

ARTICLE 3

DEFINITIONS

301 General

For the purposes of uniform interpretation of this Ordinance, certain terms and phrases shall be deemed to have the meaning ascribed to them in this Section.

The words “shall” and “must” indicate mandatory items, while the word “may” indicates optional items.

302 Listing of Definitions

Adverse Impacts. Any deleterious impact on water resources or wetlands affecting their beneficial uses including recreation, aesthetics, aquatic habitat, quality, and quantity.

Alley. A dedicated and improved roadway intended to provide supplementary public access to the rear of a lot.

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 development from the Village of Johnsburg.

Base Flood Elevation. The elevation at all locations delineating the level of flooding resulting from the 100-year frequency flood event.

Board of Trustees. The Village Board of the Village of Johnsburg.

Building Department. The Village Building and Zoning Department.

Building Inspector/Commissioner. The current building official of the Village of Johnsburg.

Bypass Flows. Stormwater runoff from upstream properties tributary to a property’s drainage system but not under its control.

Cable Television (CATV) Company. A person, firm or corporation who has obtained a franchise from the appropriate unit of local government to provide television signals for public use via permanently installed coaxial cable.

Channel. Any river, stream, creek, brook, branch, natural or artificial depression, ponded area, flowage, slough, ditch, conduit, culvert, gully, ravine, wash, or natural or manmade drainage way, which as 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 of its bed or banks. Channel modification includes damming, rip rapping (or other armoring),

widening, deepening, straightening, relocating, lining, and significant removal of bottom or woody rooted vegetation. Channel modification does not include the clearing of debris or removal of trash.

Clerk. The duly appointed or elected Clerk of the Village of Johnsburg.

Compensatory Storage. An artificially excavated, hydraulically equivalent volume of storage within the floodplain used to balance the loss of natural flood storage capacity when fill or structures are placed within the floodplain.

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

Congressional Survey Township. An area approximately 6 miles square identified by its unique township and range numbers with respect to a designated Principal Meridian and Base Line.

Conventional Private Sewage Disposal System. An individual, sewage system employing a septic tank and the soil treatment system, commonly known as seepage trenches, which are partially or wholly in original soil material.

County. McHenry County, Illinois.

County Clerk. The elected or appointed County Clerk of McHenry County, Illinois.

Critical Soil. Soil materials that have been disturbed and/or have natural limitations extensive enough to require alternative systems or are perhaps so limited as to preclude the practicality of on-site waste water treatment.

Cul-de-sac. Cul-de-sac is a publicly dedicated, minor residential street with a single outlet which is permanently terminated by a vehicle turnaround which is nearly circular in shape and which meets the standards set out in Subsection 608.1 of this Ordinance.

Date of Completed Application. The date the applicant submits the application, or the date the applicant submits the last item of substantial supporting data, whichever date is later.

Design Requirements. The Schedule of Minimum Design Requirements for Subdivision Roads in the Village of Johnsburg (Section 608 of this Ordinance).

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

Detention Time. The mean residence time of stormwater in a detention basin.

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

- A. Preparation of a plot of subdivision;

- B. Construction, reconstruction or placement of a building or any addition to a building;
- C. Installation of a manufactured home on a site, preparing a site for a manufactured home, or installing a travel trailer on a site for more than 180 days;
- D. Construction of roads, bridges, or similar projects;
- E. Redevelopment of a site;
- F. Filling, dredging, grading, clearing, excavating, paving, or other non-agricultural alterations of the ground surface;
- G. Storage of materials or deposit of solid or liquid waste;
- H. Any other activity that might alter the magnitude, frequency, deviation, direction, or velocity of stormwater flows from a property.

Drainage Plan. A plan, including engineering drawings and supporting calculations, which describes the existing stormwater drainage system and environmental features, as well as the drainage system and environmental features which are proposed after development of a property.

Dry Basin. A detention basin designed to drain completely after temporary storage of stormwater flows and to normally be dry over the majority of its bottom area.

Erosion. The general process whereby earth is removed by flowing water or wave action.

Excess Stormwater Runoff. The volume and rate of flow of stormwater discharged from an urbanized drainage area which is or will be in excess of that volume and rate which pertained before urbanization.

Final Plat. The official graphic depiction of a subdivision which is ultimately filed for the record in the Recorder's Office. It shows all lots, easements, streets and other dedicated areas. The Final Plat also indicates items such as building setback lines, restricted areas for septic systems and any ingress and egress restrictions.

Fire Department. The McHenry Township Fire Protection District.

Flood Fringe. That portion of the floodplain outside of the regulatory floodway.

Floodplain. That land adjacent to a body of water with ground surface elevations at or below the base flood or the 100-year frequency flood elevation. The floodplain is also known as the Special Flood Hazard Area (SFHA).

Floodway. The channel and that portion of the floodplain adjacent to a stream or water course which is needed to store and convey the anticipated existing and future 100-year frequency flood discharge with no more than a 0.1 foot increase in stage due to any loss of flood conveyance or storage and no more than a 10 percent increase in velocities.

Health Department. The McHenry County Department of Health.

Highway Department. The McHenry County Highway Department.

Homeowners Association. An association of property owners, whether residential or nonresidential, formed to address the ownership and maintenance of facilities owned in common or jointly by persons who own lots in the subdivision.

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

IDOT. The Illinois Department of Transportation.

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

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 usually designed to handle the 10-year runoff event or less.

Mitigation. Mitigation includes those measures necessary to minimize the negative effects which stormwater drainage and development activities might have on the public health, safety and welfare. Examples of mitigation include compensatory storage, soil erosion and sedimentation control, and channel restoration.

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

Natural Resource Inventory (NRI) Report. A report prepared by the McHenry County Soil and Water Conservation District which describes the soils, as shown on the official McHenry County Soil Maps, surficial geology and other natural features of a parcel of land, and evaluates in general terms its suitability for a particular use. Any requirement that such a report be prepared may be waived by the Board of Trustees.

Non-Critical Soil. Undisturbed soil materials, as determined by on-site comprehensive soil survey, that can support a conventional private sewage disposal system, where at least the lower portion of the soil absorption part of the system can be installed in original, uncompacted soils. Another term having the same meaning for purposes of this Ordinance can be "suitable soil."

100-Year Event. A rainfall, runoff, or flood event having a one percent chance of occurring in any given year.

Open Space. Open space is an area lacking in any man-made structures and surfaces, other than those used for public park and recreational uses. Open space, when required, shall be deemed to mean open space that is useable for park and recreational purposes.

Owner. The owner of a piece of property (or the beneficiary if title is held in a trust) and his designated representative such as developers, engineers, surveyors and other agents.

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

Plan Commission. The Plan Commission of the Village of Johnsburg.

Plat Act. An act to revise the law in relation to plats, approved March 21, 1874, as amended (765 ILCS 205/0.01 et.seq.).

Police Department. The Village of Johnsburg Police Department.

Political Township. A unit of local government organized under an act to revise the law in relation to township organization, approved March 4, 1874, as amended (60 ILCS 5/1-1 et seq.). It may or may not coincide with a Congressional Survey Township.

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

President. The duly elected or appointed President of the Village of Johnsburg.

Property. A parcel of real estate.

Public Works Committee Chairman. The appointed head of the Board of Trustees Public Works Committee, who shall be a member of the Board of Trustees.

Recorder. The elected or appointed Recorder of Deeds in McHenry County, Illinois.

Recorder's Act. An act to revise the law in relation to Recorders, approved March 9, 1874, as amended (55 ILCS 5/3-5001 et seq.).

Regional Superintendent of Schools. The elected head of the McHenry County Educational Services Region.

Registered Professional Engineer (Licensed Professional Engineer). An engineer who is licensed to practice Professional Engineering by the State of Illinois, or who is allowed to practice by the State of Illinois under a reciprocity agreement with another state (see 225 ILCS 655/1).

Registered Professional Land Surveyor (Licensed Professional Land Surveyor). A surveyor who is licensed to practice professional surveying by the State of Illinois (see 225 ILCS 330/4 g).

Regulatory Floodway. The channel, including on-stream lakes, and that portion of the floodplain adjacent to a stream or watercourse as designated by the U.S. Department of Housing and Urban Development (HUD) which is needed to store and convey the existing and anticipated future 100-year frequency flood discharge with no more than a 0.1 foot increase in stage due to the loss of flood conveyance or storage, and no more than a 10 percent increase in velocities. The regulatory floodways for selected water bodies, for areas in the Village and within its planning jurisdiction, are designated on the Flood Boundary and Floodway Maps prepared by HUD, panel 1704860001B, dated June 18, 1980, and panels 1707320105B, 1707320115B and 1707320095B, dated September 30, 1981. To locate the regulatory floodway boundary on any site, topographic elevations should be used where they are recited, otherwise, the regulatory floodway boundary should be scaled off the regulatory floodway map and located on a site plan, using reference marks common to both maps. Where interpretation is needed to determine the exact location of the regulatory floodway boundary, the Division should be contacted for the interpretation.

Resubdivision. The further division of lots or the relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law.

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

Road Commissioner. The McHenry County Township Highway Commissioner.

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

Septic System (Conventional). An individual, conventional on-site sewage system employing a septic tank and the soil treatment system commonly known as seepage trenches, which are partially or wholly in original soil material.

Sketch Plan. A graphic exhibit which shows basic resource features, proposed lot divisions, roadway layout and general drainage features of a proposed subdivision. The purpose of the Sketch Plan is to explore alternative subdivision arrangements prior to investing time and money on detailed drawings of an arrangement which may not be acceptable.

Soil Classifier. A certified member of the Illinois Soil Classifiers Association and/or a certified professional soil classifier member of ARCPACS, who by reason of his special knowledge of the physical, chemical and biological sciences applicable to soils; and of the methods and principles of soil classification as acquired by soils education and soil classification experience in the formation, morphology, description and mapping of soils is qualified to practice soil classifying.

Soil Conservation Service. A division of the United States Department of Agriculture which provides technical assistance in soil-related matters to individuals, units of government, etc., through the local Soil and Water Conservation District Office.

Soil Standards Manual for On-Site Wastewater Disposal Systems. A book prepared by the McHenry County Health Department which details requirements for the design and installation of septic systems in various types of soil conditions.

Staff Review Committee. A committee consisting of representatives appointed by the Village President, the Village Administrator or the Assistant Administrator, the chairman of the Zoning Board of Appeals, the chairman of the Plan Commission, the Village Attorney, the Village Engineer, two members of the Village's Development and Governmental Affairs Committee, Village Building Inspector and Code Enforcement Officer, the Director of Public Works (if requested by the Village President) and the Police Chief (if requested by the Village President).

Standard Specifications. The Standard Specifications for Road and Bridge Construction adopted July 1, 1994 by the Illinois Department of Transportation (IDOT), as amended.

State Plane Coordinates. The Illinois Coordinate System Act, 765 ILCS 225/1 et. Seq.

State's Attorney. The elected or appointed State's Attorney of McHenry County, Illinois.

Storm Sewer. A closed conduit for conveying collected stormwater.

Stormwater Drainage System. All means, natural or man-made, used for conducting stormwater to, through or from a drainage area to the point of final outlet from a property. The stormwater 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.

Stormwater 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.

Street. The term "street" and "road" are used interchangeably and mean the same.

Street, Arterial. A street with access control, signalization and stop signs on side streets, which collects and distributes major traffic volumes to and from collector streets.

Streets, Collector. A street that collects traffic from local streets and connects with arterials.

Street Frontage. Street frontage is the side of a lot abutting a public or dedicated street right-of-way to which it proposes to have direct ingress and egress.

Street Numbering Resolution. A resolution to officially name all public roads in McHenry County and to adopt a county-wide system of square block numbers to more easily and

definitively establish rural resident locations, adopted by the McHenry County Board May 10, 1960, as amended.

Subdivision. A subdivision is the division of land into two or more parts for the purpose, whether immediate or future, of transfer of ownership or building development, including all public streets, alleys, ways for public service facilities, parks, playgrounds, school grounds, or other public grounds, and all the tracts, parcels, or blocks, and numbering of such lots, blocks, or parcels by progressive numbers, giving their precise dimensions.

The following shall not be considered a subdivision and shall be exempt from the requirements of this code:

- A. The sale or exchange or parcels of land between owners of adjoining and contiguous land;
- B. The conveyance of parcels of land or interests therein for use as right-of-ways for railroads or other public utility facilities which does not involve any new streets or easements of access;
- C. The conveyance of land owned by a railroad or other public utility which does not involve any or easements of access;
- D. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use; and
- E. Conveyances made to correct descriptions in prior conveyances.

Suitable Soil. Undisturbed soil materials as determined by an on-site comprehensive soil survey that can support a conventional private sewage disposal system, where at least the lower portion of the soil absorption part of the system can be installed in original, uncompacted soils. Another term having the same meaning for purposes of this Ordinance can be “Non-Critical Soils.”

Superintendent of Highways. The appointed head of the McHenry County Highway Department.

Superintendent of Schools. The current Superintendent of Schools for the applicable school district.

Tentative Plat. A graphic depiction of the proposed lot lines, streets and other engineering improvements of a proposed subdivision superimposed on a map of the existing topography. Where septic systems are to be used for subsurface waste disposal, a Tentative Plat will also indicate soil classifications and wetness categories used to determine suitability of various areas for the septic systems.

Time of Concentration. The elapsed time for stormwater 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.

2-Year Event. A runoff, rainfall, or flood event having a 50 percent chance of occurring in any given year.

Utility Company. A person, firm or corporation who owns, controls, operates or manages any equipment, plant or property furnishing telephone, telegraph, electric, light, heat, power, water, sewerage, gas (by pipeline) or similar service for public use.

Village. The Village of Johnsburg, McHenry County, Illinois.

Village Attorney. The current Village Attorney of the Village of Johnsburg.

Village Engineer. The current Village Engineer of the Village who shall at all times act as an adviser to the Plan Commission. All documents required to be received by the Plan Commission shall be received by the Village Engineer.

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

Zoning Enforcement Officer. The appointed head of the Building Department of the Village of Johnsburg.

Zoning Ordinance. The Village of Johnsburg Zoning Ordinance.