

ARTICLE 2

GENERAL PROVISIONS

201 Authority

This Subdivision Control Ordinance regulating the subdivision of land implements and is hereby made a part of the official Comprehensive Plan of the Village. It is intended to provide for the harmonious development of the Village and its environs; for the location and width of proposed streets within new subdivisions with other existing or planned streets; for the dedication and acceptance of land for public use; for the installation and construction of utilities, roadways and other improvements essential to service the subdivided lands; for the dedication and acceptance of land acquired for schools, parks, playgrounds and other public uses; for the preparation of subdivision plans and the procedure for the submittal, approval and recording of subdivision plats in and about the Village, and in accordance with the authority vested in the municipality under the provisions of the Illinois Compiled Statutes.

202 Jurisdiction

This Ordinance shall apply to any subdivision or dividing of any parcel of land made within the borders of the Village as well as to any subdivision or dividing of any parcel of land within 1.5 miles of the corporate limits of the Village.

203 Repeal of Existing Regulations

The existing Subdivision Regulations of the Village are hereby repealed. The adoption of this Ordinance shall not affect nor prevent any pending or future prosecution of, or action to abate, any existing violation of the rules and procedures covering plat and dedication in the Village, if the violation is also a violation of this Ordinance.

204 Interpretation and Separability

204.1 Interpretation. When interpreting and applying the provisions of this Ordinance, the standards of this Ordinance shall be held to be the minimum requirements throughout the Village.

204.2 Conflicts of Law. Where this Ordinance imposes greater restrictions or requirements than are imposed or required by other provisions of the law or rules, regulations, covenants or other agreements, the provisions of this Ordinance shall control. However, nothing herein shall interfere with or be construed to abrogate or annul any easements, covenants, deed restrictions or agreements between parties which impose restrictions greater than those imposed by this Ordinance.

204.3 Invalidity. If any section, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

205 Implementation and Enforcement

205.1 Review Authority. The Village of Johnsburg Board of Trustees grants the Village Engineer and the Village Attorney the power and authority to review and recommend approval or disapproval of plats for the subdivision of land within the Village.

205.2 Law Compliance. All laws of the State of Illinois are made a part hereof, the same as if fully set forth herein, and all officers and employees of the Village are directed to compel compliance with such laws of the State of Illinois.

205.3 Plat Approval. No Plat of Subdivision shall be approved which does not comply with all of the provisions of this Ordinance.

205.4 Recording of Plat. The Recorder shall not record any subdivision plat unless it has been approved by the Village of Johnsburg Board of Trustees.

205.5 Plat Violations. Whenever it shall come to the knowledge of the Recorder that any provisions of the State law governing plats have been violated, it shall be the Recorder's duty to notify the Village Attorney, who shall take appropriate action.

205.6 Ordinance Enforcement. It shall be the duty of the Village Engineer, Village Attorney and the Building Commissioner to enforce this Ordinance; to bring to the attention of the Board of Trustees any violations or lack of compliance with this Ordinance; and to take appropriate action in the case of violations.

206 Violations and Penalties

206.1 Illegal to Transfer. No owner or agent of the owner of any land located in a proposed subdivision shall transfer, sell, lease or offer for sale any such land before a Final Plat of such subdivision has been approved in accordance with the provisions of this Ordinance and recorded. Whoever shall sell or lease, or offer for sale or lease, any lot or block in any subdivision before complying with all of the requirements of these regulations shall be subject to a fine of up to \$500.00 for each lot so disposed or offered. Each day that sales or leasing, or offers to sell or lease, continue in violation of these regulations shall constitute a separate offense, subject to the penalty of this Subsection.

Any person, firm or corporation violating any provision of this Village of Johnsburg Subdivision Ordinance shall be fined \$500 for each offense. A separate offense shall be deemed committed on each day during or on which such violation occurs or continues.

206.2 No Metes and Bounds. The subdivision of any lot or any parcel of land by the use of metes and bounds descriptions for the purpose of sale, transfer or lease, with the intent of evading these regulations, shall not be permitted. All such described subdivisions shall be subject to all of the requirements in this Ordinance.