

1 AN ACT in relation to municipalities.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Counties Code is amended by changing Section  
5 5-1041 as follows:

6 (55 ILCS 5/5-1041) (from Ch. 34, par. 5-1041)

7 Sec. 5-1041. Maps, plats and subdivisions. A county board  
8 may prescribe, by resolution or ordinance, reasonable rules and  
9 regulations governing the location, width, and course of  
10 streets and highways and of floodplain, stormwater, and  
11 floodwater runoff channels and basins, and the provision of  
12 necessary public grounds for schools, public libraries, parks,  
13 or playgrounds, in any map, plat, or subdivision of any block,  
14 lot, or sub-lot or any part thereof or any piece or parcel of  
15 land, not ~~being~~ within any city, village, or incorporated town.  
16 The rules and regulations may include such reasonable  
17 requirements with respect to water supply and sewage collection  
18 and treatment as may be established by the Environmental  
19 Protection Agency, and such reasonable requirements with  
20 respect to floodplain and stormwater management as may be  
21 established by the County Stormwater Management Committee  
22 established under Section 5-1062 of this Code, and such  
23 reasonable requirements with respect to street drainage and  
24 surfacing as may be established by the county engineer or  
25 superintendent of highways and which by resolution shall be  
26 deemed to be the minimum requirements in the interest of the  
27 health, safety, education and convenience of the public of the  
28 county; and may provide by resolution that the map, plat or  
29 subdivision shall be submitted to the county board or to some  
30 officer to be designated by the county board for their or his  
31 approval. The county board shall have a qualified engineer make  
32 an estimate of the probable expenditures necessary to enable

1 any person to conform with the standards of construction  
2 established by the board pursuant to the provisions of this  
3 Section. Except as provided in Section 3 of the Public  
4 Construction Bond Act, each person who seeks the county board's  
5 approval of a map, plat or subdivision shall post a good and  
6 sufficient cash bond, irrevocable letter of credit, surety  
7 bond, or other adequate security with the county clerk, in a  
8 penal sum sufficient to cover the estimate of expenditures made  
9 by the estimating engineer. The cash bond, irrevocable letter  
10 of credit, surety bond, or other adequate security shall be  
11 conditioned upon faithful adherence to the rules and  
12 regulations of the county board promulgated pursuant to the  
13 authorization granted to it by this Section or by Section  
14 5-1062 of this Code, and in such cases no such map, plat or  
15 subdivision shall be entitled to record in the proper county or  
16 have any validity until it has been so approved. If the county  
17 board requires a cash bond, letter of credit, surety, or any  
18 other method to cover the costs and expenses and to insure  
19 completion of the requirements, the requirements shall be  
20 subject to the provisions of Section 5-1123 of this Code. This  
21 Section is subject to the provisions of Section 5-1123.

22 The county board may, by resolution, provide a schedule of  
23 fees sufficient to reimburse the county for the costs incurred  
24 in reviewing such maps, plats and subdivisions submitted for  
25 approval to the county board. The fees authorized by this  
26 Section are to be paid into the general corporate fund of the  
27 county by the party desiring to have the plat approved.

28 For purposes of implementing ordinances regarding  
29 developer donations or impact fees and only for the purpose of  
30 expenditures thereof, "public grounds for schools" is defined  
31 as including land or site improvements, which include school  
32 buildings or other infrastructure necessitated and  
33 specifically and uniquely attributable to the development or  
34 subdivision in question. This amendatory Act of the 93rd  
35 General Assembly applies to all impact fees or developer  
36 donations paid into a school district or held in a separate

1 account or escrow fund by any school district or county for a  
2 school district.

3 No officer designated by a county board for the approval of  
4 plats shall engage in the business of surveying, and no map,  
5 plat or subdivision shall be received for record or have any  
6 validity which has been prepared by or under the direction of  
7 such plat officer.

8 It is the intention of this amendatory Act of 1990 to  
9 repeal the language added to Section 25.09 of "An Act to revise  
10 the law in relation to counties", approved March 31, 1874, by  
11 P.A. 86-614, Section 25.09 of that Act being the predecessor of  
12 this Section.

13 (Source: P.A. 92-479, eff. 1-1-02; 93-330, eff. 7-24-03.)