

**CITY OF GENESEO**

**ORDINANCE NO. 1708**

**AN ORDINANCE PROVIDING FOR CONTROL OF  
STORM WATER DRAINAGE & DETENTION,  
SOIL EROSION AND SEDIMENT CONTROL  
WITHIN THE CITY OF GENESEO, ILLINOIS**

**ADOPTED BY THE  
CITY COUNCIL  
OF THE  
CITY OF GENESEO**

**THIS 13<sup>th</sup> DAY OF MARCH, 2001**

**APPROVED BY THE MAYOR MARCH 14, 2001**

**CITY OF GENESEO STORM WATER CONTROL ORDINANCE NO. 1708**

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Chapter 1

**AUTHORITY AND PURPOSE; OTHER RELEVANT PERMITTING;  
APPLICABILITY; EXEMPTIONS; EXCEPTIONS; AND SEPARABILITY**

- 11-1-1: Authority and Purpose
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**11-1-1: Authority and Purpose**

This ordinance is enacted pursuant to the police powers granted to the City of Geneseo, Illinois, by the Illinois Compiled Statutes, 65 ILCS 5/1-2-1, 5/11-12-12, 5/11/30-2, and 5/11/31-2.

The purpose of this ordinance is to diminish threats to public health and safety, protect property, prevent damage to the environment, and promote public welfare by guiding, regulating, and controlling the design, construction, use, and maintenance of any new development, or redevelopment, or other activity which disturbs or breaks the topsoil, or otherwise results in the movement of earth, and/or changes the storm water drainage pattern and/or storm water flows from that which would have occurred if the land had been left in its natural state. This storm water runoff and resulting soil erosion could result in the inundation of damageable properties, the erosion and destabilization of downstream channels, and the pollution of valuable stream and lake resources. One cause of increases in storm water runoff quantity or rate and impairment of quality, and loss of valuable topsoil is the new development or redevelopment of the land. This ordinance regulates these activities to minimize adverse impacts.

This ordinance is adopted to accomplish the following objectives:

- A. To meet the goals and objectives of the City’s Comprehensive Land Use Plan with regard to the environment;
- B. To assure that new development or redevelopment does not increase the drainage or flood hazards or create unstable conditions susceptible to soil erosion;
- C. To protect new buildings and major improvements to buildings from flood damage due to increased storm water runoff and soil erosion;
- D. To protect human life and health from the hazards of increased flooding and soil

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erosion on a watershed basis;

- E. To lessen the burden on the taxpayer for flood control projects, repairs to flood-damaged public facilities and utilities, correction of channel erosion problems, and flood rescue and relief operations caused by storm water runoff and soil erosion quantities from new development or redevelopment;
- F. To protect, conserve, and promote the orderly development of land and soil, water, air, animal, and plant resources;
- G. To preserve the natural hydrologic and hydraulic functions of watercourses, wetlands and flood plains for protecting water quality, and enhance storm water management and aquatic habitats;
- H. To preserve the natural characteristics of stream corridors in order to manage flood and storm water impacts, improve water and groundwater quality, reduce soil erosion, protect aquatic and riparian habitat, maintain quality forest resources, provide recreational opportunities, provide aesthetic benefits, enhance community and economic development.

### **11-1-2: Other Relevant Permitting**

Before a Development Permit under this ordinance becomes effective, all required federal, state, and local permits will have been received for the site subject to new development or redevelopment. The acquisition of these permits shall be the sole responsibility of the applicant. These may include, but are not limited to, Section 404 of the Clean Waters Act; Section 106 of the National Historic Preservation Act; Section 10 of the Rivers and Harbors Act; permitting required by the Illinois Department of Natural Resources, Office of Water Resources in accordance with the Rivers, Lakes and Streams Act, 615 ILCS; the Soil and Water Conservation Districts Act, 70 ILCS; the Farmland Preservation Act, 505 ILCS; the Illinois Groundwater Protection Act, 415 ILCS; the National Pollutant Discharge Elimination System Permit (NPDES) and Section 401 of the Clean Water Act thru the Illinois Environmental Protection Agency, Division of Water Pollution Control; and the Threatened and Endangered Species Act, 16 USC 1531 ET. SEQ. Compliance is also required with, but not limited to, the Zoning Ordinance of the City of Geneseo, Illinois and the Uniform Building Code, most recent edition adopted by the City, Chapter on Excavation and Grading.

### **11-1-3: Applicability**

This ordinance shall apply to all new development or redevelopment in the City. Except as otherwise provided in this ordinance, no person, firm or corporation, public or private; the State of Illinois and its agencies or political subdivisions; the United States of America and its agencies or political subdivisions; any agent, servant, officer or employee of any of the foregoing which meets the following provisions or is otherwise exempted in this ordinance, shall commence any

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development activities without first having obtained a development permit from the Zoning Administrator.

- A. Any new development or redevelopment that will include an area that will increase by ten thousand (10,000) square feet or more the total impervious surface (i.e., streets, roof, patio or parking area or any combination thereof); or
- B. Any land disturbing activity (i.e., clearing, grading, stripping, excavation, fill, or any combination thereof) that will affect an area that will meet or exceed ten thousand (10,000) square feet or that will exceed 100 cubic yards; or
- C. Any land disturbing activity greater than 500 square feet if the activity is within 100 feet of a river, lake, pond, stream, abandoned mine, or wetland; and is done in conjunction with sub sections 12.01 or 12.02; or
- D. Any land-disturbing activity on the sloping side of the slope disturbance line and is in conjunction with Section 11-1-3:A, B, or C or,
- E. Any tree cutting or mechanized land clearing where the tree, native to Northwestern Illinois, is in excess of eight (8) inches in diameter and is done in conjunction with Chapter 1, Section 11-1-3:A, B, or C.
- F. The construction of one single-family dwelling that is not constructed as part of a residential development shall not be subject to the provisions of this ordinance regarding permanent storm water control measures.
- G. The City, which may consult with the Henry County Soil and Water Conservation District, reserves the right to require any non-agricultural, construction development activity, regardless of disturbed area or type of activity, to comply with this ordinance if it is determined to be the cause of or a contributor to an existing or potential erosion, sediment, or storm water impact. Soil erosion and sediment control planning for individual home sites may utilize a soil erosion and sediment control planning “kit” provided by the Henry County Soil and Water Conservation District.

### **11-1-4: Exemptions**

A development permit shall not be required for the following:

- A. Any new development, redevelopment or other activity falling below the minimum standards as set forth in Section 11-1-3.
- B. The agricultural use of land, including the implementation of conservation measures included in a farm conservation plan approved by the Natural Resources Conservation Service, and including the construction of agricultural structures.

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- C. The maintenance of any existing storm water drainage/detention component or structure or any existing soil erosion/sediment control component or structure; including dredging, levee restoration, tree removal or other function which maintains the original design capacities of the above.
- D. The construction of, improvements to, or the maintenance of any street, road, highway or interstate highway performed by any unit of government whose powers grant such authority.

### 11-1-5: Variances

The Community Development Board, after a public hearing, may determine and vary the requirements and regulations of this ordinance in harmony with their general purpose and intent, where the Community Development Board makes written finding of fact in accordance with the standards herein after prescribed and, further, finds that there are practical difficulties or particular hard ships in the way of carrying out the strict letter of requirements and regulations of this ordinance.

- A. Application for variance shall be made by a verified petition of the applicant for a development permit, stating fully the grounds of the petition and the facts relied upon by the applicant. Such petition shall be filed with the development permit application. Each application for a variance shall be made in writing and filed with the Zoning Administrator. The Zoning Administrator and the City Engineer will review and transmit recommendations to the Community Development Board, which shall review such recommendations prior to granting or denying the variance.
- B. Standards for variance. The Community Development Board shall not vary the requirements and regulations of this ordinance as authorized in this section unless there is evidence presented to it in each specific case that:
  - 1. The land is of such shape or size, or is affected by such physical conditions, or is subject to such title limitations or record that it is impossible or impractical for the applicant to comply with all of the requirements of this ordinance;
  - 2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;
  - 3. The granting of the variance will not be detrimental to the public welfare, environment or injurious to other property in the vicinity of the subject property.

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- C. The Community Development Board shall hold a public hearing on each application for variance, in accordance with the City of Geneseo Zoning Ordinance. Within thirty (30) days after the public hearing, the Community Development Board shall either approve the site development permit application with the variances and conditions it deems necessary, or it shall disapprove such development permit application and variance application, or it shall take other such action as appropriate.

### **11-1-6: Fees**

The fee for variances and appeals shall be One Hundred Fifty dollars (\$150).

### **11-1-7: Responsibility**

The applicant shall not be relieved of responsibility for damage to persons or property otherwise imposed by law, and the City or its officers or agents, including the directors and staff of the Henry County SWCD, will not be made liable for such damage by, (1) the issuance of a development permit under this ordinance, (2) compliance with the provisions of that development permit or conditions attached to it by the Zoning Administrator, (3) failure of City of Geneseo officials to observe or recognize hazardous or unsightly conditions, (4) failure of City officials to recommend denial or to deny a development permit, or (5) exemptions from development permit requirements of this ordinance.



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## Chapter 2

### DEFINITIONS

11-2-1: Definitions

#### **11-2-1: Definitions**

For the purposes of this ordinance certain terms are defined and set forth below:

**Abandoned Mine.** An abandoned mine is a large excavation in the earth that is no longer being used. These conditions make such areas unstable and susceptible to subsidence and surface collapse. Subsurface excavations and fractures in the bedrock may channel runoff water to public or private water supplies, making those sources especially susceptible to groundwater contamination.

**Adverse Impacts.** Any negative impact on plant, soil, air or water resources affecting their beneficial uses, including recreation, aesthetics, aquatic habitat, quality, and quantity.

**Applicant.** Any person, firm, or governmental agency who executes the necessary forms to procure official approval of a development or permit to carry out construction of a new development or re-development from the City of Geneseo, Illinois.

**Base Flood Elevation.** The flood having a one percent probability of being equaled or exceeded in any given year. The base flood is also known as the 100-year flood.

**Building Official.** The officer or other designated authority charged with the administration and enforcement of the Uniform Building Code for the City of Geneseo, Illinois.

**Building Permit.** A permit issued by the City of Geneseo, Illinois for the construction, erection, or alteration of a structure or building and the related ground and surface preparation prior to and after completion of construction, erection, or alteration of a structure or building.

**Bypass Flows.** Storm water runoff from upstream properties tributary to a property's drainage system but not under its control.

**Certify or Certification.** Formally attesting that the specific inspections and tests were performed and that such inspections and tests comply with the applicable requirements of this ordinance.

**Channel.** Any defined river, stream, creek, brook, branch, natural or artificial depression, ponded area, on-stream lake or impoundment, abandoned mine, flowage, slough, ditch, conduit, culvert, gully, ravine, wash, or natural or manmade drainage way which has a definite bed and bank or shoreline, in or into which surface or groundwater flows, either perennially or intermittently.

**Channel Modification.** Alteration of a channel by changing the physical dimensions or materials

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of its bed or banks. Channel modification includes damming, riprapping (or other armoring), filling, widening, deepening, straightening, relocating, lining, and significant removal of bottom or woody rooted vegetation. Channel modification does not include the man-made clearing of debris or removal of trash.

**City.** City of Geneseo, Illinois.

**City Attorney.** Attorney for the City of Geneseo, Illinois.

**City Engineer.** Engineer for the City of Geneseo, Illinois.

**Clearing.** Any activity which removes the natural vegetative ground cover.

**Community Development Board.** The duly created Board of the City of Geneseo assigned the duty to oversee the Planning Department of the City and to make recommendations regarding the development of the City.

**Compensatory Storage.** An artificially excavated, hydraulically equivalent volume of storage within the flood plain used to balance the loss of natural flood storage capacity when fill or structure is placed within the flood plain.

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

**Conservation Design.** Development design guidelines that conserve open land, including areas such as woodlands, steep slopes, streams, flood plains and wetlands, and that protect agricultural soils for continued agricultural use in blocks of land large enough to allow for efficient farming operations by using greater flexibility and efficiency in the design and siting of services and infrastructure and the platting of lots.

**County.** Henry County of Illinois.

**Cubic Yard.** A one (1) yard by one (1) yard by one (1) yard amount of material in excavation and/or fill.

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

**Detention Time.** The amount of time storm water is held within a detention basin.

**Development.** Any man-made change to real estate, including:

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1. Constructing, reconstructing, or placing of a structure or any addition to a structure valued at more than \$1,000;
2. Installing a manufactured home on a site or preparing a site for a manufactured home, recreational vehicles, or travel trailers;
3. Installing utilities, construction of roads, or similar projects;
4. Constructing or erecting of levees, walls, fences, bridges, or culverts;
5. Drilling, mining, filling, dredging, grading, excavating, or other nonagricultural alterations of the ground surface;
6. Storage of materials; or
7. Any other activity that might change the direction, height, or velocity of flood or surface waters.

“Development” does not include maintenance of existing structures and facilities such as reroofing; resurfacing roads; or gardening, plowing, and similar agricultural practices that do not involve filling, grading, or construction of levees.

**Drainage Plan.** A plan, including engineering drawings and supporting calculations, which describes the existing storm water drainage system and environmental features, including grading, as well as proposed alterations or changes to the drainage system and environment of a property.

**Dry Basin.** A detention basin designed to drain after temporary storage of storm water and to normally be dry over much of its bottom area.

**Erosion.** The general process whereby soil or earth is moved by rainfall, flowing water, wind, or wave action.

**Excavation.** Any act by which organic matter, earth, sand, gravel, rock, or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, re-located, or bulldozed and shall include the conditions resulting from such actions.

**Excess Storm water Runoff.** The volume and rate of flow of storm water discharged from a new development or re-development which is or will be in excess of that volume and rate which existed before development or re-development.

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

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

**Final Grade.** The vertical location of the ground surface after grading work is completed in accordance with the engineering plans.

**Flood Fringe.** That area as designated by the Federal Emergency Management Agency (FEMA) on either side of the flood way. This area is subject to inundation from the base flood, but conveys little or no flow.

**Flood Hazard Boundary Map (FHBM).** A very generalized map prepared by the Federal Emergency Management Agency (FEMA) which shows only where flood plains are located based on very basic data. FHBM's do not include base flood elevations.

**Flood Insurance Rate Map (FIRM).** A map prepared by the Federal Emergency Management Agency (FEMA) that depicts the special flood hazard area (SFHA) within a community. This map includes insurance rate zones and regulatory flood plains and may or may not depict regulatory flood ways.

**Flood way.** The portion of the special flood hazard area required to store and convey the base flood. The flood way for the special flood hazard area of Geneseo Creek shall be as delineated on the Flood Insurance Rate Map prepared by the Federal Emergency Management Agency and dated September 30, 1992. The flood way for each of the remaining special flood hazard areas of the City shall be according to the best data available from federal, state, or other sources.

**Grading.** The excavation or fill or any combination thereof and shall include the conditions resulting from any excavation or fill.

**Henry County SWCD.** Henry County Soil & Water Conservation District.

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

**Hydrograph Method.** This method estimates runoff volume and runoff hydrographs for the point of interest by generating hydrographs for individual subareas, combining them, and routing them through stream lengths and reservoir structures. Factors such as rainfall amount and distribution, runoff curve number, time of concentration, and travel time are included.

**Impervious Surface.** That area of property that is covered by materials other than soil and vegetation and that has no intended capacity to absorb storm water, such as parking lots, driveways, sidewalks, patios, tennis courts, roofs, and other structures.

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**Infiltration.** The passage or movement of water into the soil surfaces.

**Loessial Soil.** A sediment, commonly non-stratified and unconsolidated, composed predominately of silt sized particles with accessory clay and sand.

**Lot.** An individual platted parcel in an approved subdivision.

**Major Drainage System.** That portion of a drainage system needed to store and convey flows beyond the capacity of the minor drainage system.

**Minor Drainage System.** That portion of a drainage system designed for the convenience of the public. It consists of street gutters, storm sewers, small open channels, and swales and, where manmade, is to be designed to handle the 10-year runoff event.

**Mitigation.** Mitigation is when the prescribed controls are not sufficient and additional measures are required to offset the development, including those measures necessary to minimize the negative effects which storm water drainage and development activities might have on the public health, safety, and welfare. Examples of mitigation include, but are not limited to, compensatory storage, soil erosion and sedimentation control, and channel restoration.

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

**Natural Drainage.** Channels formed in the existing surface topography of the earth prior to changes made by unnatural causes.

**One Hundred-Year Event.** A rainfall, runoff, or flood event having a one percent (1%) probability of occurrence in any given year. A 24 hour storm duration is assumed unless otherwise noted.

**Parcel.** All contiguous land in one ownership.

**Peak Flow.** The maximum rate of flow of water at a given point in a channel or conduit.

**Permittee.** Any person to whom a building permit or a development permit is issued.

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

**Positive Drainage.** Provision for overland paths for all areas of a property including depressional areas that may also be drained by storm sewer.

**Prime Farmland.** Prime farmland is land that is best suited to food, feed, forage, fiber, and oilseed crops. It may be crop land, pasture, woodland, or other land, but it is not urban and built up land or

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water areas. It is either used for food or fiber or is available for those uses. The soil qualities, growing season, and moisture supply are those needed for a well managed soil to economically produce a sustained high yield of crops. Prime farmland produces the highest yields with minimum inputs of energy and economic resources and farming it results in the least damage to the environment.

**Property.** A parcel of real estate.

**Retention Basin.** A facility designed to completely retain a specified amount of storm water runoff without release except by means of evaporation, infiltration, emergency bypass, or pumping.

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

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

**Slope Disturbance Line.** The line which delineates relatively level building areas from areas where slopes exceed 7 percent (7%) and where special precautions must be taken.

**Special Flood Hazard Area (SFHA).** Those lands within the jurisdiction of the City that are subject to inundation by the base flood. The SFHAs of the City are generally identified as such on the Flood Insurance Rate Map of the City, prepared by the Federal Emergency Management Agency, and dated September 30, 1992. The SFHAs of those parts of unincorporated Henry County that are within the extraterritorial jurisdiction of the City or that may be annexed into the City are generally identified as such on the Flood Insurance Rate Map, prepared for Henry County by the Federal Emergency Management Agency, and dated January 17, 1985.

**Special Service Area Tax (SSA).** A tax placed upon an area for the purpose of funding special services particular to a geographically defined area. As set forth in the compiled statutes of the state of Illinois at 35 ILCS 200/27-5, et seq.

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

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

**Storm Sewer.** A closed conduit for conveying collected storm water.

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**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.

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

**Ten-Year Event.** A runoff, rainfall, or flood event having a ten percent (10%) chance of occurring in any given year. A 24 hour storm duration is assumed unless otherwise note.

**Time of Concentration.** The elapsed time for storm water to flow from the most hydraulically remote point in a drainage basin to a particular point of interest in that watershed.

**Tributary Watershed.** All of the land surface area that contributes runoff to a given point.

**Two-Year Event.** A runoff, rainfall, or flood event having a fifty percent (50%) chance of occurring in any given year. A 24 hour storm duration is assumed unless otherwise noted.

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

**Watershed.** All land area drained by, or contributing water to, the same stream, creek, ditch, lake, marsh, storm water facility, groundwater or depressional area.

**Wet Basin.** A detention basin designed to maintain a permanent pool of water after the temporary storage of storm water runoff.

**Wetlands.** Wetlands are defined by regulation as "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions." For general, but not inclusive, locations of designated wetlands refer to mapping prepared jointly by the U.S. Department of Interior, Fish and Wildlife Service and the Illinois Department of Natural Resources, Office of Resource Conservation; National Wetlands Inventory Mapping, 1987.

**Zoning Administrator.** Zoning Administrator for the City of Geneseo, Illinois.

Chapter 3

### STORM WATER DRAINAGE AND DETENTION

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- 11-3-28: Early Completion of Detention Facilities

### **11-3-1: Drainage Plan Submittal Requirements.**

Each applicant shall submit the following information to ensure that the provisions of this ordinance are met. The submittal shall include sufficient information to evaluate the environmental characteristics of the property, the potential adverse impacts and benefits of the development on water resources both on-site and off-site, and the effectiveness of the proposed drainage plan in managing storm water runoff, and meeting the provisions of Section 11-1-2. The applicant shall certify on the drawings that all clearing, grading, drainage, and construction shall be accomplished in strict conformance with the drainage plan. The following information shall be submitted for both existing and proposed property conditions for all new developments or re-developments that meet or exceed the minimum requirements of Section 11-1-3.

### **11-3-2: Drainage Plan Requirements.**

A topographic survey of the property at two-foot contours unless otherwise specified or approved by the City Engineer. The plan map shall be keyed to a consistent datum specified by the City. If the mapping is compiled using a digital format and the Global Positioning System (GPS), the applicant will provide both paper and digital copies including GPS points.

A. Mapping and Descriptions. An existing drainage and proposed drainage plan for the property and one hundred (100) feet surrounding the property at a scale of not more than one



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hundred (100) feet to one (1) inch, and including the following list. Minor developments may not require all of the items shown below. The City Engineer shall determine the items required based upon the property.

1. Property boundary, dimensions, and approximate acreage
2. Building setback lines
3. All existing and proposed structures and sizes
4. Square feet of existing and proposed impervious surface
5. All existing or proposed easements
6. All existing, abandoned, or proposed water or monitoring wellhead locations
7. All sanitary or combined sewer lines and septic systems
8. The banks and centerline of streams and channels
9. Shoreline of lakes, ponds, and detention basins with normal water level elevation
10. Farm drains and tiles
11. Soils classifications
12. Location, size, and slope of storm water conduits and drainage swales
13. Depressional storage areas
14. Detention facilities
15. Roads, streets, and associated storm water inlets, including finished grades
16. Base flood elevation, flood fringe, and regulatory flood way
17. Basis of design for the final drainage network components
18. A statement giving any applicable engineering assumptions and calculations
19. A vicinity map showing the relationship of the site to its general surroundings at a scale of not less than two thousand (2,000) feet to one (1) inch (1:24,000)

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20. Title, scale, north arrow, legend, seal of licensed professional engineer, date, and name of person preparing plans
21. Cross-section data for open channel flow paths and designated overland flow paths
22. Direction of storm flows
23. Flow rates and velocities at critical points in the drainage system
24. A statement by the design engineer of the drainage system's provision for handling events greater than the 100 year, 24 hour runoff
25. A statement of certification of all drainage plans, calculations, and supporting data by a licensed professional engineer
26. Abandoned mine location and type
27. Subwatershed boundaries within the property

B. Environmental Features. A depiction of environmental features of the property and immediate vicinity, including the following:

1. The limits of designated regulatory and non-regulatory wetland areas
2. The location and limits of abandoned mining activity
3. The location of trees greater than eight (8) inches in diameter
4. any designated natural areas, prime farmland
5. any proposed environmental mitigation features

### **11-3-3: Minimization of Increases in Runoff Volumes and Rates**

In the selection of a drainage plan for a new development or redevelopment, the applicant shall evaluate and implement site design features which minimize the increase in runoff volumes and rates from the site and addresses the water quality treatment requirements of this ordinance.

### **11-3-4: Evaluations of Site Design Features**

The applicant's drainage plan submittal shall include evaluations of site design features which are consistent with the following hierarchy:

- A. Preserves regulatory flood plains, flood prone and wetland areas

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- B. Minimizes impervious surfaces on the property consistent with the needs of the project
- C. Attenuates flows by use of open vegetated swales and natural depressions and preserves the existing natural stream channel
- D. Infiltrates runoff on-site where appropriate soil conditions exist
- E. Provides wet or wetland detention structures
- F. Provides storm water retention structures
- G. Provides dry detention structures
- H. Constructs storm sewers

### **11-3-5: Conservation Design Benefits**

The City of Geneseo wishes to encourage development which utilizes naturalized or Conservation Design techniques. The City will consider density, building setback variances, and alternate public improvements standards for new development or redevelopment which minimizes the amount of storm water runoff through the utilization of items A. through E. of the hierarchy in Section 11-3-4 above. The purposes of utilizing Conservation Design standards are to conserve open land, especially areas containing or creating natural features such as woodlands, streams, flood plains and wetlands, to protect prime agricultural land for its continued use, and to conserve scenic areas representative of the City's rural, small town character. Developments which meet the criteria of Conservation Design developments may be processed as planned unit developments as described in the City's Subdivision and Development Regulations.

The hydraulically-connected, impervious area used in the calculation of required retention volume may be reduced by the City Engineer if the soils are prepared or are left undisturbed to maximize infiltration and deep rooted native grasses are planted in areas appropriately dedicated. The reduction in hydraulically- connected, impervious area used in the calculation shall be equal to the area of the development meeting the above soils/native planting requirement.

### **11-3-6: Water Quality and Multiple Uses**

The drainage system should be designed to minimize adverse surface and groundwater quality impacts off-site and on the property itself. Detention basins shall incorporate design features to capture storm water runoff pollutants. In particular, designers shall give preference to wet bottom and wetland type designs and all flows from the development shall be routed through the basin (i.e., low flows shall not be bypassed). Detention of storm water shall be promoted throughout the property's drainage system to reduce the volume of storm water runoff and to reduce the quantity of runoff pollutants.

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The drainage system should incorporate multiple uses where practicable. Uses considered compatible with storm water management include open space, aesthetics, aquatic habitat, recreation (boating, fishing, trails, playing fields), wetlands, and water quality mitigation.

### **11-3-7: Regional Detention in Lieu of On-Site Detention**

Regional detention is encouraged in lieu of constructing a detention basin on-site. Regional detention, where available, will be on City-owned property for the purpose of detaining storm water runoff for the entire drainage area. The release rate shall be the five (5) year storm event, pre-developed condition or less. Funding for the long term maintenance of regional detention basins shall be derived by the establishment of a special service area for the area covered by the development permit, as set forth in Section 11-3-24 herein. The City shall maintain these regional detention facilities. The developer shall be responsible to estimate the cost of on-site detention that meets the requirements of this ordinance. The City engineer shall review and agree to the above estimate. The developer shall pay the City the above-estimated cost as a fee for storage of storm water runoff generated from their site in the regional detention facility. The developer shall be responsible for the incremental costs of conveying the storm water from the developed property to the regional detention basin.

### **11-3-8: Release Rates**

The drainage system for new developments or redevelopments shall be designed to control the peak rate of discharge for a 100 year storm, 24-hour event from the property with a peak release rate less than or equal to pre-project levels for a 5 year storm, 24 hour event or less, which will not cause an increase in flooding or channel instability downstream when considered in aggregate with other developed properties and downstream drainage capacities. The peak discharge rate from events less than or equal to the 5 year, 24 hour event and the peak discharge rate for the 100 year, 24 hour event shall be reviewed by the City Engineer.

### **11-3-9: Detention Basin Outlet Design**

Backwater on the outlet structure from the downstream drainage system shall be addressed when designing the outlet.

### **11-3-10: Detention Storage Requirements**

The design maximum storage to be provided in the detention basin shall be based on the runoff from the runoff difference before and after development from the 100 year, 24 hour event. All detention basin storage shall be computed using Hydrograph Methods utilizing reservoir routing (also called modified pulse or level pool) or equivalent method as described in Section 11-3-12.

**11-3-11: Drainage System Design and Evaluation.** The following criteria should be used in evaluating and designing the drainage system. The design will provide capacity to pass the 10 year, 24 hour peak flow in the minor drainage system and an overload flow path for flows in excess of the design capacity. Whenever practicable, the storm water systems shall not result in the interbasin transfer of drainage unless no other alternative exists.

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A. Design Methodologies. Major and minor conveyance systems for areas up to 10 acres may be designed using the Rational Formula. The Rational Formula, the Soil Conservation Service (SCS) Technical Release 55 (TR 55) or other methods approved by the City Engineer. These methods may also be used in sizing the minor drainage system for larger sites up to 100 acres. Runoff hydrograph methods as described in Section 11-3-12 must be used for major drainage system design for all systems with greater than 10 acres of drainage area and for the design of all detention basins.

B. Positive Drainage. Whenever practicable, all developments must be provided an overland flow path that will pass the 100 year, 24 hour flow at a stage at least one (1) foot below the lowest foundation grade in the vicinity of the flow path. Overland flow paths designed to handle flows in excess of the minor drainage system capacity shall be provided drainage easements. Street ponding and flow depths shall not exceed curb heights.

### **11-3-12: Methods For Generating Runoff Hydrographs**

Runoff hydrographs shall be developed incorporating the following assumptions of rainfall amounts and antecedent moisture.

A. Rainfall. Unless a continuous simulation approach to drainage system hydrology is used, all design rainfall events shall be based on the Illinois State Water Survey's Bulletin 70. The first quartile point rainfall distribution shall be used for the design and analysis of conveyance systems with critical durations less than or equal to 12 hours. The third quartile point rainfall distribution shall be used for the design and analysis of detention basins and conveyance systems with critical durations greater than 12 and less than or equal to 24 hours. The fourth quartile distribution shall be used in the design and analysis of systems with durations greater than 24 hours. The first, third, and fourth quartile distributions described by Huff are presented in Table 37 of Bulletin 70. Refer to Table 13 of Bulletin 70 for rainfall depth, duration, and frequency. The NRCS Type II distribution may be used as an alternate to the Huff distributions.

B. Antecedent Moisture. Computations of runoff hydrographs which do not rely on a continuous accounting of antecedent moisture conditions shall use wet antecedent moisture condition as a minimum.

### **11-3-13: Agriculture Tiles and Sanitary Sewers**

Connections to sanitary sewers or existing agricultural storm water management system (tiles) shall not be permitted for new developments. However, in exceptional circumstances and with the approval of the City Engineer, connections to existing agricultural storm water management systems may be allowed if the applicant demonstrates that the existing system has adequate hydraulic capacity and structural integrity. Additionally, development meeting the criteria in Sections 11-3-8 through 11-3-24 shall either obtain a maintenance agreement or deed or plat restriction covering the entire downstream drain tile in accordance with this ordinance before a connection to that system is permitted. Field tile systems disturbed during the process of land development must be

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reconnected by those responsible for their disturbance unless the approved drainage plan incorporates the tiles in the land development design.

**11-3-14: Created Wetlands.** Created wetlands shall be designed to remove storm water pollutants, to be safe and aesthetically pleasing, and shall be used where existing wetlands or natural depressions exist or the topography of the land lends itself to the creation of wetland area.

A. Wetland Design. Wetlands shall be designed to be inundated or saturated by surface or groundwater at a frequency and duration sufficient to support and under normal circumstances, do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The created wetland may pond water at a depth which will be dependent upon the topography and type of soils of the land, the plantings proposed, and the duration that water is to remain standing, subject to the review and approval of the City's engineer. Notwithstanding the above, the depth of stored, ponded water shall not exceed twelve inches of additional depth beyond the design depth, for a period longer than ten days.

B. Wetland Basin Shoreline Slopes. The sides of wetland basins shall not be steeper than eight to one (8 to 1 horizontal to vertical) where practical. Native wetland vegetation shall be established throughout the basin area and a vegetated buffer strip of at least 25 feet in width, preferably vegetated with native plant species, shall be maintained or restored around the periphery of a created wetland where practical.

### **11-3-15: Wet Detention Basin Design**

Wet detention basins shall be designed to remove storm water pollutants, to be safe, to be aesthetically pleasing, and, as much as feasible, to be available for recreational use.

A. Wet Basin Depths. Wet basins shall be at least three feet deep, excluding near-shore banks and safety ledges. If fish habitat is to be provided they shall be at least ten (10) feet deep over twenty-five percent (25%) of the bottom area to prevent winterkill.

B. Wet Basin Shoreline Slopes. The side slopes of wet basins at the normal pool elevation shall not be steeper than five to one (5 to 1 horizontal to vertical). It is recommended that native aquatic vegetation be established around the perimeter to provide protection from shoreline erosion. A vegetated buffer strip of at least 25 feet in width, preferably vegetated with native plant species, shall be maintained or restored around the periphery of a wet basin where practical.

C. Permanent Pool Volume. The permanent pool volume in a wet basin at normal depth shall be equal to the runoff volume from its watershed for the 2 year, 24 hour event as a minimum.

D. Wet Basin Inlet and Outlet Orientation. The distance between detention inlets and outlets shall be maximized. Inlets and outlets shall be at opposite ends of the basin providing that the orientation does not create undue hardship based on topography or other natural

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constraints. Designers are encouraged to use baffles or berms in the basin bottom to prevent short-circuiting. There shall be no low flow bypass between the inlet and outlet. Paved low flow channels shall not be used. The minimum flow length shall be ten (10) feet with a recommended minimum ratio of two to one (2:1) for width.

### **11-3-16: Dry Detention Basin Design**

In addition to the other requirements of this ordinance, dry basins shall be designed to remove storm water pollutants, to be safe, to be aesthetically pleasing and, as much as feasible, to be available for multiple uses.

A. Dry Basin Drainage. Dry basins shall be designed so that eighty percent (80%) of their bottom area shall have standing water no longer than seventy-two (72) hours for any runoff event less than the 100-year, 24 hour event. Grading plans shall clearly distinguish the wet portion of the basin bottom. Under drains directed to the outlet may be used to accomplish this requirement.

B. Dry Basin Depths. Dry basins shall be not more than four feet deep, excluding near-shore banks and safety ledges.

C. Dry Basin Slope Design. The side slopes of dry basins at the normal pool elevation shall not be steeper than five to one (5 to 1 horizontal to vertical). It is recommended that native aquatic vegetation be established around the perimeter to provide protection from shoreline erosion. As an alternative, if the City's Engineer agrees that the dry basin storage area can be accommodated only with a side slope being greater than five to one, then the dry basin shall be fenced and secured to prevent accidental entry into the basin area. In no case shall a side slope exceed a three to one slope. A vegetated buffer strip of at least 25 feet in width, preferably vegetated with native plant species, shall be maintained or restored around the periphery of a dry basin where practical.

D. Velocity Dissipation. Velocity dissipation measures shall be incorporated into dry basin designs to minimize erosion at inlets and outlets and to minimize resuspension of pollutants.

E. Dry Basin Inlet and Outlet Orientation. Shall be the same as Section 11-3-15:D.

F. Temporary Sediment Trap. A sediment trap shall be constructed at each major inlet to a dry basin during construction. The temporary sediment trap should be designed in accordance with criteria in the Illinois Urban Manual.

### **11-3-17: Existing Depressional Areas**

Existing depressional storage volume will be maintained and the volume of detention storage provided to meet the requirements of this ordinance; and shall be in addition to existing storage.

### **11-3-18: Minimum Detention Outlet Size**

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Where a single pipe outlet or orifice plate is to be used to control discharge, it shall have a minimum diameter of twelve (12) inches. If design release rates call for smaller outlets, a design that minimizes the possibility of clogging shall be used. Minimum outlet restrictor size shall be 4" provided there is adequate downstream capacity. Detention volumes for a development shall be dictated by adherence to the release rates specified in Section 11-3-8.

### **11-3-19: Detention in Flood Plains**

The placement of detention basins within the flood plain is strongly discouraged because of questions about their reliable operation during flood events. However, the storm water detention requirements of this ordinance may be fulfilled by providing detention storage within flood fringe areas on the project site, provided the following provisions are met as well as compliance with Section 11-1-2.

A. Detention in Flood Fringe Areas. The placement of a detention basin in a flood fringe area shall require compensatory storage for 1.5 times the volume below the base flood elevation occupied by the detention basin, including any berms. The release from the detention storage provided shall still be controlled consistent with the requirements of this section. The applicant shall demonstrate its operation for all stream-flow and flood plain backwater conditions. Excavations for compensatory storage along watercourses shall be opposite or adjacent to the area occupied by detention. All flood plain storage lost below the existing ten-year flood elevation shall be replaced below the existing ten-year elevation. All flood plain storage lost above the existing ten-year flood elevation shall be replaced above the existing ten-year flood elevation. All compensatory storage excavations shall be constructed to drain freely and openly to the watercourse and comply with Section 11-1-2.

B. Detention in Flood ways. Detention basins shall be placed in the flood way only in accordance with 11-3-19:C.

C. On-stream Detention. On-stream detention basins are discouraged but allowable if they provide regional public benefits and if they meet the other provisions of this ordinance with respect to water quality and control of the 5 year and 100 year, 24 hour events from the property. The volume of detention shall be provided in addition to the existing stream flood way storage. Further criteria are presented in Section 11-3-25 of this ordinance. If on-stream detention is used in watersheds larger than one square mile, the applicant will use hydrographic modeling to demonstrate that the design will not increase the water level for any properties upstream or downstream of the property. Also, impoundment of the stream as part of on-stream detention:

1. Shall not prevent the migration of indigenous fish species, which require access to upstream areas as part of their life cycle, such as for spawning;
2. Shall not cause or contribute to the degradation of water quality or stream aquatic habitat;



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3. Shall include a design calling for gradual bank slopes, appropriate bank stabilization measures, and a pre-sedimentation basin;
4. Shall not involve any stream channelization or the filling of wetlands;
5. Shall require the implementation of an effective non-point source management program throughout the upstream watershed which shall include as a minimum: runoff reduction "Best Management Practices" (BMP's) consistent with Section 11-3-3; 2 year, 24 hour detention / sedimentation basins for all development, consistent with Section 11-3-16:F.;
6. Shall not occur downstream of a wastewater discharge;
7. Shall not contribute to the duration or flood frequency of any adjacent land;
8. Shall comply with Section 11-1-2.

**11-3-20: Drainage Into Wetlands, Rivers, Streams, Lakes, Ponds, and Depressional Storage Areas**  
Wetlands, lakes, ponds, and depressional storage areas shall be protected from damaging modifications and adverse changes in runoff quality and quantity associated with land developments. In addition to the other requirements of this ordinance, the following requirements shall be met for all developments whose drainage flows into wetlands, rivers, lakes, ponds or depressional storage areas:

A. Detention in Wetlands, Rivers, Streams, Lakes, Ponds or Depressional Storage Areas. Existing wetlands, rivers, lakes, ponds, or depressional storage areas shall not be modified for the purposes of storm water detention unless it is demonstrated that the proposed modifications will maintain or improve its habitat and ability to perform beneficial functions and shall comply with Section 11-2-1. Existing storage and release rate characteristics of wetlands, rivers, lakes, ponds, or depressional storage areas shall be maintained and the volume of detention storage provided to meet the requirements of this section shall be in addition to this existing storage.

B. Sediment Control. The existing wetlands, rivers, lakes, ponds, or depressional storage areas shall be protected during construction, and as further regulated in Chapter 4 of this ordinance, and shall not be filled.

C. Alteration of Drainage Patterns. Site drainage patterns shall not be altered to substantially decrease or increase the existing area tributary to wetlands, rivers, lakes, ponds, or depressional storage areas. Drainage patterns shall not be altered by development to direct runoff off site to other than natural drainage outlets existing prior to development.

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D. Detention/Sedimentation. All runoff from the development shall be routed through a preliminary detention/sedimentation basin designed to capture the two-year, 24 hour event and hold it for at least 24 hours, before being discharged to the wetland, river, lake, pond, or depressional storage area. This basin shall be constructed before property grading begins and shall be maintained throughout the construction process. In addition, the drainage hierarchy defined in Section 11-3-1 should be followed to minimize runoff volumes and rates being discharged to the wetland, river, stream, lake, pond, or depressional storage area and as further regulated in Chapter 2 and Chapter 4 of this ordinance.

E. Vegetated Buffer Strip. A buffer strip of at least 25 feet in width, preferably vegetated with native plant species, shall be maintained or restored around the periphery of a wetland, river, stream, lake, pond, or depressional storage area.

F. Loessial Soils. Care must be taken to avoid open flow discharges of storm water over silt (Loessial) soils due to high potential for erosion.

G. Abandoned Mines. The following requirements apply for new developments or re-developments where abandoned mines are determined to be present:

1. A storm water detention basin shall not be placed in or over an abandoned mine.
2. Storm water detention basins shall not be located closer than one hundred (100) feet from the opening of an abandoned mine.
3. The outflow from a storm water detention basin, channel, ditch, or any storm water runoff generated as a result of a new development or redevelopment shall not empty into, or be directed, or redirected by any means into or through any abandoned mine.
4. If, after review of the storm water drainage plan, the City Engineer may determine that more detailed information is required, an abandoned mine evaluation may be required. An abandoned mine evaluation which addresses the geologic, engineering, and environmental factors resulting from a new development or redevelopment shall be performed by a professional with experience and expertise in abandoned mine topography, who shall certify the results of the evaluation. This evaluation shall be the responsibility of the applicant and performed at no cost to the City. After review of this evaluation and consultation with the Henry County Soil and Water Conservation District, the City Engineer may either approve or disapprove the drainage plan as submitted.

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5. Whenever an abandoned mine is discovered or it becomes apparent that the abandoned mine has not yet been identified, it shall be reported to the Henry County Soil and Water Conservation District.
6. Shall comply with Section 11-1-2.

### **11-3-21: Street Detention, Parking Lot Detention, and Culvert Drainage**

A. Street Detention. If streets are to be used as part of the minor or major drainage system, ponding depths shall not exceed curb heights and shall not remain flooded for more than eight (8) hours for any event less than or equal to the 100 year, 24 hour event.

B. Parking Lot Detention. The maximum storm water ponding depth in any parking area shall not exceed six (6) inches for more than four (4) hours.

C. Culvert, Road, and Driveway Crossings. Sizing of culvert crossings shall consider entrance and exit losses as well as tailwater conditions on the culvert.

### **11-3-22: Infiltration Practices**

To effectively reduce runoff volumes, infiltration practices, including basins, trenches, and permeable pavement shall follow criteria in the Illinois Urban Manual with Section 11-1-2. An appropriate sediment control device shall be provided to remove coarse sediment from storm water flows before they reach infiltration basins or trenches. Storm water shall not be allowed to stand more than 72 hours over eighty percent (80%) of the dry basin's bottom area for the maximum design event to be ex-filtrated. The bottom of infiltration basins or trenches shall be a minimum of three feet above the seasonally high groundwater and bedrock level. Engineering calculations demonstrating infiltration rates shall be included with the application.

A. Vegetated Filter Strips and Swales. To effectively filter storm water pollutants and promote infiltration of runoff, sites should be designed to maximize the use of vegetated filter strips and swales and to follow criteria in the Illinois Urban Manual. Whenever practicable, runoff from impervious surfaces should be directed onto filter strips and swales comprised of native grasses and forbs before being routed to a storm sewer or detention basin.

### **11-3-23: Safety Considerations**

The drainage system components, especially all detention basins, shall be designed to protect the safety of any children or adults coming in contact with the system during runoff events and shall comply with Section 11-1-2.

A. Side Slopes. The side slopes of all detention basins at 100 year, 24 hour capacity shall be as level as practicable to prevent accidental falls into the basin and for stability and ease

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of maintenance. Side slopes of detention basins and open channels shall not be steeper than five to one (5 to 1) horizontal to vertical. As an alternative, if the City's Engineer agrees that the dry basin storage area can be accommodated only with a side slope being greater than five to one, then the dry basin shall be fenced and secured to prevent accidental entry into the basin area. In no case shall a side slope exceed a three to one slope.

B. Safety Ledge. All detention basins shall have a level safety ledge at least four feet in width, 2.5 to 3 feet below the normal water depth.

C. Velocity. Velocities throughout the surface drainage system shall be controlled to safe levels, taking into consideration rates and depths of flow. When velocities exceed 6 feet per second, proper safety measures shall be provided and approved by the City Engineer. Velocity calculations shall be submitted to the City Engineer.

D. Overflow Structures. All storm water detention basins shall be provided with an overflow structure capable of safely passing excess flows at a stage at least one foot below the lowest foundation grade in the vicinity of the detention basin. The design flow rate of the overflow structure shall be equivalent to the 100 year, 24 hour inflow rate.

**11-3-24: Maintenance Considerations.** The storm water drainage system shall be designed to minimize and facilitate maintenance. Turfed side slopes shall be designed to allow lawn-mowing equipment to easily negotiate them. Wet basins shall be provided with alternate outflows, which can be used to completely drain the pool for sediment removal. Pumping may be considered if drainage by gravity is not feasible. Pre-sedimentation basins shall be included, where feasible, for localizing sediment deposition and removal. Site access for heavy equipment shall be provided. Use of native vegetation is strongly encouraged to reduce maintenance, increase wildlife habitat, and provide other benefits. Included in the application for a development permit shall be a plan for the long term management, operation, and maintenance of the storm water drainage system and a description of the sources of funding therefore.

A. Long-term Maintenance Responsibility. Unless maintenance responsibility has been delegated to and accepted by another person under this section, the owner shall maintain that portion of a storm water drainage system, including any special management areas, located upon their land. With the approval of the City the storm water drainage system and special management areas, or specified portions thereof, may be dedicated or otherwise transferred to and accepted by the City or other public entity.

B. Transfer to the City or Other Public Entity. If any portion of the storm water drainage system is to be dedicated or otherwise transferred to the City or other public entity under Section 11-3-24, appropriate easements or dedications for ingress and egress to and maintenance of such portions shall be reserved for the benefit of such entity on the final plat.

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C. Incorporation of Maintenance Obligations in Storm Water Management Permit. The provisions of this Section shall be incorporated by reference in the Storm Water Management Permit and the applicant's acceptance of the permit shall be deemed to be the applicant's acceptance and assumption of the obligations imposed under this section. At the option of the City, the Storm Water Management Permit may be recorded.

D. Funding of Long Term Maintenance of Storm water Drainage Systems. As a condition of approval of an application for a development permit, unless the property is a single property to be held unsubdivided by a single owner, the City may at its discretion require the establishment of a special service area pursuant to 35 ILCS 200/27-5, et seq. as the primary means of providing for the long term maintenance of the facilities. If the establishment of a special service area is required, the City shall make a good faith effort to determine and establish the maximum tax rate sufficient to produce revenues required for ongoing maintenance of the storm water management facilities. The City shall levy a *de minimis* level of tax to be levied upon all taxable properties in the area covered by the development permit until such time as 50% of the lots of the development have been issued building and occupancy permits. At the tax levy next following the issuance of building and occupancy permits for 50% of the lots of the development, the City shall then and annually thereafter make a good faith estimate of the tax rate necessary to produce a tax sufficient for the ongoing maintenance of the storm water management facilities and shall incorporate said rate into its enactment of a special service area tax levy. The special service area tax shall be deposited in a fund specifically designated for the maintenance of the storm water management facilities.

### **11-3-25: Accommodating Flows From Upstream Tributary Areas**

Storm water runoff from areas tributary to the property shall be considered in the design of the property's drainage system. Whenever practicable, flows from upstream areas that are not to be detained should be routed around the basin being provided for the site being developed.

### **11-3-26: Upstream Areas Not meeting Ordinance Requirements**

When there are areas not meeting the storage and release rates of this ordinance, tributary to the applicant's property, regionalized detention on the applicant's property shall be explored by the applicant. The following steps shall be followed:

- A. The applicant shall compute the storage volume needed for his property using the release rates of Sections 11-3-8, the applicant's property area, and the procedures described in Section 11-3-6.
- B. Areas tributary to the applicant's property not meeting the storage and release rate requirements of this ordinance shall be identified

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- C. Using the areas determined above plus the applicant's property area, total storage needed for the combined properties shall be computed.

Allowable release rates shall be computed using the combined property areas. Storage shall be computed as described in Sections 11-3-8 through 11-3-24. If tributary areas are not developed, a reasonable fully developed land cover, based on local zoning, shall be used for the purposes of computing storage.

Once the necessary combined storage is computed the City may choose to pay for over-sizing the applicant's detention basin to accommodate the regional flows. The applicant's responsibility will be limited to the storage for his property as computed above. If regional storage is selected by the City then the design produced in Section 11-3-6 shall be implemented. If regional storage is rejected by the City the applicant shall bypass all tributary area flows around the applicant's basin whenever practicable. If the applicant must route upstream flows through his basin and the upstream areas exceed one-square mile in size, the applicant must meet the provision of Section 11-3-7:C. for on-stream basins.

### **11-3-27: Upstream Areas Meeting Ordinance Requirements**

When there are areas which meet the storage and release rate requirements of this ordinance tributary to the applicant's property, the upstream flows shall be bypassed around the applicant's detention basin if this is the only practicable alternative. Storage needed for the applicant's property shall be computed as described in Section 11-3-26. However, if the City decides to route tributary area flows through an applicant's basin, the final design storm water releases shall be based on the combined total of the applicant's property plus tributary areas. It must be shown that at no time will the runoff rate from the applicant's property exceed the allowable release rate for his/her property alone.

### **11-3-28: Early Completion of Detention Facilities**

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

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## Chapter 4

### SOIL EROSION AND SEDIMENT CONTROL

- 11-4-1: Findings
- 11-4-2: General Principles
- 11-4-3: Soil Erosion and Sediment Control Plan Submittal Requirements
- 11-4-4: Soil Erosion and Sediment Control Plan Requirements
- 11-4-5: Design and Operation Standards and Requirements
- 11-4-6: Erosion and Sediment Control Design Requirements
- 11-4-7: Maintenance of Control Measures

#### 11-4-1: Findings

The City hereby finds that:

- A. The soil types found in the City of Geneseo, Illinois are susceptible to erosion and if left unprotected could cause severe loss of soil with resultant damage to property;
- B. The topography of the City contains areas with steep slopes upon which clearing of trees and/or inappropriate construction could result in severe erosion and slope stability problems, which could result in damage to property;
- C. 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;
- D. 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;
- E. Soil erosion necessitates the costly repairing of gullies, washed out fills, and embankments;
- F. Sediment from soil erosion clogs drainage systems and pollutes rivers, streams, lakes, wetlands, and reservoirs;
- G. 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
- H. Sediment reduces the channel capacity of waterways and the storage capacity of flood plains and natural depressions, resulting in increased chances of flooding at risk to public health and safety.

#### 11-4-2: General Principles

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It is the objective of this ordinance to control soil erosion and sedimentation caused by development activities in the City, including clearing, grading, stripping, excavating, and filling of land. Measures taken to control soil erosion and off-site sediment runoff shall be adequate to assure that sediment is not transported from the site by a storm event of 10 year, 24 hour frequency or less. The following principles shall apply to all new development or redevelopment activities within the City and to the preparation of the submissions required under Section 11-4-3 of this ordinance:

- A. New development or redevelopment shall be related to the topography and soils of the site so as to create the least potential for erosion. Areas of steep slopes greater than seven percent (7%) where high cuts and fills may be required are to be avoided wherever possible and natural contours should be followed as closely as possible;
- B. Natural vegetation shall be retained and protected wherever possible. Areas immediately adjacent to natural watercourses, lakes, ponds, and wetlands are to be left undisturbed wherever possible. Temporary crossings of watercourses, when permitted, must include appropriate stabilization measures;
- C. Special precautions shall be taken to prevent damages resulting from any necessary development activity within or adjacent to any stream, lake, pond, abandoned mine, or wetland. Preventive measures shall reflect the sensitivity of these areas to erosion and sedimentation;
- D. The smallest practical area of land should be exposed for the shortest practical time during development;
- E. Sediment basins or traps, filter barriers, diversions, and any other appropriate sediment or runoff control measures shall be installed prior to site clearing and grading and maintained to remove sediment from run-off waters from land undergoing development;
- F. The selection of erosion and sediment control measures shall be based on assessment of the probable frequency of climatic and other events likely to contribute to erosion and on evaluation of the risks, costs, and benefits involved;
- G. In the design of erosion control facilities and practices, aesthetics and the requirements of continuing maintenance must be considered;
- H. Provisions shall be made to accommodate the increased runoff 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 on-site or downstream;
- I. Permanent vegetation and structures shall be installed and functional as soon as practical during development;



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- J. Those areas being converted from agricultural purposes to other land uses shall be vegetated with an appropriate protective cover prior to development;
- K. All waste generated as a result of site development activity shall be properly disposed of and shall be prevented from being carried off the site by either wind or water;
- L. All construction sites shall provide measures to prevent sediment from being tracked onto public or private roadways; and
- M. All temporary soil erosion and sediment control practices shall be maintained to function as intended until the contributing drainage area has been permanently stabilized, at which time they shall be removed.

### **11-4-3: Soil Erosion and Sediment Control Plan Submittal Requirements**

Each applicant shall submit the information depending on development size, as regulated, to ensure that the provisions of this ordinance are met. The submittal shall include sufficient information to evaluate the environmental characteristics of the property, the potential adverse impacts of the development related to erosion both on-site and off-site, and the effectiveness of the proposed erosion and sediment control plan in reducing sediment loss and meeting the provisions of Section 11-1-2. The applicant shall certify on the drawing that all clearing, grading, drainage, and construction shall be accomplished in strict conformance with the erosion and sediment control plan. The following information shall be submitted for both existing and proposed property conditions; new developments or re-developments meeting the requirements of Section 11-1-3.

### **11-4-4: Soil Erosion and Sediment Control Plan Requirements**

Shall meet the requirements of Sections 11-3-7, 11-3-2:A., and 11-3-2:B.

- A. Mapping and Descriptions. The existing and proposed erosion and sediment control features of the property and immediate vicinity including:
  - 1. As required in Sections 11-3-2, 11-3-2:A, and 11-3-2:B.
  - 2. Location of the slope disturbance line
  - 3. Location and description of the soil erosion and sediment control measures to be employed during construction
  - 4. For any structures proposed to be located on the slope side of the slope disturbance line, the map shall include the limits of disturbance, including tree removal, soil erosion and sediment control measures during construction, cross section view of any proposed cut or fill, erosion and sediment control measures during construction, details of method(s) proposed for providing

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slope stability, permanent storm water control measures, and permanent erosion and sediment control measures, all being certified by a registered professional engineer or a "Certified Professional in Erosion and Sediment Control;"

5. The predominant soil types on the site, their location, and their limitations for the proposed use as defined by the U.S.D.A. Natural Resources Conservation Service;
6. The proposed use of the site, including present and planned development, areas of clearing, stripping, grading, excavation and filling; proposed contours, finished grades, and street profiles; the storm water plan as required in Chapter 2; kinds and locations of utilities, areas and acreages proposed to be paved, sodded or seeded, vegetatively stabilized, or left undisturbed; and the location of trees over eight (8) inches in diameter and their type;
7. A soil erosion and sediment control plan, including a narrative, shall be submitted showing all measures necessary to meet the objectives of this ordinance throughout all phases of construction. The development of a soil erosion and sediment control plan shall follow the requirements of this ordinance and the procedures in the latest edition of the "Illinois Procedures and Standards for Urban Soil Erosion and Sediment Control" (commonly known as the Greenbook), which is hereby incorporated into this ordinance by reference. The City, in consultation with the Henry County SWCD, may waive specific requirements for the content of submissions upon finding that the information submitted is sufficient to show that the work will comply with the objectives and principles of this ordinance. Permanent soil erosion and sediment control features needed at the completion of any development site shall be included in the submittal. The submitted soil erosion and sediment control plan shall include:
  - a. Location and description, including standard details, of all sediment control measures and 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 seed bed preparation (type and extent of tillage, weed control, planting equipment, etc...), expected seeding dates, type, method and rate of lime and fertilizer application (soil fertility testing required), kind and quantity of mulching for both temporary and permanent vegetative control measures, and types of non-vegetative stabilization measures;

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- c. Location and description of all runoff control measures, including diversions, waterways, and outlets;
- d. Location and description of methods to prevent tracking of sediment off-site including construction entrance details, as appropriate;
- e. Description of dust and traffic control measures;
- f. Locations of stockpiles and description of stabilization methods;
- g. Description of offsite 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
- i. Identification (name, address, and telephone) of the person(s) or entity which will have legal responsibility for maintenance of soil erosion control structures and measures during development and after development is completed.

**11-4-5: Design and Operation Standards and Requirements.** The practice standards and specifications outlined in the Soil Erosion and Sediment Control plan shall follow criteria in the latest edition of the Illinois Urban Manual.

- A. All clearing, grading, stripping, excavating, and filling which is subject to the approval requirements of this ordinance shall be subject to the applicable standards and requirements set forth and/or referenced in this ordinance;
- B. Responsibility. The permittee shall not be relieved of responsibility for damage to persons or property otherwise imposed by law and the City or its officers or agents, including the Directors and Staff of the Henry County SWCD, 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, (3) failure of the City officials to observe or recognized hazardous or unsightly conditions, (4) failure of the City officials to recommend denial of or to deny a permit, or (5) exemptions from the permit requirements of this ordinance; and
- C. Site Design Requirements. Practice standards and specifications for measures outlined in the soil erosion and sediment control plan shall follow criteria in the latest edition of the "Illinois Urban Manual: A Technical Manual Designed for Urban Ecosystem Protection and Enhancement", which is hereby incorporated into this ordinance by reference.

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### 11-4-6: Erosion and Sediment Control Design Requirements

New developments or redevelopments shall comply with Section 11-4-3 and meet the following:

- B. Control measures shall be constructed to control runoff from the property to such an extent possible that sediment is retained on-site.
- C. Temporary on-site control measures required shall be constructed and functional prior to initiating clearing, grading, stripping, excavating, or fill activities on the site.
- D. Disturbed areas shall be stabilized with permanent measures within seven (7) calendar days following the end of active disturbance or redisturbance, consistent with the following criteria:
  - 1. Appropriate permanent stabilization measures shall include seeding, mulching, sodding, with non-vegetative measures as a last resort; and
  - 2. Areas having slopes greater than 12% shall be stabilized with sod, mat, or blanket in combination with seeding or equivalent.
- D. All temporary and permanent erosion and sediment control practices must be maintained and repaired as needed to assure effective performance of their intended function.
- E. All temporary erosion and sediment control measures shall be disposed in a proper manner within thirty (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 shall be permanently stabilized to prevent further erosion and sedimentation.
- F. Site Development Requirements. On-site sediment control measures, as specified by the following criteria, shall be constructed as specified in the referenced handbooks and shall be functional prior to initiating clearing, grading, stripping, excavating, or fill activities on the site.
  - 1. For new developments or redevelopments less than one (1) acre, filter barriers (including filter fences, straw bales, or equivalent control measures) shall be constructed to control all on-site runoff. Vegetated filter strips, with a minimum width of twenty-five (25) feet, may be used as an alternative only where runoff in sheet flow is expected;
  - 2. For new developments or re-developments more than one (1) acre but less than five (5) acres, a sediment trap or equivalent control measure shall be constructed at the downslope point of the disturbed area;

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3. For new developments or re-developments greater than five (5) acres, a sediment basin or equivalent control measure shall be constructed at the down slope point of the disturbed area;
4. Sediment basin and sediment trap designs shall provide for both "dry" detention and "wet" detention sediment storage. The detention storage shall be composed of equal volumes of "wet" detention storage and "dry" detention storage and each shall be sized as regulated in Section 11-3-1. The release rate of the basin shall be that rate as regulated in Chapter 3. The elevation of the outlet structure shall be placed such that it only drains the dry detention storage;
5. The sediment storage shall be sized to store the estimated sediment load generated from the site over the duration of the construction period with a minimum storage equivalent to the volume of sediment generated in one year. For construction periods exceeding one year, the one-year sediment load and a sediment removal schedule may be substituted; and
6. To the extent possible or as otherwise regulated in this ordinance, all desirable trees eight (8) inches in diameter and larger shall be protected for their present and future value for erosion protection and other environmental benefits. Trees that have been selected for preservation shall be marked prior to the beginning of any clearing, grading, stripping, excavation, or filling of the site. A "No Construction" zone shall be established and marked at the perimeter of the drip line of each tree which is to be preserved.

G. Storm water conveyance channels, including ditches, swales, diversions, and the outlets of all channels and pipes, shall be designed and constructed as regulated in Chapter 3. All constructed or modified channels shall be stabilized within 48 hours, consistent with the following standards and as required in the referenced handbooks:

1. For grades up to four (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;
2. For grades of four (4) to eight (8) percent, sod or an equivalent control measure shall be applied in the channel; and
3. For grades greater than 8 percent, rock, riprap, or an equivalent control measure shall be applied over filter fabric or other type of soil protection, or the grade shall be effectively reduced using drop structures.

H. Land disturbance activities in stream channels shall be avoided where possible, or as regulated in Chapter 3. If disturbance activities are unavoidable, the following requirements shall be met:

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1. Construction vehicles shall be kept out of the stream channel to the maximum extent practicable. Where construction crossings are necessary, temporary crossings shall be constructed of non-erosive material, such as riprap or gravel;
2. The time and area of disturbance of stream channels shall be kept to a minimum. The stream channel, including bed and banks, shall be stabilized within 48 hours after channel disturbance is completed, interrupted, or stopped; and
3. Whenever channel relocation is necessary, the new channel shall be constructed under dry conditions and fully stabilized before flow is diverted, incorporating meanders, pool and riffle sequence, and riparian planting.

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

J. Soil storage piles containing more than 10 cubic yards of material shall not be located with a downslope drainage length of less than 50 feet to a roadway, drainage channel, or abandoned mine. Filter barriers, including straw bales, filter fence, or equivalent, shall be installed immediately surrounding the perimeter of the pile.

K. If dewatering devices are used, discharge locations shall be protected from erosion. All pumped discharges shall be routed through appropriately designed sediment traps or basins, or equivalent, and shall not be deposited into an abandoned mine.

L. 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.

### **11-4-7: Maintenance of Control Measures**

All soil erosion and sediment control measures necessary to meet the requirements of this ordinance shall be maintained by the applicant or subsequent land owner during the period of land disturbance and development of the site in a satisfactory manner to ensure adequate performance. The applicant or contractor responsible for maintaining the soil erosion and sediment control practices shall inspect all such practices at least once every seven (7) days or within 24 hours of a precipitation event equal to or exceeding 0.5" of rainfall.

## **LONG TERM MAINTENANCE RESPONSIBILITY**

### Chapter 5

## CITY OF GENESEO STORM WATER CONTROL ORDINANCE NO. 1708

11-5-1: Long Term Maintenance Responsibility

### **11-5-1: Long Term Maintenance Responsibility**

Maintenance of storm water drainage and soil erosion and sediment control facilities located on private property shall be the responsibility of the owner of that property. Before an appropriate permit is obtained from the City, the applicant shall execute a maintenance agreement with the City guaranteeing that the applicant and all future owners of the property will maintain its storm water drainage and soil erosion and sediment control system. Such agreement shall be recorded with the Recorder of Deeds of the County. The maintenance agreement shall include a schedule for regular maintenance of each aspect of the property's storm water drainage and soil erosion and sediment control system and shall provide for access to the system for inspection by authorized personnel of the City. The maintenance agreement shall also stipulate that if the appropriate personnel of the City notifies the property owner in writing of maintenance problems which require correction, the property owner shall begin such corrections within 24 hours and shall not extend beyond seven (7) calendar days of such notification. If the corrections are not made within this time period, the City may have the necessary work completed and assess the cost to the property owner. The City shall require a bond to be filed by the property owner for maintenance of the storm water drainage and soil erosion and sediment control system.

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## Chapter 6

### INSPECTIONS

- 11-6-1: Inspections
- 11-6-2: Special Precautions
- 11-6-3: Amendment of Plans

#### **11-6-1: Inspections**

The City of Geneseo 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 sediment control plan as approved. Plans for grading, stripping, excavating, and filling work bearing the stamp of approval of the City 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 City within two (2) working days of the completion of the construction stages specified below:

- A. 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;
- B. After stripping and clearing;
- C. After rough grading;
- D. After final grading;
- E. After seeding and landscaping deadlines; and
- F. After final stabilization and landscaping, prior to removal of temporary 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 (5) working days after notice is received by the City from the permittee, the permittee may continue work at his/her own risk without presuming acceptance by the City. Notification of the results of the inspection shall be given in writing at the site. A duplicate copy shall be kept by the enforcing agency of the City.

#### **11-6-2: Special Precautions**



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If at any stage of the grading of any development site the City 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 City shall require, as a condition of allowing the work to be done, such reasonable special precautions to be taken as are 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.

Where it appears that storm damage may result because the grading on any development site is not complete, work shall 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 Zoning Administrator shall specify the time of starting grading and time of completion or may require that the operations be conducted in specific stages so as to ensure completion of protective measures or devices prior to the advent of seasonal rains.

### **11-6-3: Amendment of Plans**

Major amendments to storm water drainage and detention or erosion and sediment control plans shall be submitted to the Zoning Administrator and shall be processed and approved or disapproved in the same manner as the original plans. Field modification of a minor nature may be authorized by the Zoning Administrator by written authorization to the permittee.

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## Chapter 7

### PERMITTING

- 11-7-1: Application For Permit
- 11-7-2: Application Fee
- 11-7-3: Bond Required
- 11-7-4: Review and Approval
- 11-7-5: Expiration of Permit
- 11-7-6: Scope of Appeals
- 11-7-7: Findings On Appeal
- 11-7-8: Retention of Plans
- 11-7-9: Amendments
- 11-7-10: Initiations of Amendments
- 11-7-11: Application for Amendment
- 11-7-12: Hearing on Application
- 11-7-13: Notice of Hearing
- 11-7-14: Findings of Fact and Recommendation of the Community Development Board
- 11-7-15: Action by City Council
- 11-7-16: Effect of Denial of Amendment

#### **11-7-1: Application For Permit**

Application for a development permit shall be made by the owner of the property or his authorized agent to the Zoning Administrator 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, the contractor(s) and any consulting firm retained by the applicant, together with the name of the applicant's principal contact at such firm. 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.

#### **11-7-2: Application Fee**

All applications for a development permit shall be accompanied with an application fee as set forth in Exhibit A, attached hereto and incorporated herein. In addition, the applicant shall be responsible for reimbursing the City for any additional cost necessary for review, inspection, and approval of this project including, but not limited to, the engineering services of the City Engineer. The Zoning Administrator shall require a \$500.00 deposit to cover these additional costs.

#### **11-7-3: Bond Required**

The applicant for a development permit shall be required to file with the City a faithful performance bond or bonds, letter of credit in the form found in Appendix "D", or other improvement security satisfactory to the City Attorney in an amount deemed sufficient by the Zoning Administrator to

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cover all costs of improvements, landscaping, maintenance of improvements and landscaping, soil erosion and sediment control measures, and engineering and inspection costs to cover the cost of failure or repair of improvements installed on the site, for such period as specified by the City.

### **11-7-4: Review and Approval**

Each application for an approved development permit or erosion and sediment control plan shall be reviewed and acted upon according to the following procedures:

- A. The City of Geneseo shall:
  - 1. After review of the application and required submissions, if it is found to be in conformance with the provisions of this ordinance, approve the development and/or erosion and sediment control plan;
  - 2. Approve the development and/or erosion and sediment control plan subject to such reasonable conditions as may be necessary to secure substantially the objectives of this ordinance and issue the approval subject to these conditions; or
  - 3. Disapprove the development and/or erosion and sediment control plan, indicating the deficiencies and the procedure for submitting a revised application and/or submission;
  - 4. Conduct on-site inspections during the active construction phases of land development projects to determine whether site development is in compliance with the approved erosion and sediment control plans and determine adjustments needed to the approved plans. After construction has been completed, determine whether permanent site stabilization has been achieved and identify operation and maintenance needs;
  
- B. No approval for development plan and/or an erosion and sediment control plan shall be issued for an intended development site unless one or more of the following have been obtained:
  - 1. The development including, but not limited to, subdivisions and planned unit developments, has been approved by the City where applicable; or
  - 2. Such permit is accompanied by or combined with a valid building permit issued by the City Building Official; or
  - 3. The proposed earth moving is coordinated with any overall development program previously approved by the City for the area in which the site is situated; and
  - 4. All relevant federal and state permits including, but not limited to, NPDES, 404, 401, NRI's, etc. have been received for the portion of the site subject to

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soil disturbance.

5. Upon their review and approval, the City Engineer shall issue a certification of storm water detention and/or soil erosion control compliance, signed and affixed with their seal.

C. Applicant is successful in the appeals process.

Failure of the Zoning Administrator 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 and in compliance with the regulations contained herein, unless such time is extended by agreement between the Zoning Administrator 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 Zoning Administrator.

### **11-7-5: Expiration of Permit**

Every 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 if not completed by a date which shall be specified in the permit, except that the Zoning Administrator 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 Zoning Administrator may require modification of the erosion control plan to prevent any increase in erosion or off-site sediment runoff resulting from any extension.

### **11-7-6: Scope of Appeals**

An appeal may be taken to the Community Development Board by the applicant, any person or agency which received notice of the filing of the application, or by any person, firm, corporation, office, department, board or bureau aggrieved by decision of the Zoning Administrator. Such appeal shall be taken within such time as shall be prescribed by the Community Development Board by general rule by filing with the Zoning Administrator a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Community Development Board all of the papers constituting a record upon which the Section being appealed was taken.

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

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### **11-7-7: Findings on Appeal**

An appeal shall stay all proceedings in furtherance of the action appealed from unless the Zoning Administrator certifies to the Community Development Board, after the notice of the appeal has been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property.

The Community Development Board shall select a reasonable time and place for the hearing of the appeal, give due notice thereof to the parties, and shall render a written decision on the appeal without unreasonable delay. The Community Development Board may affirm or may, upon the concurring vote of four (4) members, reverse wholly or in part or modify the order, requirement, decision, or determination that, in its opinion, ought to be done. To that end, the Community Development Board shall have all the powers of the officer from whom the appeal is taken. The Zoning Administrator shall maintain records of all actions of the Community Development Board relative to appeals.

### **11-7-8: Retention of Plans**

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

### **11-7-9: Amendments**

The ordinance may be amended, provided that in all amendments adopted under the authority of this Section, due allowance shall be made for existing conditions, the conservation of property values, and the direction of building development to the best advantages of the entire community.

### **11-7-10: Initiations of Amendments**

Amendments may be proposed by the City Council, Community Development Board, Mayor, Zoning Administrator, or the Henry County SWCD.

### **11-7-11: Application for Amendment**

An application or an amendment shall be filed with the Zoning Administrator in such form and accompanied by such information as required by the Zoning Administrator. Such application shall be forwarded to the Community Development Board with the request to hold a public hearing on said application for amendment.

### **11-7-12: Hearing on Application**

The Community Development Board shall hold a public hearing on each application for an amendment at such time and place as shall be established by the Community Development Board. The hearing shall be conducted and a record of such proceedings shall be preserved in such manner as the Community Development Board shall, by rule, prescribe from time to time.

### **11-7-13: Notice of Hearing**

Notice of time and place of such hearing shall be published at least once in one or more newspapers of general circulation in the City of Geneseo not less than fifteen (15) nor more than thirty (30) days

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before such hearing. Supplemental or additional notices may be published or distributed as the Community Development Board may, by rule, prescribe from time to time.

### **11-7-14: Findings of Fact and Recommendation of the Community Development Board.**

Within forty-five (45) days after the close of the hearing on a proposed amendment, the Community Development Board shall make written findings of fact and shall submit same together with its recommendations to the City Council.

The Community Development Board shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such amendment is in the public interest.

### **11-7-15: Action by City Council**

The City Council shall not act upon a proposed amendment to this Ordinance until it shall have received a written report and recommendation from the Community Development Board on the proposed amendment.

The City Council may grant or deny an application for an amendment.

The City Council may request specific changes to a proposed amendment to this Ordinance once it has received a written report and recommendation from the Community Development Board on the proposed amendment. However, before the proposed amendment with the City Council's specific changes can be adopted by the City Council, the proposed amendment with the specific changes must be forwarded to the Community Development Board for another public hearing, findings of facts, and written recommendation.

A proposed amendment or a proposed amendment with specific changes that does not receive a written recommendation from the Community Development Board shall not be adopted except by a favorable vote of two-thirds (2/3) of the City Council then holding office.

### **11-7-16: Effect of Denial of Amendment**

No application for an amendment that has been denied wholly or in part by the City Council shall be resubmitted for a period of one (1) year from the date of said denial except on the grounds of new evidence or proof of change of conditions found to be valid by the Community Development Board.

# CITY OF GENESEO STORM WATER CONTROL ORDINANCE NO. 1708

## Chapter 8

### ENFORCEMENT

- 11-8-1: Stop Work Order; Revocation of Permit
- 11-8-2: Fees
- 11-8-3: Violations and Penalties
- 11-8-4: Repealer
- 11-8-5: Severability Clause

#### **11-8-1: Stop-Work Order; Revocation of Permit**

In the event any person holding a development permit pursuant to this ordinance violates the terms of the permit or carries on-site development in such a manner so as to materially adversely affect the health, welfare, environment, or safety of persons residing or working in the neighborhood of the development site or so as to be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, the Zoning Administrator shall suspend or revoke the development permit.

Suspension of a permit shall be by a written stop-work order issued by the Zoning Administrator and delivered to the permittee or his agent or the person performing the work. The stop-work order shall be effective immediately, shall state the specific violations cited, and shall state the conditions under which work may be resumed. A stop-work order shall remain in effect until appealed by the permittee to the Community Development Board, at which time the conditions of Chapter 11-7-6 can be met.

No development permit shall be revoked until a hearing is held by the Community Development Board. Written notice of such hearing shall be served on the permittee, either personally or by certified mail return receipt requested, and shall state:

- A. The reasons for revocation, in clear and concise language; and
- B. The time, date, and place where such hearing will be held.

Such notice shall be served on the permittee at least five (5) days prior to the date set for the hearing. At such hearing, the permittee shall be given an opportunity to be heard and may call witnesses and present evidence on his behalf. At the conclusion of the hearing the Community Development Board shall determine whether the permit shall be revoked.

#### **11-8-2: Fees**

The fee for variances and appeals shall be one hundred fifty dollars (\$150).

#### **11-8-3: Violations and Penalties**

**CITY OF GENESEO STORM WATER CONTROL ORDINANCE NO. 1708**

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 less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00) 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.

**11-8-4: Repealer**

All ordinances and resolutions, or any part thereof, in conflict with all or any part of this Ordinance are hereby repealed in so far as they do conflict.

**11-8-5: Severability Clause**

That if any section, subdivision, or sentence of this ordinance shall for any reason be held invalid or unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GENESEO, HENRY COUNTY, ILLINOIS ON THIS 13<sup>TH</sup> DAY OF MARCH, 2001 AND APPROVED BY THE MAYOR THIS 14<sup>TH</sup> DAY OF MARCH, 2001.

\_\_\_\_\_  
Merle LeSage, Mayor

(SEAL)

\_\_\_\_\_  
Cindy J. Gonzalez, City Clerk

AYES: 7 Eberhardt, Ewert, Gillet, Henderson, Ludwig, Peterson, Wachtel  
NAYS: 0  
PASSED: 0  
ABSENT: 1 Swanson  
STATE OF ILLINOIS)  
COUNTY OF HENRY ) SS



**CITY OF GENESEO STORM WATER CONTROL ORDINANCE NO. 1708**

CITY OF GENESEO            )

I, Cindy J. Gonzalez, City Clerk of the City of Geneseo, Henry County, Illinois do hereby certify that the foregoing is the original ordinance of Ordinance No. 1708.

I further certify that a pamphlet consisting of forty-eight (48) pages, an Appendix A, Appendix B, Appendix C, Appendix D, Appendix E, Exhibit A, and a cover sheet thereof was published and a copy of such pamphlet was posted in the municipal building commencing on the 14<sup>th</sup> day of March, 2001 and continuing for at least then (10) days thereafter; copies of said pamphlet were also available for public inspection upon request in the office of the City Clerk.

IN WITNESS WHEREOF, I have hereunto affixed my official signature and the seal of the City this 14<sup>th</sup> day of March, 2001.

---

Cindy J. Gonzalez

**CITY OF GENESEO STORM WATER CONTROL ORDINANCE NO. 1708**

**APPENDIX A**

**CITY OF GENESEO**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE PROPOSING THE ESTABLISHMENT  
OF THE \_\_\_\_\_ SPECIAL SERVICE AREA  
OF GENESEO, ILLINOIS  
AND THE LEVY OF TAXES FOR THE PURPOSE  
OF PAYING THE COST OF PROVIDING  
SPECIAL SERVICES IN AND FOR SUCH AREA**

**ADOPTED BY THE  
CITY COUNCIL  
OF THE  
CITY OF GENESEO**

**THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2001**

**APPROVED BY THE MAYOR \_\_\_\_\_, 2001**

**APPENDIX A**

**CITY OF GENESEO STORM WATER CONTROL ORDINANCE NO. 1708**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE PROPOSING THE ESTABLISHMENT  
OF THE \_\_\_\_\_ SPECIAL SERVICE AREA  
OF GENESEO, ILLINOIS  
AND THE LEVY OF TAXES FOR THE PURPOSE  
OF PAYING THE COST OF PROVIDING  
SPECIAL SERVICES IN AND FOR SUCH AREA**

WHEREAS, pursuant to the provisions of the 1970 Constitution of the State of Illinois (the Constitution), the City of Geneseo, Henry County, Illinois (the City) is authorized to create special service areas in and for the City; and,

WHEREAS, special service areas are established by non-home rule units pursuant to Section 7(6) of Article VII of the Constitution, which provides that—

Municipalities...which are not home rule units shall have...powers...to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services;

and are established “in the manner provided by law” pursuant to the provisions of “AN ACT to provide the manner of levying or imposing taxes for the provision of special services to areas within the boundaries of home rule units and non-home rule municipalities and counties”, approved September 21, 1973, as amended, and pursuant to the Revenue Act of 1939 of the State of Illinois, as amended; and,

WHEREAS, it is in the public interest that the establishment of the area hereinafter described as a special service area for the purposes set forth herein and to be designated as the \_\_\_\_\_ Special Service Area of the City (the Area) be considered; and,

WHEREAS, the Area is compact and contiguous, totally within the corporate limits of the City; and,

WHEREAS, the Area will benefit specially from the municipal services to be provided by the City (the Services), and the Services are unique and in addition to the services provided to the City as a whole, and it is, therefore, in the best interests of the City that the establishment of the Area be considered; and,

**APPENDIX A**

**CITY OF GENESEO STORM WATER CONTROL ORDINANCE NO. 1708**

**ORDINANCE NO. \_\_\_\_\_**

WHEREAS, it is in the public interest that the levy of a direct annual **ad valorem** tax upon all taxable property within the Area be considered for the purpose of paying the cost of providing the Services; and,

WHEREAS, the revenue from such tax shall be used solely and only for Services for which the City is authorized under the provisions of the Illinois Municipal Code, as amended, to levy taxes or special assessments or to appropriate the funds of the City, all of the Services to be in and for the Area and all of the necessary construction and maintenance to be on property now owned or to be acquired by the City, or property in which the City will obtain an interest sufficient for the provision of the Services; and,

WHEREAS, said direct annual **ad valorem** tax shall be levied upon all taxable property within the Area for an indefinite period of time beginning for the year \_\_\_\_\_ and shall not exceed an annual rate of \_\_\_\_\_ of the assessed valuation of each tax parcel within the Area and shall be in addition to all other taxes permitted by law; and,

WHEREAS, a public hearing will be held at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, in the City Council Chambers, 121 South Oakwood Avenue, Geneseo, Illinois 61254 (the Hearing) to consider the establishment of the Area for the purpose of providing the Services and the levy of an additional direct annual **ad valorem** tax for the purpose of paying the cost thereof, all as described in the Notice of Public Hearing set forth in Section II. hereof (the Notice); and,

WHEREAS, the Notice shall be given by publication and mailing. Notice by publication shall be given by publication on a date, such date being not less than 15 days prior to the Hearing, in a newspaper published within the City. Notice by mailing shall be given by depositing the Notice in the United States mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract, or parcel of land lying within the Area. The Notice shall be mailed not less than 10 days prior to the time set for the Hearing. In the event taxes for the past preceding year were not paid, the Notice shall be sent to the person last listed on the tax rolls prior to that year as the owner of said property.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GENESEO, ILLINOIS:

SECTION I: That the preambles of this ordinance are hereby incorporated into this text as if set out herein in full.

**APPENDIX A**

**CITY OF GENESEO STORM WATER CONTROL ORDINANCE NO. 1708**

SECTION II: That the Mayor and City Council shall determine that the Notice is in the proper statutory form as set forth as follows:

**ORDINANCE NO. \_\_\_\_\_**

**NOTICE OF PUBLIC HEARING  
CITY OF GENESEO, HENRY COUNTY, ILLINOIS  
\_\_\_\_\_ SPECIAL SERVICE AREA**

**NOTICE IS HEREBY GIVEN** that on \_\_\_\_\_ at \_\_\_\_\_ in the City Council Chambers, 121 South Oakwood Avenue, Geneseo, Illinois, a public hearing (the Hearing) will be held by the Mayor and City Council of the City of Geneseo, Henry County, Illinois (the City), to consider the establishment of the \_\_\_\_\_ Special Service Area (the Area), of the City, consisting of the following described territory:

*{see attached Exhibit A}*

Said territory consists of approximately \_\_\_\_\_ acres lying *{insert general description of location}*. An accurate map of said territory is on file in the office of the City Clerk and is available for public inspection.

The purpose of the establishment of the Area is to provide the following special services (the Services) to the Area: the operation, maintenance, repair, rehabilitation, replacement and reconstruction of any storm water detention and/or retention area, drainage way, ditch, swale, storm sewer or other storm water facility; costs of design, engineering and other consulting services, surveying and permits, public liability insurance, and all administrative, legal and other costs or expenses incurred in connection therewith and with the administration of the Area, including the repayment of any loan or debt incurred for the provision of any such Services, all of the Services to be in and for the Area.

All of the Services are to be on property now owned or to be acquired by the City, or property in which the City will obtain an interest sufficient for the provision of the Services.

The levy of a direct annual **ad valorem** tax upon all taxable property within the Area for the purpose of paying the cost of the Services will also be considered at the Hearing. The tax shall be levied upon all taxable property within the Area for an indefinite period of time beginning for the year \_\_\_\_\_ and shall not exceed an annual rate of \_\_\_\_\_ of the assessed valuation of each tax parcel within the Area and shall be in addition to all other taxes permitted by law.

**APPENDIX A**

**ORDINANCE NO. \_\_\_\_\_**

**CITY OF GENESEO STORM WATER CONTROL ORDINANCE NO. 1708**

All interested persons affected by the establishment of the Area or tax levy, including all owners of real estate located within the Area, will be given an opportunity to be heard at the Hearing regarding the establishment of the Area and the tax levy and an opportunity to file objections to the establishment of the Area or the tax levy.

At the Hearing, any interested persons affected by the Area may file with the City Clerk written objections to and may be heard orally in respect to any issues embodied in this notice. The Mayor and City Council shall hear and determine all protests and objections at the Hearing, and the Hearing may be adjourned to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of its adjournment.

If a petition signed by at least 51% of the electors residing within the Area and by at least 51% of the owners of record of the land included within the boundaries of the Area is filed with the City Clerk within 60 days following the final adjournment of the Hearing objecting to the creation of the Area or the levy or imposition of a tax for the provision of the Services to the Area, no such Special Service Area may be created or no tax may be levied or imposed.

By order of the Mayor and City Council of the City of Geneseo, Henry County, Illinois.

**DATED** this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

/s/

\_\_\_\_\_  
City Clerk, City of Geneseo  
Henry County, Illinois

SECTION III: That the City agrees to produce or file such forms, statements, proceedings and supporting documents as may be required and in a timely manner in order to establish the Area and levy the taxes and, if deemed necessary or advisable by its officers, to employ and pay fiscal agents, financial advisors, attorneys and other persons to assist the City in these endeavors.

SECTION IV: That all ordinances, orders, and resolutions and parts thereof in conflict herewith be and the same are hereby repealed, and this ordinance be in full force and effect forthwith upon its passage, approval, and publication as provided by law.

**APPENDIX A**

**ORDINANCE NO. \_\_\_\_\_**

**CITY OF GENESEO STORM WATER CONTROL ORDINANCE NO. 1708**

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GENESEO, ILLINOIS  
ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2001 AND APPROVED BY THE MAYOR THIS  
\_\_\_\_ DAY OF \_\_\_\_\_, 2001.

\_\_\_\_\_  
Merle LeSage, Mayor

(SEAL)

\_\_\_\_\_  
Cindy J. Gonzalez, City Clerk

AYES:  
NAYS:  
PASSED:  
ABSENT:

**CITY OF GENESEO STORM WATER CONTROL ORDINANCE NO. 1708**

**APPENDIX A**

STATE OF ILLINOIS)  
COUNTY OF HENRY        ) ss:  
CITY OF GENESEO         )

I, Cindy J. Gonzalez, City Clerk of the City of Geneseo, Henry County, Illinois do hereby certify that the foregoing is the original ordinance of Ordinance No.

I further certify that a pamphlet form of said ordinance consisting of four (4) pages and a cover sheet thereof was published and a copy of such pamphlet was posted in the municipal building commencing on the \_\_\_\_ day of \_\_\_\_\_, 2001, and continuing for at least ten (10) days thereafter; copies of said pamphlet were also available for public inspection upon request in the office of the City Clerk.

IN WITNESS WHEREOF, I have hereunto affixed my official signature and the seal of the City this \_\_\_\_ day of \_\_\_\_\_, 2001.

(SEAL)

\_\_\_\_\_  
Cindy J. Gonzalez, City Clerk



**CITY OF GENESEO STORM WATER CONTROL ORDINANCE NO. 1708**

**APPENDIX B**

**Desirable Trees Native to Northwestern Illinois**

Ash, Blue, *Fraxinus quadrangulata*  
Ash, Green, *Fraxinus pennsylvanica*  
Ash, White, *Fraxinus americana*  
Birch, River or Red, *Betula nigra*  
Coffeetree, Kentucky, *Gymnocladus dioica*  
Hackberry, Common, *Celtis occidentalis*  
Hickory, Shagbark, *Carya ovata*  
Ironwood (Hophornbeam), *Ostrya virginiana*  
Larch, American (Tamarack), *Larix laricina*  
Linden, American (Basswood), *Tilia americana*  
Maple, Black, *Acer nigrum*  
Maple, Red or Swamp, *Acer rubrum*  
Maple, Sugar or Rock, *Acer saccharum*  
Oak, Black, *Quercus velutina*  
Oak, Bur, *Quercus macrocarpa*  
Oak, Chinkapin, *Quercus muehlenbergii*  
Oak, Pin or Swamp, *Quercus palustris*  
Oak, Red, *Quercus rubra*  
Oak, Swamp White, *Quercus bicolor*  
Pecan, *Carya illinoensis*  
Redbud, *Cercis canadensis*  
Arborvitae, White Cedar, *Thuja occidentalis*  
Juniper, Eastern Redcedar, *Juniperus virginiana*  
Pine, Easter White, *Pinus strobus*

**CITY OF GENESEO STORM WATER CONTROL ORDINANCE NO. 1708**

**APPENDIX C**

**Desirable Trees Native to Areas South of Geneseo, Illinois. Additional planting is encouraged.**

Baldcypress, *Taxodium distichum*  
Beech, European, *Fagus sylvatica* (except)  
Buckeye, Red, *Aesculus pavia*  
Dogwood, Flowering, *Cornus florida*  
Hickory, Shellbark, *Carya laciniosa* (for wet areas)  
Persimmon, Common, *Diospyros virginiana*  
Sassafras, Common, *Sassafras albidum*  
Sourgum (Black Tupelo), *Nyssa sylvatica*  
Sweetgum, *Liquidambar styraciflua*  
Tuliptree, *Liriodendron tulipifera*

**CITY OF GENESEO STORM WATER CONTROL ORDINANCE NO. 1708**

**APPENDIX D**

(Issuer's Letterhead)

IRREVOCABLE LETTER OF CREDIT<sup>1</sup> \_\_\_\_\_<sup>2</sup>

Date: \_\_\_\_\_<sup>3</sup>

Amount: \_\_\_\_\_<sup>4</sup>

Expiration Date: \_\_\_\_\_<sup>5</sup>

Applicant:

Name

Address<sup>6</sup>

**BENEFICIARY:**

City of Geneseo

101 South State Street

Geneseo, Illinois 61254-1347

Dear Sir:

The undersigned Bank hereby establishes in your favor our Irrevocable Letter of Credit No. \_\_\_\_\_<sup>7</sup> which is available for negotiation of your draft at sight, drawn on \_\_\_\_\_<sup>8</sup>, bearing the clause: "Drawn under \_\_\_\_\_<sup>9</sup>, Irrevocable Credit No. \_\_\_\_\_<sup>10</sup>," and accompanied by:

Your officially signed statement that the applicant, \_\_\_\_\_<sup>11</sup>, has defaulted and has not complied with the engineering plans and specifications dated \_\_\_\_\_, 20\_\_\_\_, prepared by \_\_\_\_\_<sup>12</sup> as reviewed and conditionally approved by the City of Geneseo by Resolution No. \_\_\_\_\_<sup>13</sup> on \_\_\_\_\_, 20\_\_\_\_<sup>14</sup>, for the construction of public improvements for the development known as \_\_\_\_\_<sup>15</sup>, Geneseo, Illinois or has not paid the engineering and inspection fees of the City.

Notwithstanding the expiration date stated above, this Letter of Credit shall continue in full force and effect and shall not expire unless and until the City has been given written notice by certified mail, return receipt requested, that the Letter of Credit is about to expire. The Letter of Credit shall thereafter expire 35 days after said notice, but no sooner than the above described expiration date.

**APPENDIX D**

**IRREVOCABLE LETTER OF CREDIT<sup>1</sup> \_\_\_\_\_<sup>2</sup>**

The undersigned, \_\_\_\_\_,<sup>16</sup> hereby undertakes and engages that all demands made in conformity with this Irrevocable Letter of Credit will be duly honored upon presentation. If, within three business days of the date any demand made in conformity with this Irrevocable Letter of Credit is presented, the undersigned, \_\_\_\_\_,<sup>17</sup> fails to honor the same (unless legally precluded from doing so), we agree to pay all attorney's fees, court costs, and other expenses incurred by the City of Geneseo in enforcing the terms of this Letter of Credit.

The amount of this Letter of Credit may be reduced from time to time prior to expiration at the request of the applicant, upon presentation of the City of Geneseo's officially signed consent thereto.

We hereby engage with drawers and/or bonafide holders that drafts drawn and negotiated in conformity with the terms of this credit will be duly honored on presentation and that drafts accepted within the terms of this credit will be duly honored at maturity. The amount of each draft must be endorsed on the reverse of this credit by the negotiating bank.

Very truly yours,

\_\_\_\_\_ <sup>18</sup>

By: \_\_\_\_\_  
President<sup>19</sup>

ATTEST:

By: \_\_\_\_\_  
Secretary

CORPORATE SEAL

## APPENDIX D

### IRREVOCABLE LETTER OF CREDIT<sup>1</sup> \_\_\_\_\_<sup>2</sup>

<sup>1</sup> This is the form letter of credit for the City of Geneseo. Letters of credit which vary from the terms of this form will not be accepted.

<sup>2</sup> Insert letter of credit number (optional).

<sup>3</sup> Insert date of issuance.

<sup>4</sup> The amount of the letter of credit shall be as recommended by the City's engineer.

<sup>5</sup> The expiration date shall be two years after final plat approval.

<sup>6</sup> Insert name and address of applicant.

<sup>7</sup> Insert number.

<sup>8</sup> Insert name of issuer.

<sup>9</sup> Insert name of issuer.

<sup>10</sup> Insert letter of credit number.

<sup>11</sup> Insert name of applicant.

<sup>12</sup> Insert name and address of engineer who authored the plans.

<sup>13</sup> Insert Resolution number.

<sup>14</sup> Insert date resolution was passed by the Geneseo City Council.

<sup>15</sup> Insert name of development.

<sup>16</sup> Insert name of issuer.

<sup>17</sup> Insert name of issuer.

<sup>18</sup> Insert name of issuer.

<sup>19</sup> Or other authorized officer.

**APPENDIX E**

**ENGINEER'S CERTIFICATION OF STORM WATER DETENTION  
AND/OR SOIL EROSION CONTROL COMPLIANCE  
FOR**

\_\_\_\_\_  
Site Plan or Subdivision Name

\_\_\_\_\_  
Owner

I, \_\_\_\_\_, an Illinois Registered Professional Engineer, do hereby certify that on behalf of \_\_\_\_\_, I have reviewed

\_\_\_\_\_ and find the final construction of the above named site plan or subdivision in substantial compliance with the approved design calculations, plan drawings, and, more specifically, the following:

- A. Allowable release rate
- B. Outlet structure(s), dimension, and grades
- C. Overflow structure(s)/emergency spillways(s), dimensions, and grades
- D. Volume of storage
- E. Site flow patterns and grading
- F. Storm sewer system to and from detention basin

Date \_\_\_\_\_

\_\_\_\_\_  
(SEAL)

## EXHIBIT A

### DEVELOPMENT APPLICATION FEE SCHEDULE<sup>1</sup>

50 cubic yards (38.2 m <sup>3</sup> ) or less . . . . .	\$23.50
51 to 100 cubic yards (40 m <sup>3</sup> to 76.5 m <sup>3</sup> ) . . . . .	37.00
101 to 1,000 cubic yards (77.2 m <sup>3</sup> to 764.6 m <sup>3</sup> )—\$37.00 for the first 100 cubic yards (76.5 m <sup>3</sup> ) plus \$17.50 for each additional 100 cubic yards (76.5 m <sup>3</sup> ) or fraction thereof.	
1,001 to 10,000 cubic yards (765.3 m <sup>3</sup> to 7645.5 m <sup>3</sup> )—\$194.50 for the first 1,000 cubic yards (764.6 m <sup>3</sup> ), plus \$14.50 for each additional 1,000 cubic yards (764.6 m <sup>3</sup> ) or fraction thereof.	
10,001 to 100,000 cubic yards (7646.3 m <sup>3</sup> to 76 455 m <sup>3</sup> )—\$325.00 for the first 10,000 cubic yards (7645.5 m <sup>3</sup> ), plus \$66.00 for each additional 10,000 cubic yards (7645.5 m <sup>3</sup> ) or fraction thereof.	
100,001 cubic yards (76 456 m <sup>3</sup> ) or more—\$919.00 for the first 100,000 cubic yards (76 455 m <sup>3</sup> ), plus \$36.50 for each additional 10,000 cubic yards (7645.5 m <sup>3</sup> ) or fraction thereof.	
<b>Other Inspections and Fees:</b>	
d. Inspections outside of normal business hours . . . . . (minimum charge—two hours)	\$50.50 per hour <sup>2</sup>
e. Reinspection fees assessed under provisions of Section 108.8 . . . . .	\$50.50 per hour <sup>2</sup>
f. Inspections for which no fee is specifically indicated . . . . . (minimum charge—one-half hour)	\$50.50 per hour <sup>2</sup>

<sup>1</sup> The fee for a development permit authorizing additional work to that under a valid permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project.

<sup>2</sup> Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

### DEVELOPMENT APPLICATION FEE SCHEDULE

50 cubic yards (38.2 m <sup>3</sup> ) or less . . . . .	\$15.00
51 to 100 cubic yards (40 m <sup>3</sup> to 76.5 m <sup>3</sup> ) . . . . .	22.50
101 to 1,000 cubic yards (77.2 m <sup>3</sup> to 764.6 m <sup>3</sup> )—\$22.50 for the first 100 cubic yards (76.5 m <sup>3</sup> ) plus \$10.50 for each additional 100 cubic yards (76.5 m <sup>3</sup> ) or fraction thereof.	
1,001 to 10,000 cubic yards (765.3 m <sup>3</sup> to 7645.5 m <sup>3</sup> )—\$117.00 for the first 1,000 cubic yards (764.6 m <sup>3</sup> ), plus \$9.00 for each additional 1,000 cubic yards (764.6 m <sup>3</sup> ) or fraction thereof.	
10,001 to 100,000 cubic yards (7646.3 m <sup>3</sup> to 76 455 m <sup>3</sup> )—\$198.00 for the first 10,000 cubic yards (7645.5 m <sup>3</sup> ), plus \$40.50 for each additional 10,000 cubic yards (7645.5 m <sup>3</sup> ) or fraction thereof.	
100,001 cubic yards (76 456 m <sup>3</sup> ) or more—\$562.50 for the first 100,000 cubic yards (76 455 m <sup>3</sup> ), plus \$22.50 for each additional 10,000 cubic yards (7645.5 m <sup>3</sup> ) or fraction thereof.	
<b>Other Inspections and Fees:</b>	
a. Inspections outside of normal business hours . . . . . (minimum charge—two hours)	\$30.00 per hour <sup>2</sup>