control, green infrastructure controls, and aquatic habitat; and
- define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable

goals must ensure the reduction of all of the pollutarita of concern in your storm water discharges to the maximum extent practicable.

Qualifying State, County, or Local Program

If an existing qualifying local program requires you to implement one or more of the minimum control measures of B. above, you may tollow that qualifying program's requirements rather than the requirements of B. above. A qualifying local program is a local, county or state municipal storm water management program that imposes, at a minimum, the relevant requirements of Section B. Any qualifying local programs that you intend to follow shall be specified in your storm water management plan.

D. Sharing Responsibility

- Implementation of one or more of the minimum measures may be shared with another entity, or the entity may fully take over the measure. You may rely on another entity only if:
 - a. the other entity, in fact, implements the control measure;
 - the particular control measure, or component of that measure is at least as stringent as the corresponding permit requirement;
 - c. the other entity agrees to implement the control measure on your behalf. Written acceptance of this obligation is expected. This obligation must be maintained as part of the description of your storm water management program. If the other entity agrees to report on the minimum measure, you must supply the other entity with the reporting requirements contained in Section V (C) of this permit. If the other entity fails to implement the control measure on your behalf, then you remain liable for any discharges due to that failure to implement.

E. Reviewing and Updating Storm Water Management Programs

- 1. Storm Water Management Program Review: You must do an annual review of your Storm Water Management Program in conjunction with preparation of the annual report required under Part V.(C).
- Storm Water Management Program Update: You may change your Storm Water Management Program during the life of the
 permit in accordance with the following procedures:
 - changes adding (but not subtracting or replacing) components, controls, or requirements to the Storm Water Management Program may be made at any time upon written notification to the Agency; and
 - b. changes replacing an ineffective or unfeasible BMP specifically identified in the Storm Water Management Program with an alternate BMP may be requested at any time. Unless denied by the Agency, changes proposed in accordance with the criteria below shall be deemed approved and may be implemented 60 days from submittal of the request. If request is denied, the Agency will send you a written response giving a reason for the decision. Your modification requests must include the following:
 - i. an analysis of why the BMP is ineffective or infeasible (including cost prohibitive);
 - ii. expectations on the effectiveness of the replacement BMP; and
 - ili. an analysis of why the replacement BMP is expected to achieve the goals of the BMP to be replaced.
 - changes replacing or modifying any ordinances relative to the storm water management program;
 - change requests or notifications must be made in writing and signed in accordance with Standard Condition II of Attachment H.
- Storm Water Management Program Updates Required by the Agency. The Agency may require changes to the Storm Water Management Program as needed to:
 - address impacts on receiving water quality caused, or contributed to, by discharges from the municipal separate storm sewer system;
 - include more stringent requirements necessary to comply with new federal statutory or regulatory requirements; or
 - include such other conditions deemed necessary by the Agency to comply with the goals and requirements of the Clean Water Act.

d. changes requested by the Agency must be made in writing, set torth the time echedule for you to develop the changes, and offer you the opportunity to propose alternative program changes to meet the objective of the requested modification, All changes required by the Permitting Authority will be made in accordance with 40 CFR 124.5, 40 CFR 122.62, or as appropriate 40 CFR 122.63.

PART V. MONITORING, RECORDICEPING AND REPORTING

A. Monitoring

The permittee must evaluate program compliance, the appropriateness of your identified best management practices, and progress towards achieving your identified measurable goals, which must include reducing the discharge of pollutants to the maximum extent practicable (MEP). Monitoring shell include at least annual monitoring of receiving waters upstream and downstream of the MS4 discharges, use of indicators to gauge the effects of storm water discharges on the physical/habitat-related aspects of the receiving waters, and/or monitoring of the effectiveness of BMPs.

B. Recordkeeping

The permittee must keep records required by this permit for the duration of this permit. All records shall be kept onsite or locally available and shall be made accessible to the Agency for review at the time of an on-site inspection. Except as otherwise provided in this permit, you must submit your records to the Agency only when specifically asked to do so. You must post your notice of intent (NOI), your storm water management plan and your annual reports on your website. You must make your records, including your notice of Intent (NOI) and your storm water management plan, available to the public at reasonable times during regular business hours within 10 working days of its approval by the permitting authority. (You may assess a reasonable charge for copying, You may require a member of the public to provide advance notice, not to exceed seven working days.) Storm sewer maps may be withheld for security reasons.

C. Reporting

The permittee must submit annual reports to the Agency by the first day of June for each year that this permit is in effect. If the permittee maintains a website, a copy of the annual report shall be posted on the website by the first day of June of each year. Each report shall cover the period from March of the previous year through March of the current year. Your report must include:

- 1. The status of compliance with permit conditions, an assessment of the appropriateness of your identified best management practices and progress towards achieving the statutory goal of reducing the discharge of pollutants to the MEP, and your Identified measurable goals for each of the minimum control measures;
- 2. Results of Information collected and analyzed, including monitoring data, if any, during the reporting period;
- A summary of the storm water activities you plan to undertake during the next reporting cycle (including an implementation schedule);
- 4. A change in any identified best management practices or measurable goals that apply to the program elements: and
- 5. Notice that you are relying on another government entity to satisfy some of your permit obligations (if applicable).
- The annual reports shall be submitted to the following email and office addresses: epa.ms4annualinsp@illinois.gov.

Illinois Environmental Protection Agency Division of Water Pollution Control Compliance Assurance Section Municipal Annual Inspection Report 1021 North Grand Avenue East P.O. Box 19276 Springfield, Illinois 62794-9276

PART VI. DEFINITIONS AND ACRONYMS (SEE ALSO SPECIAL CONDITIONS)

All definitions contained in Section 502 of the Clean Weter Act, 40 CFR 122, and 35 III. Adm. Code 309 shall apply to this permit and are incorporated herein by reference. For convenience, simplified explanations of some regulatory/statutory definitions have been provided, but in the event of a conflict, the definition found in the statute or regulation takes precedence.

Best Management Practices (BMPs) means structural or nonstructural controls, schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment requirements, operating procedures, and practices to control runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

BMP is an acronym for "Best Management Practices."

CFR is an acronym for "Code of Federal Regulations."

Control Measure as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce storm water runoff or the discharge of pollutants to waters of the State.

CWA or The Act means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub. L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et. seq.

Discharge, when used without a qualifier, refers to discharge of a pollutant as defined at 40 CFR 122.2.

Green Infrastructure means well weather management approaches and technologies that utilize, enhance or mimic the natural hydrologic cycle processes of infiltration, evapotranspiration and reuse. Green infrastructure approaches currently in use include green roofs, trees and tree boxes, rain gardens, vegetated swales, pocket wetlands, infiltration planters, porous and permeable pavements, porous piping systems, dry wells, vegetated median strips, reforestation/revegetation, rain barrels and cistems and protection and enhancement of riparian buffers and floodplains.

Illicit Connection means any men-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

Ifficit Discharge is defined at 40 CFR 122.26(b)(2) and refers to any discharge to a municipal separate storm sewer that is not composed entirely of storm water, except discharges authorized under an NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges resulting from fire fighting activities.

MEP is an acronym for "Maximum Extent Practicable," the technology-based discharge standard for Municipal Separate Storm Sewer Systems to reduce pollutants in storm water discharges that was established by CWA Section 402(p). A discussion of MEP as it applies to small MS4s is found at 40 CFR 122.34.

MS4 is an acronym for "Municipal Separate Storm Sewer System" and is used to refer to a Large, Medium, or Small Municipal Separate Storm Sewer System (e.g. "the Dalles MS4"). The term is used to refer to either the system operated by a single entity or a group of systems within an area that are operated by multiple entities (e.g., the Houston MS4 includes MS4s operated by the city of Houston, the Texas Department of Transportation, the Harris County Flood Control District, Harris County, and others).

Municipal Separate Storm Sewer is defined at 40 CFR 122.28(b)(8) and means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of the CWA that discharges to waters of the United States; (ii) Designed or used for collecting or conveying storm water, (iii) Which is not a combined sewer; and (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

NOT is an acronym for "Notice of Intent" to be covered by this permit and is the mechanism used to "register" for coverage under a general permit.

NPDES is an acronym for "National Pollutant Discharge Elimination System."

Outfall is defined at 40 CFR 122.26(b)(9) and means a point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the United States and does not include open conveyances connecting two municipal storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the United States and are used to convey waters of the United States.

Owner or Operator is defined at 40 CFR 122.2 and means the owner or operator of any "facility or activity" subject to regulation under the NPDES program.

Permitting Authority means the Illinois EPA.

Point Source is defined at 40 CFR 122.2 and means any discernable, confined and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from impated agriculture or agricultural storm water runoff.

Qualifying Local Program is defined at 40 CFR 122.34(c) and means a local, state, or Tribal municipal storm water management program that imposes, at a minimum, the relevant requirements of paregraph (b) of Section 122.34.

Small Municipal Separate Storm Sewer System is defined at 40 CFR 122.26(b)(16) and refers to all separate storm sewers that are owned or operated by the United States, a State [sic], city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State [sic] law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of the CWA that discharges to waters of the United States, but is not defined as "large" or "medium" municipal separate storm sewer system. This term includes systems almillar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

Storm Water is defined at 40 CFR 122.26(b)(13) and means storm water runoff, snowmelt runoff, and surface runoff and drainage.

Storm Water Management Program (SWMP) refers to a comprehensive program to manage the quality of storm water discharged from the municipal separate storm sewer system.

SWMP is an acronym for "Storm Water Management Program."

TMOL is an acronym for "Total Maximum Daily Load."

Waters (also referred to as waters of the state or receiving water) is defined at Section 301.440 of Title 35: Subtitle C: Chapter I of the Illinois Pollution Control Board Regulations and means all accumulations of water, surface and underground, natural, and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon the State of Illinois, except that sewers and treatment works are not included except as specially mentioned; provided, that nothing herein contained shall authorize the use of natural or otherwise protected waters as sewers or treatment works except that in-stream agration under Agency permit is allowable.

"You" and "Your" as used in this permit is intended to refer to the permittee, the operator, or the discharger as the context indicates and that party's responsibilities (e.g., the city, the country, the flood control district, the U.S. Air Force, etc.).

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Attachment H Btandard Conditions Definitions

Act means the Illinois Environmental Protection Art. 415 L.CS 5 as Amended.

Apency means the Ilkhois Environmental Protection Agency

Board means the Illinois Polytion Custro' Board.

Glean Water Act (formerly referred to at the Faderst Water Pollution Control Act) means Pub. L. 92-500, as amended: 33 U.S.C. 1251 et seq.

NPDES (National Pollutant Discharge Elimination System) makins the national program for issuing, modifying, revoluing and relissuing, territoring primitis, and imposing and antioning pretreatment requirements, under Sections 597, 402, 318 and 405 of the Clean Water Art.

USEPA means the United States Environmental Protection Agency.

Daily Discharge means the discharge of a pollutant measured during a calender day or any 24-hour period that represents the calendar day for purposes of sampling. For pollutants with irrelations expressed in units of meas, the "daily discharge" is estaulated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurements, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

Maximum Daily Discharge Limitation (dely maximum) means the highest aboveable daily discharge.

Average Monthly Discharge Limitation (30 day average) means the highest allowable everage of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month

Average Weakly Discharge Limitation (7 day average) means the highest allowable average of sally discharges over a calendar week, calculated as the sum of all daily discharges measured suring a calendar week divided by the number of daily discharges measured during that week

Best Management Practices (BMPs) means achedutes of activities, prohibitions of practices maintaneous procedures, and other management practices to prevent or reduct the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control plant after runoff, spillage or leake, studge or waste disposel, or drainage from the material stocker.

Alfiquot means a sample of specified volume used to make up a total composite sample

Grab Bampie means an individual sample of all least 100 milliters collected at a randomlyselected time over a period not exceeding 15 minutes.

24 Hour Composite Sample means a combination of at least 8 sample alguots of at least 100 reliables collected at periodic intervals during the operating hours of a facility over a 24-hour which

I Hour Composite Bample means a combination of all least 3 sample abouts of at least 100 nitilities collected at periodic intervals during the operating hours of a facility over an 8-hour tennol.

Flow Proportional Composite Sample means a combination of sample exputs of at least 100 nilitibers collected at periodic intervals such that either the time interval between each aliquot or the rolume of each aliquot is proportional to either the stream flow at the time of sampling or the total stream flow since the collection of the previous aliquot.

- (1) Duty to comply. The permittee must comply with all conditions of this permit. Any permit noncompliance constitution is violation of the Act and is grounds for enforcement action, permit termination, revocation and relativance, modification, or for denial of a permit renewal application. The permittee shak comply with efficient attandants or prohibitions established under Section 307(a) of the Clean Water Act toxic pollutants within the time provided in the regulations that establish these standands or prohibitions, even if the permit has not yet been modified to incorporate the requirement.
- (2) Duty to reapply, if the permittee wathes to continue an activity regulated by this permit after this expiration date of this permit, the permittee must apply for and obtain a new permit. If the permittee submits a proper application as required by the Agency no later than 160 days prior to the expiration date, this permit shall continue in full force and effect until the final Agency decision on the application has been made.
- (3) Need to half or reduce activity not a defense it shall not be a defense for a permitted an enforcement action that it would have been necessary to half or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- (4) Duty to mitigate. The pormitted shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable treathood of adversely affecting human health or the environment.

- (5) Proper operation and maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of transmers and control (and related appuremence) which are installed or used by the permittee to enhick elective performance, with conditions of this permit. Proper operator and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including approprieting quality essurance procedures. This provision requires the operation of beck-up, or suclibry facilities, or similar systems only when recessary to achieve consultance with the conditions of the permit.
- (6) Permit ections. This permit may be modified, revoked and reissued, or terminated for cause by the Agency pursuant to 40 CFR 122.52. The fibring of a request by the permittee for a permit modification, revocation and reissualnes, or termination, or a notification of planned changes or enticipated noncompliance, does not stay any permit condition.
- (7) Property rights. This permit does not convey any property rights of any sort, or any exclusive privilege.
- (8) Duty to provide Information. The permitted shall furnish to the Agency within a reasonable time, any information which the Agency may request to determine whether cause exists for modifying, revolving and evisuality, or torminating this permit, or to determine complicated with the permit. The permitted shall also furnish to the Agency, upon request, copies of records required to be topt by this permit.
- (9) Inspection and entry. The permittee shall allow an authorized representative of the Agency, upon the presentation of credentials and other documents as may be required by law, to:
 - (a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
 - (b) Have access to and copy, at mascrable times, any records that must be kept under the conditions of this permit;
 - (c) Inspect at reasonable times any facilities, equipment (Industing monitoring and control equipment), practices, or operations regulated on required under this parmit, and
 - (d) Sample or manifor at reasonable times, for the purpose of assuring permit compileros, or as otherwise sufficiend by the Act, any substances or parameters at any location.
- (10) Monitoring and records.
 - (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity
 - (b) The permittee shall retern records of all monitoring information, including all calibration and maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of attaset 3 years from the data of this permit, measurement, report or application. This period may be extended by request of the Agency at any time.
 - (t) Records of monitoring information shall include:
 - The date, exact place, and time of sampling or measurements.
 - (2) The individual(s) who performed the sampling or measurements;
 - (3) The date(s) energies were performed,
 - (4) The individual(s) who performed the analyses;
 - (5) The analytical techniques or methods used, and
 - (6) The results of such analyses.
 - (d) Monitoring must be conslucted according to test procedures approved under 40 CFR. Part 136, unless other test procedures have been specified in this permit. Where no test procedure under 40 CFR Part 136 has been approved, the permitter must submit to the Agency elect method for approval. The permitter shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.
- (11) Signatory requirement. All applications, reports or information submitted to the Agency shall be signed and certified.
 - (a) Application. All perm? applications shall be signed as follows:
 - For a corporation: by a principal executive office; of at least the level of vice president or a person or position having overall responsibility for environmental matters for the corporation;
 - (2) For a partnership or abla proprietorship: by a general partner or the proprietor respectively, or

- (3) For a municipality, State, Federal, or other public agency, by either a principal exaculave officer or ranking elected official.
 - (c) Reports: All reports required by permits or other information requested by the Agency shall be agreed by a person described in paragraph (a) or by a duty authorized representative of that person. A person is a duty authorized representative only if
 - (1) The mathemation is made in writing by a person described in peragraph (a) and
 - (c) Changes of Authorization. It an authorization under (b) is no longer accurate because a different individual or position has responsibility for the overal operation of the facility, a new authorization autofying the requirements of (b) must be submitted to the Agency prior to or together with any reports. Information or applications to be agreed by an authorized representative.

(*2) Reporting requirements

- Planned changes. This permittee shall give notice to the Agency as soon as possible of any planned physical alterations or additions to the permitted facility.
- (b) Anticipated noncompliance. The permittee shall give advance notice to the Agency of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements
- (c) Compiliation actuabates. Reports of completion or nanocompletion with, or any progress report; on, trial fire and first requirements contained in any completions schedule of this permit shell be submitted no latter then 14 days tohowing each schedule data.
- (d) Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in this permit.
 - (1) Monitoring results must be reported on a Discharge Monitoring Report (DMR)
 - (5) If the pensitive monitors any pollutant more frequently then required by the permit, using test procedures approved under 40 CFR 136 or as specified in the pensit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
 - (3) Calculations for all finitiations which require averaging of measurements shall stillize an arithmetic mean unless otherwise specified by the Agency in the porms.
- (r) Twenty-tour hour reporting. The pri-mitted shall report any noncompliance which may endanger health or the environment. Any information shall be provided orall, within 24 hours from the time the permitted becomes aware of the commissiones. A writion submission shall also be provided within 5 days of the time the parmitted becomes aware of the oriumstances. The written submission shall contain a description of the noncompliance and its cause, the period of noncompliance, including seasot dates and brine, and if the noncompliance has not been corrected, the anticipated that it is expected to continue, and steps taken or planned to reduce, eliminate, and prevent recountrieurs of the noncompliance. The total wing shall be included as information which next be reported within 24 hours.
 - (1) Any unanticipated bypass which exceeds any effluent limitation in the permit.
 - (2) Valuation of a maximum daily discharge limitation for any of the pollutantslisted by the Agency in the permit to be reported within 24 hours.

The Agency may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

- (i) Other noncompliance. The permittee shat report all instances of remompliance not reported under paragraphs. (12)(c). (d) or (e), at the time monitoring reports are submitted. The reports shall contain the Information listed in paragraph (12)(e).
- (g) Other Information. Where the permittee becomes aware than it failed to submit any relevant facts in a permit application, or submitted moorrect information in a permit application, or in any report to the Agency, it shall promptly submit such facts or information.
- (13) Transfer of parelts. A permit may be automatically transferred to a new permittee #
 - (a) The current permittee notries the Agency a' least 30 days in advance of the proposed transfer date:
 - (c) The make includes a written agreement between the exacting and new permittees containing a specific data for transfer of permit responsibility, coverage and liability between the current and new permittees, and
 - (c) The Agency does not notify the existing permittee and the proposed rew permittee of its linear to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement.

- (2) The authorization apacifies either an individual or a position responsibility for the overall operation of the facility, from which the discharge expirates, butch as a plant manager, superintendent or person of equivalent responsibility; and
- (3) The written authorization is submitted to the Agency
- (14) At manufacturing, commercial mining, and alvocultural depharages; must notify the Agency as appr as they know or have reason to believe.
 - (a) That any activity has occurred or will occur which would result in the discharge or any toxic polution identified under Section 307 of the Clean Water Act which is not traited in this permit. If that discharge will exceed the highest of the following notification tends:
 - (1) One hundred micrograms per liter (100 ug/l)

- (2) Two hundred relaxograms per liter (200 up/l) for excelein and ecrytoristrile, five hundred micrograms per liter (500 up/l) for 2.4-dintrophenol and for 2-methyl., 4,6 dintrophenol, and one milligram per titer (1 mp/l) for antimony.
- (3) Five (5) times the maximum concentration value reported for that pollutant in the NPDES permit application, or
- (4) The level established by the Agency in this permit
- (b) That they have begun or expect to begin to use or manufacture, as an intermediate or final product or byproduct any texts pollutant which was not reported in the NPDES permit application.
- (15) All Publicly Owned Transment Works (POTWs) must provide adequate notice to the Agency of the following
 - (a) Any new introduction of pollutarits into that POTW from an indirect decharge which would be aubject to Sections 301 or 305 of the Clean Water Act if it were directly decharging those pollutarits, and
 - (b) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
 - (c) For purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of allower introduced into the POTHY, and (i) any anticipated impact of the change on the quantity or quality of efficient to be decharged from the POTHY.
- (16) If the permit is issued to a publicly owned or publicly regulated treatment works, the permitted shall require any industrial user of such treatment works to comply with federal requirements concerning.
 - (a) User chargita pursuant to Section 204(b) of the Clean Water Act, and applicable regulations appearing in 40 CFR 35,
 - (b) Toxic pollutant effluent standards and pretreatment standards pursuant to Section 307 of the Clean Water Act, and
 - (c) Inspection, more large and entry pursuent to Section 306 of the Class Water Act
- (17) If an applicable standard or limitation is promulgated under Section 301(b)(2)(C) and (O), 304(b)(2) or 307(a)(2) and that efficient standard or limitation is more stringers than any efficient limitation in this permit, or controls a pollutant not limited in the permit the permit shall be promptly modified or revoked, and reissued to conform to that efficient standard or limitation.
- [18] Any authorization to construct leaved to the permittee pursuant to 35 P. Adm. Code 309 194 is hereby incorporated by reference as a conduce of this permit.
- (19) The permitted shall not make any lake distances, representation or certification in any application, record, report, plan or other document automated to the Agency or the USEPA, or required to be maintained under this permit.
- (20) The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 305, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$19,000 per day of such violation. Any person who withfully of negligently violates permit conditions implementing Sections 301, 302, 306, 307, or 306 of the Clean Water Act is subject to a line of not less than \$2,500 nor more than \$25,000 per day of violation, or by Imprisonment for not more than one year or both.
- (21) The Clean Water Act provides that any parson who faisfies it ampers with or knowingly renders inaccurate any monitoring device or method required to be maintained under permit shall, upon conviction, be purished by a finir of not more than \$10,000 par.

violation, or by impresonment for not more than 6 morehs per violation, or by both

- (22) The Claim Water Act provides that any person who knowingly makes any false statement, representation or continuation in any record or other document submitted or required to be maintained under this permit shall, including introducing reports or reports of compliance or necessarial support conviction, by purished by a final of not more than \$10,000 per violation, or by amplicament for not more than \$10,000 per violation, or by amprisonment for not more than \$10,000 per violation.
- (23) Cobecad screening, slumes, sludges, and other solids shall be disposed of in such a memory as to prevent entry of those wester (or runoff from the wastes) jinto waters of the State. The proper suthorization for such disposal shall be obtained from the Agency and its incorporated as part hereof by reference.
- (24) In case of conflict between these standard conditions and any other condition(s) included in this permit the other condition(s) shall govern
- (25) The permittee shall comply with, in addition to the requirements of the permit, at applicable provisions of 35 it. Adm. Code. Subtitle C. Subtitle D. Subtitle E, and at applicable orders of the Board.
- (26) The provisions of this permit are severable, and it only provision of this permit, or the application of any provision of this permit is held invalid the remaining provisions of this permit shall continue in full force and effect.

(Res. 6-1-2007)



United City of Yorkville

County Seat of Kendall County 800 Game Farm Road Yorkville, Illinois 60560 Telephone: 630-553-8545

Fax: 630-553-3436

Website: www.yorkville.il.us

NPDES / EROSION CONTROL INSPECTION REPORT

Date of Inspection:	Project:
Name of Inspector: Type of Inspection: Weekly Contractor: Subs:	> 0.5" Precip
control) plan or as directed by the engine	ent controls contained in the pollution prevention (erosion eer in place? YES NO
operating correctly? YES NO	osion and sediment controls that have been installed If not, what additional controls or adjustments is the erform?
	s being properly maintained? YES NO or hereby directed to perform?
YES NO If yes, describe the lo	cations where vehicles enter and leave the project? ocation(s) and the actions the contractor is hereby
inspection been implemented within seve	ents, or maintenance directed as a result of the last en (7) calendar days? YES NO hat no further work activity will be permitted to take sures have been taken.
Other comments:	
	Inspector Signature



United City of Yorkville

County Seat of Kendall County 800 Game Farm Road

Yorkville, Illinois, 60560 Telephone: 630-553-4350

Fax: 630-553-7575

Website: www.yorkville.il.us

Date:	1 ST NOTICE OF VIOLATION	
Applic	ant Name	
Compa	ny	
Addres	os es	
City St	ate Zip	
Subjec	t: Project Name Site Development Permit No 1st Notice of Violation	
Gentle	men:	
You ar	e hereby notified of the following violation(s) to your Site Development Permit:	
	Failure to notify the city prior to construction.	
	Failure to install/maintain a non-erosive outlet from the structure to the watercourse	
	Location(s)	
	Failure to install/maintain soil erosion and sediment control features prior to commencing earthwork. Location(s)	
	Failure to install/maintain temporary or permanent seeding.	
	Location(s)	
	Failure to install/maintain sod.	
	Location(s)	_
	Failure to install/maintain erosion control blanket.	
	Location(s)	_
	Failure to properly install/maintain silt fence.	
_	Location(s)	_
	Failure to install/maintain sediment traps.	
	Location(s)	

	Failure to install/maintain storm inlet protection.
	Location(s)
	Failure to route dewatering services through an effective sediment control measure.
	Location(s)
	Failure to install/maintain stabilized construction entrance. Failure to clean right of way/pavement.
	Location(s)
	Failure to install/maintain runoff diversion controls.
	Location(s)
	Failure to prevent erosion from stockpile, or the placement of stockpile in a flood-prone or buffer area.
	Location(s)
	Failure to maintain dust control.
	Location(s)
	Failure to follow permitted construction sequencing.
	Location(s)
Youn	nust take immediate action and cure all deficiencies identified above within five (5) working days, or the city
may is	ssue a Stop Work Order or invoke penalties and legal actions that provides for fines for each offense each
day th	ne violation continues. Once all deficiencies have been cured, please call our office to schedule a re- tion. If you have any questions please contact the City Engineer at (630)553-8545.
mspec	thon. If you have any questions please contact the City Engineer at (650)555-8545.
Sincer	rely,
XX	OPE-:-1
Code	Official

.

- A

cc:___

STORMWATER MANAGEMENT SYSTEM ANNUAL MAINTENANCE PLAN FOR EXISTING FACILITIES

Purpose and Objective:

Detention and water quality treatment facilities, storm sewers, swales and native vegetation/buffer areas define a development's stormwater management system. When land is altered to build homes and other developments, the natural system of trees and plants is replaced with impervious surfaces like sidewalks, streets, decks, roofs, driveways, or lawns over highly compacted soils. As a result more rain water / storm water flows off the land at a faster rate and less rain water is absorbed into the soil. This can lead to streambank erosion, downstream flooding and increased concentrations of pollutants. The existing storm water management system was designed to help slow the rate of runoff from the development and maintain the quality of the storm water leaving the site.

Inspection Frequency:

Inspection experience will determine the required cleaning frequencies for the components of the stormwater management system. At a minimum, the attached checklist items should be inspected annually. Detention ponds (including the outlet control structure and restrictors) should be inspected on a monthly basis during wet weather conditions from March to November.

Maintenance Considerations:

Whenever possible, maintenance activities should be performed during the inspection. These activities should be supplemented by repair / replacement as required. A Registered Professional Engineer (PE) shall be hired for design resolution of specific items as indicated on the checklist below.

Cost Considerations:

Frequent maintenance program work execution will lead to less frequent and less costly long-term maintenance and repair. The attached checklist items may need to be amended based on inspection experience.

Record Keeping:

Separate and distinct records should be maintained by the responsible party for all tasks performed associated with this plan. The records shall include the dates of maintenance visits, who performed the inspection, and a description of the work performed.

Post-Construction Stormwater Management System Inspection Checklist

The following checklist describes the suggested routine inspection items and recommended measures to be taken to ensure that the Stormwater Management System functions as designed. When hiring a PE is the recommended measure, the PE shall inspect, evaluate and recommend corrective actions. The General section outlines items that should be taken into consideration during inspection and maintenance activities. While performing an overall inspection of your system, please check for the following items.

General -

- Litter and debris shall be controlled.
- Accumulated sediment shall be disposed of properly, along with any wastes generated during maintenance operations.
- Riprap areas shall be repaired with the addition of new riprap, as necessary, of adequate size and shape.
- Roads and parking lots shall be swept or vacuumed on a periodic basis.
- Access path to storm water management facilities should be free from obstructions (woodpiles, sheds, vegetation).
- Fences, gates and posts shall be maintained.
- Signs shall be maintained.

Storage Facilities (Detention, Retention and Water Quality Treatment Facilities)

Dams .	and berms
	Settlement. If settlement observed, hire a PE.
	Breaks or failures. If failure observed, notify the Village immediately and hire a PE. Erosion. Repair as needed.
	Signs of leakage, seepage or wet spots. If observed, hire a PE.
	Unwanted growth or vegetation. Remove as needed.
Shorel	ines
	Erosion or rip-rap failures. Repair as needed
	Undermining. Stabilize and repair as needed.
Outlet	and inlet structure
	Obstructions blocking outlet pipe, restrictor, channel or spillway. Remove obstructions immediately.
	Separation of joints. Repair as needed.
	Cracks, breaks, or deterioration of concrete. Repair as needed
	Scour and erosion at outlet. If observed, repair (consider additional or alternative stabilization methods).
	Condition of trash racks. Remove any collected debris.

	Outlet channel conditions downstream. Stabilize soil or remove obstructions as needed.
Storage	e Volume
	Facilities shall be inspected to ensure that the constructed volume for detention is maintained. No sediment, topsoil, or other dumping into the facility shall be allowed. If a detention facility includes specific locations designed to accumulate sediment these locations should be dredged every 5-yrs or when 50% of the volume has been lost.
	Wet ponds lose 0.5 - 1.0% of their volume annually. Dredging is required when accumulated volume loss reaches 15%, or approximately every 15-20 years.
Storm	Sewers
	System is free draining into collection channels or catch basins. If concerned, clean or repair.
_	Catch basins. Remove sediment when more than 50% of basin sump is filled. Siltation in Culvert. Culverts shall be checked for siltation deposit, clean out as necessary.
Bridge	es
	Any scouring around wing walls. Stabilize and repair as needed. If concerned, hire a PE.
	Any undermining of footings. Stabilize and repair as needed. If concerned, hire a PE.
Swale	s –
	All ditches or pipes connecting ponds in series should be checked for debris that may block flow.
	Repair and replace permanent check-dams as necessary. Verify systems (both drainage ditches and sideyard swales) are maintaining originally constructed design slope and cross-sectional area. If fill or sediment contributes to elevation changes in swale, re-grading and re-shaping shall be performed. Licensed surveyors shall be hired to lay-out and check grades. No landscaping, earthen fill, gardens, or other obstructions (including sheds and other structures) shall be allowed in the swales that would impede design drainage flow patterns.
Vegeta	ated Areas –
	Need for planting, reseeding or sodding of native areas. Supplement alternative native vegetation if a significant portion has not established (50% of the surface area). Reseed with alternative grass species if original grass cover has not successfully established.
	Need for planting, reseeding or sodding of turf areas. Supplement alternative native vegetation if a significant portion has not established (75% of the surface area)

	Reseed with alternative grass species if original grass cover has not successfully established.
	Invasive vegetation (refer to the Native Plant Guide for Streams and Stormwater
	<u>Facilities in Northeastern Illinois</u> , or hire an environmental or landscape specialist, or hire an environmental or landscape specialist). Remove as necessary.
Wetlai	nd Buffers –
	Inspect for evidence of erosion or concentrated flows through or around the buffer.
	All eroded areas should be repaired, seeded and mulched. A shallow stone trench
	should be installed as a level spreader to distribute flows evenly in any area showing concentrated flows.
	All existing undergrowth, forest floor duff layer, and leaf litter must remain
	undisturbed except in designated paths or permitted encroachment areas.
	No tree cutting is allowed except for normal maintenance of dead, diseased and
	damaged trees or; the culling of invasive, noxious or non-native species that are to be replaced by more desirable and native vegetation.
	A buffer must maintain a dense, complete and vigorous cover of "non-lawn"
	vegetation which should not be mowed no more than once a year. Vegetation may
	include grass and other herbaceous species as well as shrubs and trees.
	Use or maintenance activities within the buffer shall be conducted so as to prevent damage to vegetation and exposure of soil.

STORMWATER MANAGEMENT SYSTEM MAINTENANCE PLAN FOR NEW FACILITIES

Subject: INSERT DEVELOPMENT NAME HERE

DEVELOPMENT NAME HERE, AS SUCH PLAT IS NOW RECORDED AS DOCUMENT NO. INSERT DOCUMENT NUMBER, IN THE OFFICE OF THE RECORDER OF DEEDS OF THE COUNTY OF KENDALL, STATE OF ILLINOIS, HEREBY MAKES THE FOLLOWING DECLARATIONS OF MAINTENANCE RESPONSIBILITIES.

Responsibilities

Adequate provisions for maintenance of the stormwater system are an essential aspect of long-term drainage performance. Responsibility for the overall maintenance shall rest with the insert responsible party name here.

Purpose and Objective:

Detention and water quality treatment facilities, storm sewers, swales and native vegetation/buffer areas define a development's stormwater management system. When land is altered to build homes and other developments, the natural system of trees and plants is replaced with impervious surfaces like sidewalks, streets, decks, roofs, driveways, or lawns over highly compacted soils. As a result more rain water / storm water flows off the land at a faster rate and less rain water is absorbed into the soil. This can lead to streambank erosion, downstream flooding and increased concentrations of pollutants. The storm water management system was designed to help slow the rate of runoff from the development and improve the quality of the storm water leaving the site.

Interpretation as to Requirements Under This Maintenance Plan:

The requirement for this Maintenance Plan is generated by the City of Yorkville Ordinance 2009-78. The interpretation of the maintenance requirements set forth in this Maintenance Plan shall be interpreted on the basis of the intent and requirements of said Ordinance.

Inspection Frequency:

Inspection experience will determine the required cleaning frequencies for the components of the stormwater management system. At a minimum, the attached checklist items should be inspected annually. Detention ponds (including the outlet control structure and restrictors) should be inspected on a monthly basis during wet weather conditions from March to November.

Maintenance Considerations:

Whenever possible, maintenance activities should be performed during the inspection. These activities should be supplemented by repair / replacement as required. A Registered Professional Engineer (PE) shall be hired for design resolution of specific items as indicated on the checklist below.

Cost Considerations:

Frequent maintenance program work execution will lead to less frequent and less costly long-term maintenance and repair. The attached checklist items may need to be amended based on experience recorded over the initial period of occupancy of the development.

Record Keeping:

Separate and distinct records shall be maintained by the responsible party for all tasks performed associated with this plan. The records shall include the dates of maintenance visits, who performed the inspection, and a description of the work performed.

	, the owner's agent,	has caused the	ese presents	s to be signed	and acknowledged
this	day of	, 2			
			Ву:		

Post-Construction Stormwater Management System Inspection Checklist

The following checklist describes the suggested routine inspection items and recommended measures to be taken to ensure that the Stormwater Management System functions as designed. When hiring a PE is the recommended measure, the PE shall inspect, evaluate and recommend corrective actions. The General section outlines items that should be taken into consideration during inspection and maintenance activities. While performing an overall inspection of your system, please check for the following items.

General -

- Litter and debris shall be controlled.
- Accumulated sediment shall be disposed of properly, along with any wastes generated during maintenance operations.
- Riprap areas shall be repaired with the addition of new riprap, as necessary, of adequate size and shape.
- Roads and parking lots shall be swept or vacuumed on a periodic basis.
- Access path to storm water management facilities should be free from obstructions (woodpiles, sheds, vegetation).
- Fences, gates and posts shall be maintained.
- Signs shall be maintained.

Dams	and berms
	Settlement. If settlement observed, hire a PE. Breaks or failures. If failure observed, notify the Village immediately and hire a PE
	Erosion. Repair as needed.
	Signs of leakage, seepage or wet spots. If observed, hire a PE.
	Unwanted growth or vegetation. Remove as needed.
Shorel	ines
	Erosion or rip-rap failures. Repair as needed
	Undermining. Stabilize and repair as needed.
Outlet	and inlet structure
	Obstructions blocking outlet pipe, restrictor, channel or spillway. Remove obstructions immediately.
	Separation of joints. Repair as needed.
	Cracks, breaks, or deterioration of concrete. Repair as needed
	Scour and erosion at outlet. If observed, repair (consider additional or alternative stabilization methods).
	Condition of trash racks. Remove any collected debris.
	Outlet channel conditions downstream. Stabilize soil or remove obstructions as needed.

Storag	e Volume
	Facilities shall be inspected to ensure that the constructed volume for detention is maintained. No sediment, topsoil, or other dumping into the facility shall be allowed. If a detention facility includes specific locations designed to accumulate sediment these locations should be dredged every 5-yrs or when 50% of the volume has been lost.
	Wet ponds lose 0.5 - 1.0% of their volume annually. Dredging is required when accumulated volume loss reaches 15%, or approximately every 15-20 years.
Storm ——	Sewers System is free draining into collection channels or catch basins. Clean and/or repair as necessary. Catch basins. Remove sediment when more than 50% of basin sump is filled. Siltation in Culvert. Culverts shall be checked for siltation deposit, clean out as
	necessary.
Bridge	Any scouring around wing walls. Stabilize and repair as needed. If concerned, hire a PE. Any undermining of footings. Stabilize and repair as needed. If concerned, hire a PE.
Swale	s –
	All ditches or pipes connecting ponds in series should be checked for debris that may block flow. Repair and replace permanent check-dams as necessary. Verify systems (both drainage ditches and sideyard swales) are maintaining originally constructed design slope and cross-sectional area. If fill or sediment contributes to elevation changes in swale, re-grading and re-shaping shall be performed. Licensed surveyors shall be hired to lay-out and check grades. No landscaping, earthen fill, gardens, or other obstructions (including sheds and other structures) shall be allowed in the swales that would impede design drainage flow patterns.
Veget	Need for planting, reseeding or sodding of native areas. Supplement alternative native vegetation if a significant portion has not established (50% of the surface area). Reseed with alternative grass species if original grass cover has not successfully established. Need for planting, reseeding or sodding of turf areas. Supplement alternative native vegetation if a significant portion has not established (75% of the surface area). Reseed with alternative grass species if original grass cover has not successfully established.

	Invasive vegetation (refer to the <u>Native Plant Guide for Streams and Stormwater Facilities in Northeastern Illinois</u> , or hire an environmental or landscape specialist). Remove as necessary.
Wetla	nd Buffers –
	Inspect for evidence of erosion or concentrated flows through or around the buffer.
	All eroded areas should be repaired, seeded and mulched. A shallow stone trench
	should be installed as a level spreader to distribute flows evenly in any area showing concentrated flows.
	All existing undergrowth, forest floor duff layer, and leaf litter must remain
	undisturbed except in designated paths or permitted encroachment areas.
	No tree cutting is allowed except for normal maintenance of dead, diseased and
	damaged trees or; the culling of invasive, noxious or non-native species that are to
	be replaced by more desirable and native vegetation.
	A buffer must maintain a dense, complete and vigorous cover of "non-lawn"
	vegetation which should not be mowed more than once a year. Vegetation may
	include grass and other herbaceous species as well as shrubs and trees.
	Use or maintenance activities within the buffer shall be conducted so as to prevent
	damage to vegetation and exposure of soil.



United City of Yorkville
County Seat of Kendall County
800 Game Farm Road Yorkville, Illinois 60560 Telephone: 630-553-8545 Fax: 630-553-3436

Website: www.yorkville.il.us

STORM WATER BASIN A		REPOR'	Γ
Basin Address and/or Location: Basin Type (circle): Dry Detention We	t Detention Naturalized		
•			
Owner Name:	Owner Contact Number:		
Owner Address:Owner Email:			
Owner Email.			
Maintainer Name:	Maintainer Contact Number:		
Maintainer Email:			
Inspection Date:	Submittal Date:		
Complete ONLY the "Annual Inspection Items' The 5 th Year Inspection to be completed <u>entirely</u> See Page 2 for more information regarding 5 th Y	to by a professional engineer, licensed in ear Inspection requirements.	5 th Year Insp the State o	pections. Illinois.
	NSPECTION ITEMS NO' FOR ALL ITEMS BELOW		
A. Has debris or trash accumulated?		AEC	NO
B. Has sediment accumulated?		-	NO NO
C. Are noxious weeds present that prevent		ILU	110
growing properly?	Loon of t Bottom on the	YES	NO
D. Is there exposed soil not covered with v	regetation, mulch, or other	-	
non-erodable material?		YES	NO
E. Is soil erosion present along standing or	r moving surface water?	YES	NO
F. Is soil erosion present at basin sides, in		YES	NO
G. Are holes present from animals, or is th		YES	NO
H. Is algae or stagnant moisture present?		YES	NO
I. Are unpleasant odors emerging?		YES	NO
J. Are wet or soggy areas present that pre-	vent desired vegetation		
from growing?	-	YES	NO
K. Is runoff entering or leaving the basin in	n a manner which prevents		
proper function of its inflow or outflow		YES	NO
L. Does flow out of basin occur in a mann	er that creates erosion or		
damage to adjacent property?		YES	NO
M. Are the basin functions impaired?		YES	NO
N. Other items and comments:			
O. Corrective measures for all 'YES' answ			
			
	· · · · · · · · · · · · · · · · · · ·		
ATTACH ADDITIONAL PAGES IF NEC INSPECTION.	ESSARY, TO PROPERLY DOCU	MENT	
THE INFORMATION PROVIDED IS AN THE BASIN AT THIS LOCATION:	ACCURATE AND CURRENT D	ESCRIPTI	ON OF
SIGNATURE	PRINTED NAME		
DATE			
DATE:			

SMPP 5.15 Stormwater Basin Inspection Report

The 5^{th} Year Inspection must be completed <u>entirely</u> by a professional engineer, licensed in the State of Illinois.

The 5^{th} Year Inspection shall include at a minimum, the annual inspection items shown on Page 1 and the 5^{th} Year Inspection items shown below:

	5 TH YEAR INSPECTION ITEMS
A.	ASSESSMENT OF ANY PIPE, RIPRAP, AND STRUCTURES PRESENT: (i.e. is there a need for replacement or maintenance of basin components?)
В.	GENERAL ASSESSMENT OF THE BASIN: (i.e. Does the basin appear to function properly? Modifications recommended for improved function)
C.	ASSESSEMENT OF BASIN ELEVATIONS: (i.e. Are major storm overflow paths and elevations unchanged from the as-built plans?) (NOTE: the elevation reasonableness check is intended to be a visual check for large settlement, channel erosion, or basin modifications, and not a requirement for a survey.)
D.	ASSESSMENT OF BASIN VOLUMES: (i.e. Is there evidence of basin changes affecting the storage volume from that shown on the as-built plans?) (NOTE: The volume reasonableness check is intended to be a visual check for large accumulations of sediment or basin modifications, and not a requirement for a survey.)
Ŀ.	OTHER ITEMS AND COMMENTS: (i.e. Safety, shelf, etc.)
F	CORRECTIVE MEASURES NEEDED:
	CONNECTIVE MEASURES NEEDED.
	TACH ADDITIONAL PAGES IF NECESSARY, TO PROPERLY DOCUMENT SPECTION.
	E INFORMATION PROVIDED IS AN ACCURATE AND CURRENT DESCRIPTION OF E BASIN AT THIS LOCATION:
SIC	ENATURE PRINTED NAME
DA	TE:

ENGINEER'S SEAL FOR 5TH YEAR INSPECTION

		Ш	icit Discharg	e Trackin	g Form					
Incident II);									
Responder J	Information			5 - I V/						
Call taken by	y:			Call date:						
Call time: Precipitation (inches) in past 24-48 hrs:										
Reporter In	formation		<u>-</u>							
Incident time	e:				Incident date:					
Caller contac	et information (option	al):								
Incident I	ocation (complete	one or i	nore below)			·				
Latitude and	longitude:									
Stream addre	ess or outfall #:									
Closest stree	t address:				_					
Nearby lands	mark:		_							
Primary Lo	cation Description	Secor	idary Location De	escription:						
Stream co	orridor ent to stream)		utfall	☐ In-stream	☐ In-stream flow ☐ Along banks					
Upland a		□ N	ear storm drain	Near othe	r water source (sto	rm wa	ter pond, wetland, etc.):			
Narrative des	scription of location:									
Upland Pr	roblem Indicator	Desci	iption							
☐ Dumping			Dil/solvents/chemic	als	Sewage					
☐ Wash wa	ter, suds, etc.		Other:							
Stream Co	orridor Problem	Indica	tor Description	ם						
	None		☐ Sewage		☐ Rancid/Sour		Petroleum (gas)			
Odor	Sulfide (rotten e	ggs);	Other: Descri	be in "Narrativ	e" section					
A ==========	"Normal"		Oil sheen		Cloudy		Suds			
Appearance	Other: Describe	in "Na	rative" section	·	_					
Floatables	☐ None:		Sewage (toilet pape	r, etc)	Algae		Dead fish			
rioatables	Other: Describe	in "Na	rative" section	-						
Narrative des	scription of problem is	ndicato	rs:			- 11				
Suspected V	iolator (name, person	al or ve	chicle description, l	icense plate #,	etc.):					

Investigation Notes								
Initial investigation date:	Investigators:							
No investigation made	Reason:							
Referred to different department/agency:	Department/Agency:							
☐ Investigated: No action necessary								
☐ Investigated: Requires action	Description of actions:							
Hours between call and investigation:	Hours to close incident:							
Date case closed: Notes:								

City of Yorkville Illicit Discharge Summary Form

			_										
										:			
Remarks													
Vegetation													
Oil Sheen?													
Odor?													
Turbidity													
Color					,								
Flow Observed?													
Date													
Incident ID No.													

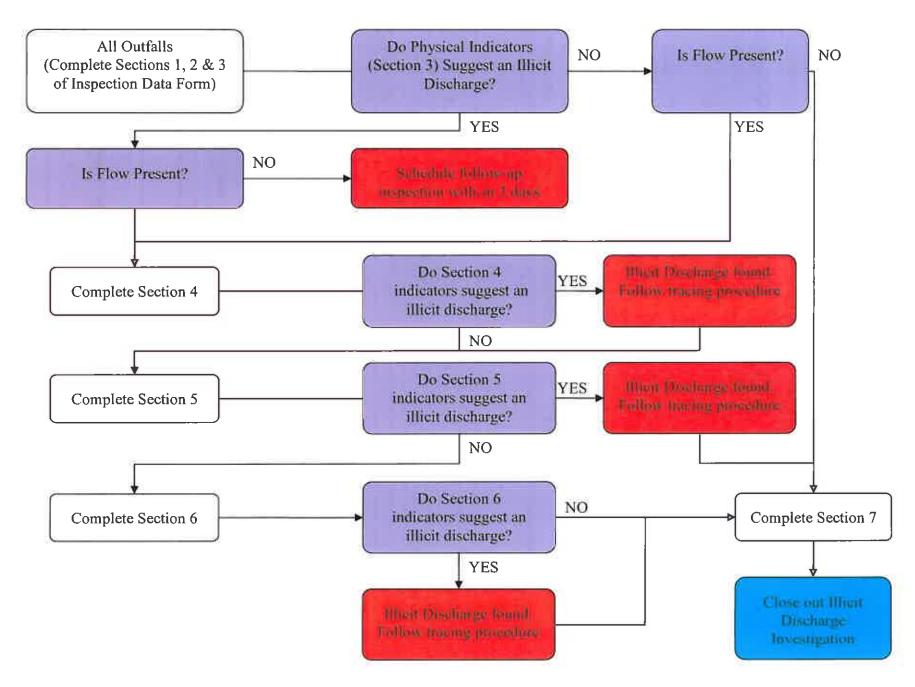
5.17 Illicit Discharge Summary Form

Stormwater Outfall Inspection Form

Section 1: Backgro	und Data									
Subwatershed:				Outfall ID:						
Date:				Time (Military):			·			
Temperature:				Inspector(s):						
Previous 48 Hours Pre-	cipitation:	-		Photo's Taken (Y/N) If yes, Photo Numbers:						
Land Use in Drainage	Area (Check all th	iat app	oly):	Open Space						
☐ Industrial				☐ Institutional						
Residential				Other:						
☐ Commercial				Known Industries:						
Section 2: Outfall	Description									
LOCATION	MATERIA	-	SH	APE	DIMEN (II)		SUBMERGED			
	□ RCP □ C	MP	☐ Circular	Single			In Water:			
	□ PVC □ H	DPE	☐ Elliptical		Diameter/	Dimensi (□ No □ Partially			
Storm Sewer (Closed Pipe)	☐ Steel		Box	☐ Triple	——————————————————————————————————————		☐ Fully With Sediment:			
	Clay / draint	ile	Other:	Other:			□ No □ Partially			
	Other:						☐ Fully			
	Concrete		☐ Trapezoid		Depth:					
Open drainage (swale/ditch)	☐ Earthen		Parabolic		h:					
(SWAICI BITCH)	☐ rip-rap —		Other:		Bottom V	/idth:				
	Other:									
Section 3: Physical	Indicators									
INDICATOR	CHECK if Present		DESC	CRIPTION			COMMENTS			
Outfall Damage			Spalling, Cracking or Corrosion	Chipping Peeli	ing Paint					
Deposits/Stains			Dily Flow Line	Paint Othe	nr:					
Abnormal Vegetation	on Excessive Inhibited									
Poor pool quality										
Pipe algae/growth			Brown	Green Othe	er:					
Do physical indictors s	auggest an illicit d	ischar	ge is present (Y/N):							
Flow Present?	Yes] No	If No. Skin to Seeting	7 and Cla	en IIII ale T	scharge Investigation			
-					i / anu Clo	se miteit D	ischarge myesugation			
Flow Description	☐ Trickle		Moderate	Substantial						

INDICATOR	CHECK is Present	DESCRIPTION		RELATIVE SEVERITY INDEX (1-3)					
Odor		Sewage Rancid/sour Sulfide Petroleum/ga Laundry Other:	as	☐ 1Faint	2 ~ Easily detected	3 - Noticeable from a distance			
Color (color chart)		Clear Brown Gray Yellow Green Orange Multi-Color Other:	Red	l-Faint colors in sample bottle	2 - Clearly visible in sample bottle	3 - Clearly visible in outfall flow			
Turbidity		See severity	_	☐ 1-Slight cloudiness	2 - Cloudy	☐ 3 – Opaque			
Floatables -Does Not Include Trash!!		Sewage Suds and Foa Petroleum (oil sheen) Grease Other:	m	☐ 1-Few/slight; origin not obvious	2 – Some; indications of origin	☐ 3 - Some; origin clear			
Do physical indic	tors (flowing)	suggest an illicit discharge is prese	nt (Y/N):		·				
ection 5: On-	Site Sampl	ling / Testing (Flowing Out	falls Only	·)					
PARAMET	ER	RESULT	ACCE	PTABLE RANGE	WITHIN RANGE (Y/N)	EQUIPMENT			
Temperatu	ire			NA	NA	Thermometer			
pH				6 – 9		5-in-1 Test Strip			
Ammoni	a			ng/L April – Oct		Test Strip			
			< 8 n	ng/L Nov - March	NA				
Free Chlori Total Chlor				NA 4.0.05 mm/l	NA NA	5-in-1 Test Strip			
Phenols				< 0.05 mg/L < 0.1mg/L		5-in-1 Test Strip Test Kit			
	1	· · · · · ·	>0.2	5 mg/L residential		· · · · · · · · · · · · · · · · · · ·			
Detergents as Su	rfactants			g/L non-residential		Test Kit			
Соррет				<0.025 mg/L					
Alkalinit	y			NA	NA	Test Strip 5-in-1 Test Strip			
Hardness	S			NA	NA	5-in-1 Test Strip			
Sample Location									
	a Collectio	n for Lab testing (see flow	1						
2. If yes, collect			」No ∃ Pool						
z, 11 yes, conect	ed Holli.] [001						
PARAMET	ER	RESULT (from lab)		ACCEPTABLE RANGE	WITHIN RANGE (Y/N)				
Fecal Colife	Fecal Coliform			400 per 100 mL]			
Flouride				0.6 mg/l		_			
Potassiun	n			Ammonium/Potas sium ratio or > 20mg/l					
note label sam	ple with or	ıtfall number				3			
ection 7: Any	Non-Illici	t Discharge Concerns (e.g.,	, trash or	needed infrastru	cture repairs)?				

Outfall Inspection Procedure Flow Chart



Instructions for completing the Stormwater Outfall Inspection Form

Strike out incorrect entries with a single line; correct values or descriptions are written above or near the struck-out entries. Do not use a new data entry form to correct an incorrect entry. At the completion of each outfall inspection, the field crews are responsible for ensuring that a **Stormwater Outfall Inspection Form** has been completely and correctly filled out and that all data and remarks are legible.

Section 1: Background Data

<u>Sub-watershed</u>: The receiving water from the stormwater outfall inventory to be entered here.

Outfall ID: Enter the outfall identification number from the stormwater outfall inventory.

<u>Date</u>: To avoid confusion, dates are be written in the following manner: DAY MONTH YEAR. For example, 10 MARCH 2007.

<u>Time</u>: Military time (24-hour clock) to be used (for example, 8:30 a.m. would be written as 0830; likewise, 1:30 p.m. would be written as 1330).

Temperature: A concise description of the weather conditions at the time of the screening is to be recorded (for example, Clear, 75° F).

<u>Inspector</u>: The name(s) of the field personnel.

<u>Previous 48 Hours Precipitation</u>: The total amount of precipitation during the 48 hours preceding the inspection is to be noted (for example, none-72 Hours or 0"=4 days). If the total precipitation is not known, it is appropriate to enter a qualitative assessment if the precipitation was minor. For example, *Drizzle-36 Hours* if appropriate. If the precipitation amount was significant, actual precipitation totals is obtained from a local rain gage, if available.

<u>Photo's taken (Yes/No)</u>: Photographs are to be taken with a camera that superimposes a date and time on the film. The date and time should correspond to the date and time recorded on the data form.

Photo Numbers: If photographs are taken, the number(s) is recorded.

<u>Land Use</u>: Check all that apply, noting which land use is predominate. If the industrial box is checked, any known industries are listed to facilitate potential tracing efforts.

Section 2: Outfall Description

Type of Outfall: Storm Sewer (Closed Pipe) or Open Drainage (Swale/Ditch): First check if the outfall is either from a Closed Pipe or Open Drainage. Then complete the following row to describe outfall characteristics.

Section 3: Physical Indicators

Indicators: Complete rows describing outfall characteristics (Outfall Damage, Deposits/Stains, Abnormal Vegetation, Poor pool quality, Pipe algae/growth). This section is filled out regardless of current flow conditions. No flow during the time of the inspection, does not rule out the potential of illicit discharges. Corroding or stained pipes, dead or absence of vegetation, are potential indicators of illicit discharges from direct or indirect (i.e. dumping) sources.

<u>Likelihood</u>: After inspecting the physical conditions of the outfall, the likelihood of an illicit discharge is assessed.

<u>Flow Present (Yes/No):</u> A Yes or No is entered here to indicate the presence or absence of dry-weather flow. If the outfall is submerged or inaccessible, "See Notes" is entered and an explanation provided in the "Notes" section.

Flow Description: A description of the quantity of the dry-weather flow is provided. Refer to Figure 6 of the SMPP.

Flow Chart Procedure:

- If No is entered in the "Flow Present" block and no non-flowing physical indicators appear present the inspection can be closed, skip to Section 7 of the form.
- If No is entered in the "Flow Present" block but indicators appear present, place the outfall on the follow-up inspection log, then the current inspection can be closed, skip to Section 7 of the form.
- If Yes is entered in the "Flow Present" block (regardless of the presence of non-flowing physical indicators), complete remainder of Section and proceed to Section 4.

Section 4: Physical Indicators (Flowing Outfalls Only)

Complete rows describing outfall characteristics (Odor, Color, Turbidity, and Floatables). This section is filled out for flowing outfalls only.

Odor: The presence of an odor is to be assessed by fanning the hand toward the nose over a wide-mouth container of the sample, keeping the sample about 6 to 8 inches from the face. Be careful not to be distracted by odors in the air. Provide a description of the odor, if present.

<u>Color</u>: The presence of color in the discharge is to be assessed by filling a clean glass sample container with a portion of the grab sample and comparing the sample with a color chart, if color is present. If a color chart is used, the number corresponding to the color matching the sample is to be entered in this blank. Color is not assessed by looking into the discharge. Refer to Table 3 of the SMPP.

<u>Turbidity "clarity":</u> Turbidity is a measure of the clarity of water. Turbidity may be caused by many factors, including suspended matter such as clay, silt, or finely divided organic and inorganic matter. Turbidity is a measure of the optical properties that cause light to be scattered and not transmitted through a sample. The presence of turbidity is to be assessed by comparing the sample to clean glass sample container with colorless distilled water.

<u>Floatables:</u> The presence of floating scum, foam, oil sheen, or other materials on the surface of the discharge are to be noted. Describe of any floatables present that are attributable to discharges from the outfall. Do not include trash originating from areas adjacent to the outfall in this observation.

<u>Likelihood</u>: After inspecting the physical conditions of the outfall discharge, the likelihood of an illicit discharge is assessed. If flowing physical indicators are present the tracing procedure are immediately implemented by one of the field crew. The second member of the field crew continues with the inspection by performing the on-site testing in Section 5.

Flow Chart Procedure:

- If flowing physical indicators are present the tracing procedure is immediately implemented by one of the field crew. The second member of the field crew continues with the inspection by performing the on-site testing in Section 5.
- If flowing physical indicators do not suggest an illicit discharge continue with the inspection by performing the on-site testing in Section 5.

Section 5: On-Site Sampling/Testing (Flowing Outfalls Only)

<u>Parameters:</u> Test strip or kit chemical analyses are conducted for the following parameters:

- pH, test strip,
- Color, color chart,
- Chlorine, test strip,
- Copper, test strip,
- Ammonia, test strip,
- Phenols, test kit, and
- Detergents, test kit.

Testing is done by either a test strip or test kit as applicable (refer to the equipment column). The results are compared with the "acceptable range" and the "within range" column is filled out with a Yes or No. Note that the Temperature, Alkalinity and Hardness are determined although these results do not need to be compared with an "acceptable range". These values are used to assist in determining the source of the illicit discharge during the tracing procedure.

Sampling Location: A description of the actual sampling location is to be recorded (for example, at end of outfall pipe). If the outfall is submerged or is inaccessible for sampling, an upstream sampling location may be required. A description of any upstream sampling locations is recorded here. Grab samples are collected from the middle, both vertically and horizontally, of the dry-weather flow discharge in a critically cleaned glass container. Samples can be collected by manually dipping a sample container into the flow.

Sampling Procedures: Use the following procedures for all test kit analyses:

- 1. Take a grab sample and swirl to ensure that the sample is well mixed.
- 2. Rinse the sample cup (25ml) twice with distilled water. Next, rinse the sample cup twice with water from the grab sample.
- 3. Fill the sample cup to the 25 ml mark, or as required by the instructions for the test kits. Hold the sample cup at eye level to ensure that measurements are accurate.
- 4. Conduct the test kit analyses following the manufacturer's instructions.
- 5. Dispose of the sample as follows:
 - If <u>no</u> chemical or reagents have been added to the sample, the water can be poured on the ground.
 - If <u>any</u> chemical or reagent is added to the sample, pour the water into a container marked "Liquid Waste" for proper disposal to a sanitary sewer system at the end of the day.
- 6. Rinse the sample cup three times with tap water and dry with a paper towel.

Flow Chart Procedure:

- If any parameter is outside of the "acceptable range" then an illicit discharge has likely been found. The tracing procedure is immediately implemented by one of the field crew. Testing can be stopped, and the second member of the field crew continues with the inspection by completing Section 7.
- If none of the parameters are outside of the acceptable range, proceed to Section 6.

Section 6: Data Collection for Lab Testing

Determine if the Yorkville-Bristol Sanitary District has adequate staff capacity to analyze the samples.

- If YBSD has adequate staff capacity, collect grab samples and provide them to YBSD. Note the location of the sample. Label the sample with the outfall ID number. Proceed to Section 7 while in the field and complete the remainder of Section 6 after the lab results are available.
- If YBSD does not currently have adequate capacity, determine if Sections 3 or 4 of the inspection form suggest an illicit discharge.
 - o If Sections 3 or 4 suggest an illicit discharge contact and outside lab to perform the testing. Proceed to Section 7 while in the field and complete the remainder of Section 6 after the lab results are available.
 - o If Sections 3 or 4 do not suggest an illicit discharge, note the outfall ID number. Place the outfall on the follow-up inspection log and proceed to Section 7 of the form. Re-inspect and sample the discharge when YBSD has adequate capacity.

<u>Sample Location:</u> The location of the sample is noted. Additionally, the sample is labeled with the outfall ID number. Use the city's sampling procedures. The following additional items are noted.

- 1. When you collect any samples you must fill out an *Outfall Sampling Report*. The report must document time you arrive on location, take the sample and get to the plant to drop off the sample.
- 2. A 500-ml glass bottle sample is used to collect the sample. If you are collecting a sample that has grease 2-250ml samples taken with a glass container are required.
- 3. If you use the sampling container that is on a rope, it must be washed with soap and water after every use.

<u>Parameters:</u> Grab samples and lab testing is performed. After lab results are available enter the results here.

- If any parameter is outside of the "acceptable range" then an illicit discharge has likely been found. The tracing procedure should be immediately implemented.
- If none of the parameters are outside of the acceptable then the investigation can be closed.

Section 7: Any Non-Illicit Discharge Concerns

Any problems or unusual features are to be entered here. If the outfall appears to be potentially impacted by inappropriate discharges, this can be recorded here. This section is to be completed even if no flow is observed.

City of Yorkville Outfall Inspection Summary Form

Inspection Date	Flow Observed?	Color	Turbidity	Odor?	Oil Sheen?	Scum?	Floatables?	Vegetation	Remarks
								·-	
		_	_						
	-								
	Inspection Date	Date Observed? Sheen?	Date Observed? Sheen?	Date Observed? Sheen?	Date Observed? Sheen?				

Stormwater Pollution Found in Your Area!

This is not a citation.

This is to inform you that our staff found the following pollutants in the storm sewer system in your area. This storm sewer system leads directly to

- ☐ Motor oil
- □ Oil filters
- ☐ Antifreeze/ transmission fluid
- □ Paint
- ☐ Solvent/degreaser
- ☐ Cooking grease
- ☐ Detergent
- ☐ Home improvement waste (concrete, mortar)
- ☐ Pet waste
- ☐ Yard waste (leaves, grass, mulch)
- ☐ Excessive dirt and gravel
- □ Trash
- ☐ Construction debris
- ☐ Pesticides and fertilizers
- □ Other



For more information or to report an illegal discharge of pollutants, please call:

United City of Yorkville 630-553-4350





www.epa.gov/npdes/stormwater

EPA 833-F-03-002 April 2003 Stormwater runoff is precipitation from rain or snowmelt that flows over the ground. As it flows, it can pick up debris, chemicals, dirt, and other pollutants and deposit them into a storm sewer system or waterbody.

Anything that enters a storm sewer system is discharged *untreated* into the waterbodies we use for swimming, fishing, and providing drinking water.

Remember: Only Rain Down the Drain

To keep the stormwater leaving your home or workplace clean, follow these simple guidelines:

- Use pesticides and fertilizers sparingly.
- Repair auto leaks.
- Dispose of household hazardous waste, used auto fluids (antifreeze, oil, etc.), and batteries at designated collection or recycling locations.
- Clean up after your pet.
- Use a commercial car wash or wash your car on a lawn or other unpaved surface.
- Sweep up yard debris rather than hosing down areas. Compost or recycle yard waste when possible.
- Clean paint brushes in a sink, not outdoors.
 Properly dispose of excess paints through a household hazardous waste collection program.
- Sweep up and properly dispose of construction debris like concrete and mortar.





Reviewed By:							
Legal							
Finance							
Engineer							
City Administrator							
Human Resources							
Community Development							
Police							
Public Works							
Parks and Recreation							

Agenda Item Number
OB #2
Tracking Number
PW 2015-74

Agenda Item Summary Memo

Agenda Item Summary Wemo			
Title: Mowing and Maintenance of Public Parkways			
Meeting and Date:	Public Works Committee – Febru	uary 16, 2016	
Synopsis: Proposed	changes to rural parkway mowing	g and maintenance standards.	
Council Action Prev	riously Taken:		
Date of Action:	Action Taken:		
Item Number:			
Type of Vote Requir	red:		
Council Action Requested:			
Submitted by:	Eric Dhuse	Public Works	
	Name	Department	
Agenda Item Notes:			



Memorandum

To: Public Works Committee

From: Eric Dhuse, Director of Public Works

CC: Bart Olson, Administrator

Date: January 12, 2016

Subject: Mowing and Maintenance of Public Parkways

Summary

Review of the current practices for mowing and maintenance of public parkways.

Background

Currently the City mows and maintains undeveloped or partially developed parkways in many areas. I have included a spreadsheet that outlines the parkways and gives an area of each one. These areas were obtained by using Google earth, so the accuracy is relatively good, but not precise.

Public Works mows these areas 3-4 times per year depending on the rainfall during the mowing season. Each time we mow it takes approximately 8 full days to complete. If we were to charge for these services, I would use the following equation to figure out the cost.

Using the Schedule of average annual equipment ownership expense from IDOT the tractor and mower equate to a cost per hour of \$36.92 and an employee cost of \$30 per hour which include benefits. That total cost is \$66.92 per hour X 8 hours per day X 8 days to mow the parkways gives us a total of \$4346.88 per mowing. This equates to \$17,387.52 if we mow 4 times per year.

Before the construction boom, we mowed very little except for our own property. There was no need, since almost all of the areas within city limits were developed.

Once construction started booming, and we started annexing areas that created infill areas that were not being developed. This is when we started mowing those areas that were not being developed due to the fact that we were now starting to get complaints from residents that were living in the developed areas. The perfect example of that is River's Edge. The area between White Oak and River's edge is still not developed today, and we still mow and maintain those parkway areas.

In any developed areas, regardless of zoning, the city does not perform any mowing or maintenance on public parkways unless we are the owner of the adjacent property or perform infrastructure repair and/or maintenance.

In areas that are not developed, or even partially developed are not as clearly defined as areas that are developed. Some developments are maintained by the owner or maintainer and some are moved by other entities such as the City, County and even IDOT.

Options

> Continue current practices

By doing this, the parkways are managed and mowed at least 3 times per year. We know the route and we have it built into our schedule. The drawbacks are that we are mowing some parkways, but not others. We also do not conform to our own ordinance; we do not maintain a grass height or 8" or less. If we were to maintain it to ordinance height, we would have to mow each area once per week. If we were to mow these areas once per week, we would have to dedicate a full time employee to do nothing but mow parkways from April until November. As of now, we do not have the manpower to do this.

> Modify current practices

We could mow only twice per year to cut down on manpower and cost. We would cut it once around the 4th of July and once late in the fall. While this would put is further out of compliance with our ordinance, it would still manage these parkways, albeit at a lesser level of service.

Another modification option would be to not maintain any area that has any type of approved plan on it or the owners are taking care of some portions of parkway and not others. These areas would include:

Road and Approximate Area
Ashley Rd. -5000 lf, both sides
McHugh Rd. – 250 lf, Includes trees
McHugh Rd. – 350 lf, Includes trees
Beecher Rd – 700 lf, west side only
Faxon Rd. – 4300 lf, north side only
Corneils Rd – 10780 lf, both sides
Beecher Rd. – 3600 lf, both sides
Mill Rd. – 9742 lf, both sides
Bristol Ridge Rd – 1900 lf, plus Blvds.
Kennedy Rd – 6336 lf, both sides

This proposal eliminates one half of our mowing and maintenance of parkways, but would increase the responsibilities of the property maintenance inspections for at least the first year after the transition is made to make sure compliance is achieved. If compliance is not achieved, PW would still end up mowing and maintaining these areas. I have included these areas in the attached spreadsheet under the title "Possible Modification to Current Practices".

> Discontinue current practice

By discontinuing this practice, we would place all of the responsibility on the owner of the property to maintain the parkways. Obviously this would allow public works to free up time and manpower to work on other projects, but this would increase the burden on property standards to try to bring all of these areas into compliance. If we choose to discontinue this service, I would recommend that certified letters be sent to each owner to ensure they are aware of the change and outline our expectations for mowing and maintenance of their parkway.

Combination of practices

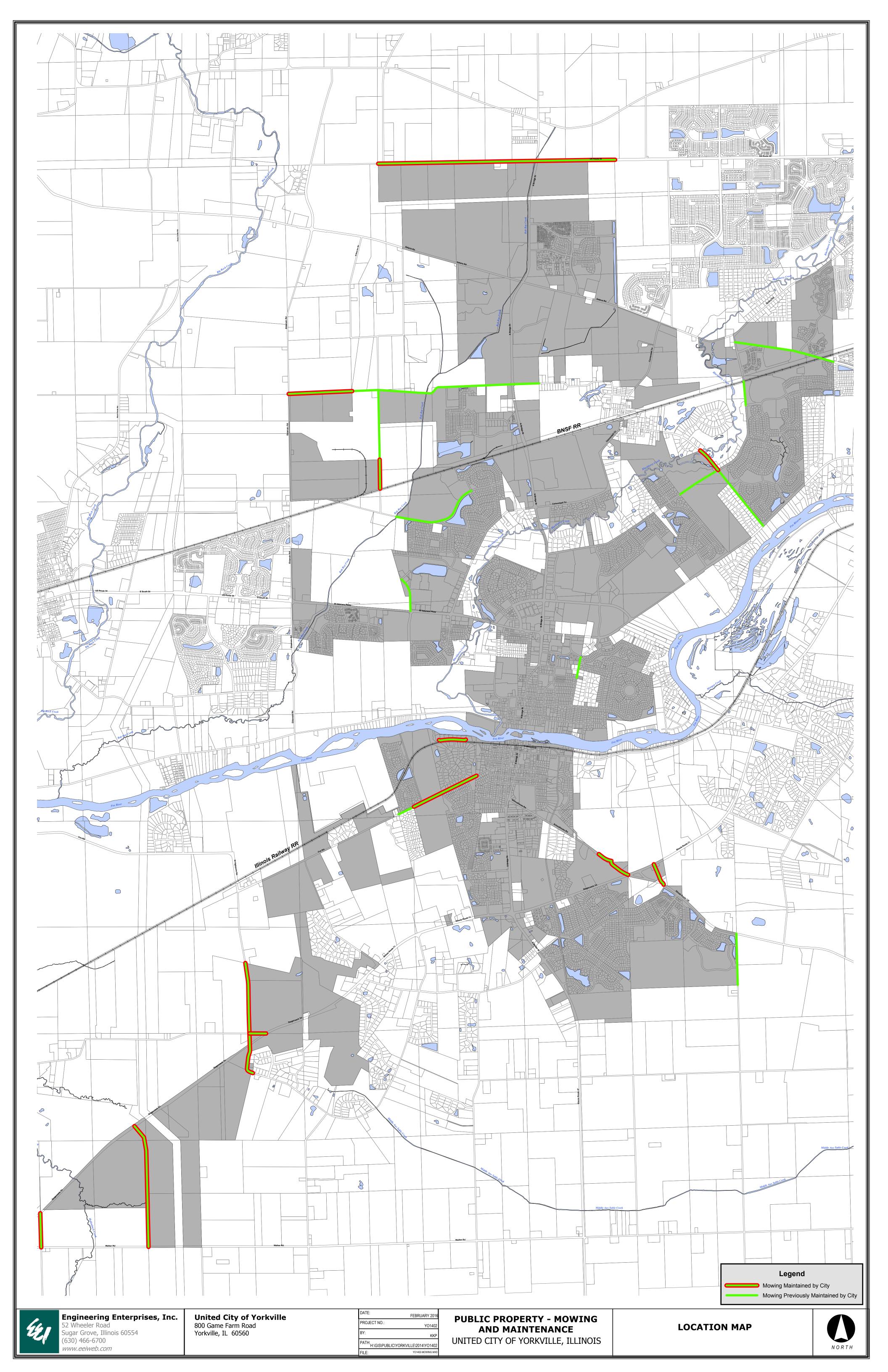
There is always the possibility to use a combination of any or all of the options outlined above, or use something completely different that I haven't thought of yet.

Recommendation

It would be my recommendation to modify our practices to mow only the areas outlined in red on the attached map. These are areas that are not developed, in the process of development, have entitlements such as approved plans or an active developer that owns the land. It would also be my recommendation to mow these areas no more than twice per year. Maintaining these areas to an 8" height is obtainable only by dedicating an employee full time to continually mow these areas. These areas are mostly rural in nature, undeveloped and generally used for agricultural purposes. Therefore, I do not believe that the taller grasses will be an eyesore or that we will receive complaints regarding this issue.

For areas that we will no longer maintain, we will have to issue letters the owners outlining the changes, expectations and consequences for noncompliance. I will work with our code enforcement officer to put together that letter in early spring.

I would ask that this be placed on the February 16, 2016 public works committee meeting for discussion. If you have any questions or need further information, please let me know.





Reviewed By:		
Legal		
Finance		
Engineer		
City Administrator		
Human Resources		
Community Development		
Police		
Public Works		
Parks and Recreation		

Agenda Item Number
OB #3
Tracking Number
PW 2015-45

Agenda Item Summary Memo

Title: E-Waste Recycling		
Meeting and Date: Publ	ic Works Committee – Febru	ary 16, 2016
Synopsis: An update will	be given at the meeting.	
Council Action Previousl	y Taken:	
Date of Action:	Action Taken:	
Item Number:		
Type of Vote Required:		
	d:	
Submitted by:	Bart Olson Name	Administration Department
		•
	Agenda Item No	nes:
_		



Reviewed By:	

Legal	
Finance	
Engineer	
City Administrator	
Human Resources	
Community Development	
Police	
Public Works	Ш

	_		
Agenda	Item	Numbe	1

OB #4

Tracking Number

PW 2016-04

Agenda Item Summary Memo

Title: Countryside S	Subdivision Water main and Roadwa	y Improvements
Meeting and Date:	Public Works Committee – Februar	ry 16, 2016
Synopsis: Project U	pdate	
Council Action Pres	viously Taken:	
Date of Action:	Action Taken:	
Item Number:		
Type of Vote Requi	red:	
Council Action Requested: Project Direction		
Submitted by:		Engineering
	Name	Department
Agenda Item Notes:		



Memorandum

To: Bart Olson, City Administrator

From: Brad Sanderson, EEI

CC: Eric Dhuse, Director of Public Works Lisa Pickering, Deputy City Clerk

Date: February 5, 2016

Subject: Countryside Water main and Roadway Improvements

The purpose of this memo is to present a couple of potential alternatives for improving the intersection of Center and Countryside Parkway as directed by the Public Works Committee.

We have reviewed two alternatives with respect to the roundabout option. The exact layouts of options are conceptual at this point and are subject to change if the City elects to move forward with final design and construction. Also as noted previously, in order for the roundabout options to work, transitions from four lanes to two lanes should occur prior to reaching the intersection. The exact location of the transition may be modified from what has been shown.

As a reminder some of the advantages of the roundabout are as follows:

- A roundabout installation would offer an opportunity to improve the safety of the intersection.
- The proposed roundabout footprint based on a WB-55 design vehicle would fit within existing right-of-way.
- The proposed roundabout would offer the opportunity to reduce the lane widths of the approaching roadways from four to two lanes, thus providing savings in long term maintenance. This is true not only for pavement, but for the elimination of the grassed median as well.
- The existing curb on the medians is in poor condition and is in need of replacement.

Alternative No. 1 reduces the lane widths at West and East Kendall drives as you approach the intersection.

Alternative No. 2 also reduces the lane widths at West and East Kendall drives but maintains a grassed median (newly constructed) as you approach the intersection.

Alternative No. 3 would be to maintain the existing geometry and rehabilitate the streets as originally planned. For this option, it should be noted that we are planning to utilize LAFO funds to fund the milling and resurfacing of Center Parkway (from Rt 34 to Countryside) and Countryside Parkway (from Rt 47 to Center). The initial projected funding for this project is \$475,000 STP and \$200,000 local funds. By constructing the roundabout, we anticipate not being able to utilize approximately ½ the STP funds or \$237,500. Also as a reminder, we are currently not within the KKCOM's five year program, but must petition if we elect to move the LAFO project forward.

The estimated construction costs associated with the alternatives are summarized in the table below:

Description	Estimated Costs
Alternative No. 1 - Center/Countryside	\$1,080,000
(Roundabout)	
Alternative No. 2 - Center/Countryside	\$1,140,000
(Roundabout w/Grass Median)	
Alternative No. 3 - Center/Countryside	\$785,000
(Existing Geometry)	
Cost Difference (Alt. No. 1 – Alt. No. 3)	\$295,000
Cost Difference (Alt. No. 2 – Alt. No. 3)	\$355,000

* Loss of LAFO funds are estimated at \$237,500.

The other factor that comes into play is that by reducing the lane widths and adjusting the center island for a portion of the area, the long term maintenance costs are reduced. We estimate the savings (20 year projection) to be as follows:

Alternative No. 1

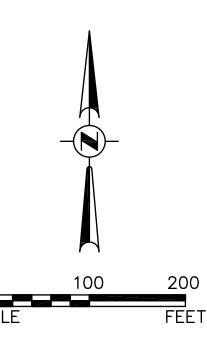
Description	Estimated Savings
Future Pavement Maintenance (Mill/Resurfacing)	\$160,000
Median Maintenance	\$140,000
Total	\$300,000

Alternative No. 2

Description	Estimated Savings
Future Pavement Maintenance (Mill/Resurfacing)	\$130,000
Median Maintenance	\$45,000
Total	\$175,000

To summarize, the roundabout alternatives are estimated to cost approximately \$295-355,000 more to construct versus utilizing the existing geometry. In addition, we are estimating that we would lose approximately \$237,500 in LAFO funding. We do anticipate long term maintenance cost savings of around \$300,000 for Alternative No. 1 and \$175,000 for Alternative No. 2.

At this time, we are looking for direction from the City Council as to whether they would like to move forward with a roundabout in this area. If this is the direction, we would recommend that this be handled as a separate project to allow enough time for proper design and for public education and input.



- ROUNDABOUT FITS WITHIN EXISTING R.O.W.
- LANES TO TRANSITION FROM 4 TO 2 AT W. KENDALL DRIVE AND E. KENDALL DRIVE. TRANSITION POINTS CAN BE ADJUSTED.

BENEFITS OF ROUNDABOUTS

- REDUCE INTERSECTION COLLISIONS BY 37%
- REDUCE VEHICLE SPEEDS
- REDUCE SEVERITY OF COLLISIONS
 MOST ARE SIDESWIPE INSTEAD OF HEAD—ON SLOWER VEHICLE SPEEDS AT COLLISION
- REDUCE FATAL ACCIDENTS BY AS MUCH AS 90%
- REDUCE INJURY ACCIDENTS BY 75%
- REDUCE PEDESTRIAN CRASHES BY 40%
- REDUCE DELAY, WHICH ALSO DECREASES FUEL CONSUMPTION AND AIR POLLUTION

DATA FROM INSURANCE INSTITUTE FOR HIGHWAY SAFETY

BASIS FOR DESIGN

- COLLECTOR COLLECTOR ROADWAYS
- DESIGN VEHICLE WB-55
- INSCRIBED CIRCLE 115 FT
- AUTOTURN A WB-55 VEHICLE CAN MAKE U-TURN MOVEMENT
- DESIGN SPEED = 30 MPH

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UNITED CITY OF YORKVILLE 800 GAME FARM ROAD YORKVILLE, ILLINOIS 60560

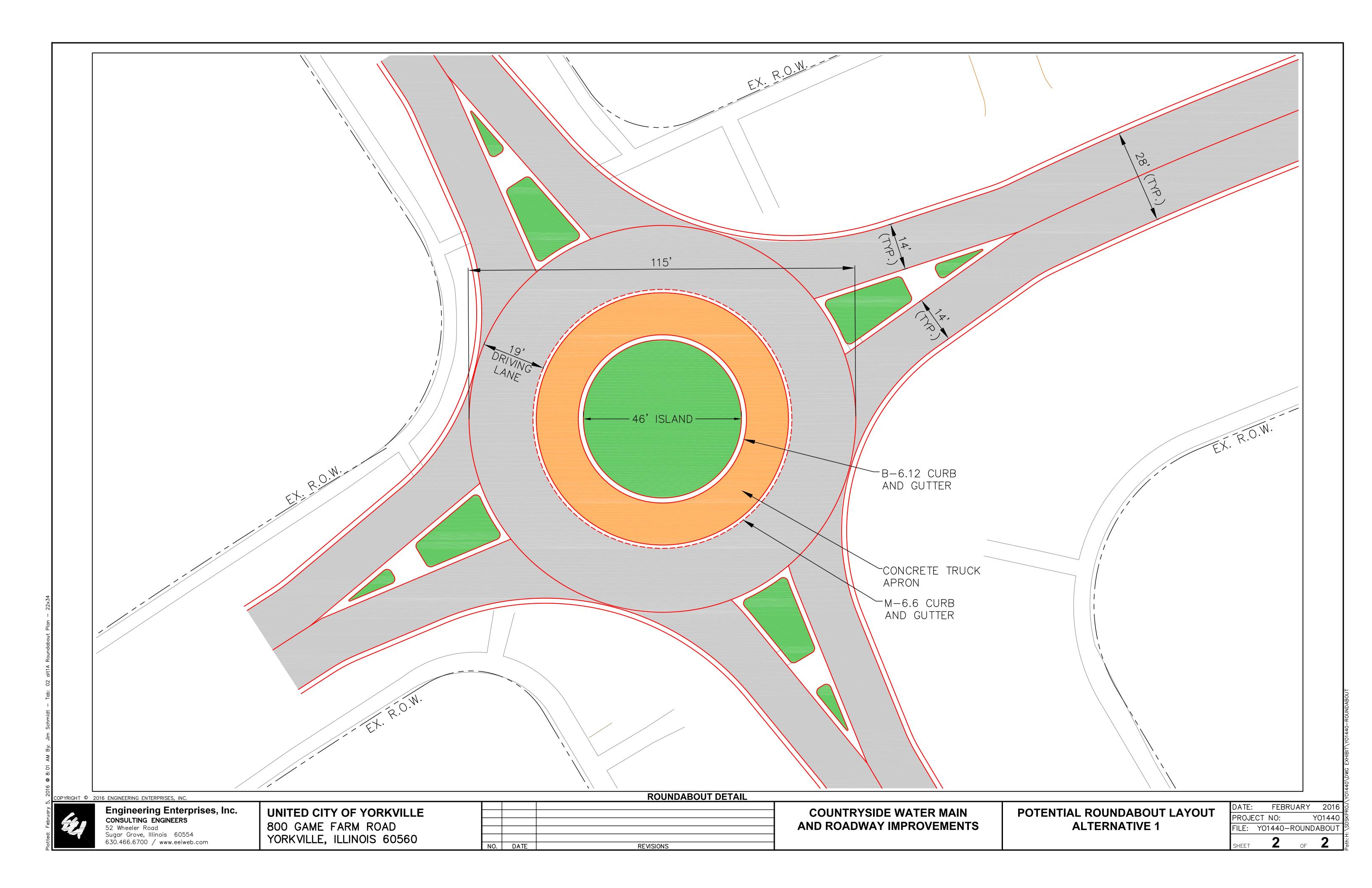
NO. DATE REVISIONS

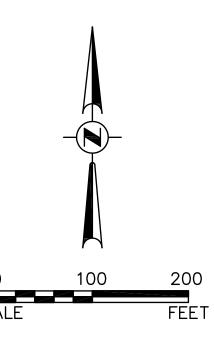
COUNTRYSIDE WATER MAIN AND ROADWAY IMPROVEMENTS

POTENTIAL ROUNDABOUT LAYOUT ALTERNATIVE 1

DATE:	FEBRUAR`	Y 2016
PROJE	CT NO:	Y01440
FILE:	YO1440-ROUI	NDABOUT
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SHEET	■ OF	_

:51 AM By: Jim Schmidt – Tab: 01 alt1 Rou





- ROUNDABOUT FITS WITHIN EXISTING
 R O.W.
- LANES TO TRANSITION FROM 4 TO 2 AT W. KENDALL DRIVE AND E. KENDALL DRIVE. TRANSITION POINTS CAN BE ADJUSTED.

BENEFITS OF ROUNDABOUTS

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- REDUCE VEHICLE SPEEDS
- REDUCE SEVERITY OF COLLISIONS
 MOST ARE SIDESWIPE INSTEAD OF HEAD—ON SLOWER VEHICLE SPEEDS AT COLLISION
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DATA FROM INSURANCE INSTITUTE FOR HIGHWAY SAFETY

BASIS FOR DESIGN

- COLLECTOR COLLECTOR ROADWAYS
- DESIGN VEHICLE WB-55
- INSCRIBED CIRCLE 115 FT
- AUTOTURN A WB-55 VEHICLE CAN MAKE U-TURN MOVEMENT
- DESIGN SPEED = 30 MPH

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NO. DATE

REVISIONS

COUNTRYSIDE WATER MAIN
AND ROADWAY IMPROVEMENTS

