



Rep. Rosemary Kurtz

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09300HB2633ham005

LRB093 10995 MKM 49514 a

1 AMENDMENT TO HOUSE BILL 2633

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2633, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

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

7 (55 ILCS 5/5-1041) (from Ch. 34, par. 5-1041)

8 Sec. 5-1041. Maps, plats and subdivisions. A county board  
9 may prescribe, by resolution or ordinance, reasonable rules and  
10 regulations governing the location, width, and course of  
11 streets and highways and of floodplain, stormwater, and  
12 floodwater runoff channels and basins, and the provision of  
13 necessary public grounds for schools, public libraries, parks,  
14 or playgrounds, in any map, plat, or subdivision of any block,  
15 lot, or sub-lot or any part thereof or any piece or parcel of  
16 land, not ~~being~~ within any city, village, or incorporated town.  
17 The rules and regulations may include such reasonable  
18 requirements with respect to water supply and sewage collection  
19 and treatment as may be established by the Environmental  
20 Protection Agency, and such reasonable requirements with  
21 respect to floodplain and stormwater management as may be  
22 established by the County Stormwater Management Committee  
23 established under Section 5-1062 of this Code, and such  
24 reasonable requirements with respect to street drainage and

1 surfacing as may be established by the county engineer or  
2 superintendent of highways and which by resolution shall be  
3 deemed to be the minimum requirements in the interest of the  
4 health, safety, education and convenience of the public of the  
5 county; and may provide by resolution that the map, plat or  
6 subdivision shall be submitted to the county board or to some  
7 officer to be designated by the county board for their or his  
8 approval. The county board shall have a qualified engineer make  
9 an estimate of the probable expenditures necessary to enable  
10 any person to conform with the standards of construction  
11 established by the board pursuant to the provisions of this  
12 Section. Except as provided in Section 3 of the Public  
13 Construction Bond Act, each person who seeks the county board's  
14 approval of a map, plat or subdivision shall post a good and  
15 sufficient cash bond, irrevocable letter of credit, surety  
16 bond, or other adequate security with the county clerk, in a  
17 penal sum sufficient to cover the estimate of expenditures made  
18 by the estimating engineer. The cash bond, irrevocable letter  
19 of credit, surety bond, or other adequate security shall be  
20 conditioned upon faithful adherence to the rules and  
21 regulations of the county board promulgated pursuant to the  
22 authorization granted to it by this Section or by Section  
23 5-1062 of this Code, and in such cases no such map, plat or  
24 subdivision shall be entitled to record in the proper county or  
25 have any validity until it has been so approved. If the county  
26 board requires a cash bond, letter of credit, surety, or any  
27 other method to cover the costs and expenses and to insure  
28 completion of the requirements, the requirements shall be  
29 subject to the provisions of Section 5-1123 of this Code. This  
30 Section is subject to the provisions of Section 5-1123.

31 The county board may, by resolution, provide a schedule of  
32 fees sufficient to reimburse the county for the costs incurred  
33 in reviewing such maps, plats and subdivisions submitted for  
34 approval to the county board. The fees authorized by this

1 Section are to be paid into the general corporate fund of the  
2 county by the party desiring to have the plat approved.

3 For purposes of implementing ordinances regarding  
4 developer donations or impact fees and only for the purpose of  
5 expenditures thereof, "public grounds for schools" is defined  
6 as including land or site improvements, which include school  
7 buildings or other infrastructure necessitated and  
8 specifically and uniquely attributable to the development or  
9 subdivision in question. This amendatory Act of the 93rd  
10 General Assembly applies to all impact fees or developer  
11 donations paid into a school district or held in a separate  
12 account or escrow fund by any school district or county for a  
13 school district.

14 No officer designated by a county board for the approval of  
15 plats shall engage in the business of surveying, and no map,  
16 plat or subdivision shall be received for record or have any  
17 validity which has been prepared by or under the direction of  
18 such plat officer.

19 It is the intention of this amendatory Act of 1990 to  
20 repeal the language added to Section 25.09 of "An Act to revise  
21 the law in relation to counties", approved March 31, 1874, by  
22 P.A. 86-614, Section 25.09 of that Act being the predecessor of  
23 this Section.

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