

**ORDINANCE NO. 9495-62**

**AN AMENDMENT TO THE SUBDIVISION AND LAND DEVELOPMENT CODE  
OF THE CITY OF URBANA, ILLINOIS**

(City Council Approval of Final Plats and Subdivision Bonds)

WHEREAS, the City Council of the City of Urbana, Illinois, adopted Ordinance #8889-33 on November 21, 1988 which adopted the Subdivision and Land Development Code of the City of Urbana, as it is amended from time to time; and

WHEREAS, the Community Development Director has requested an amendment to the Subdivision and Land Development Code to allow final plats which substantially conform to previously approved preliminary plats to be submitted directly to the Urbana City Council for approval; and

WHEREAS, the Community Development Director has requested an amendment to the Subdivision and Land Development Code to allow the City Engineer and City Attorney to approve and release construction bonds and maintenance bonds; and

WHEREAS, said amendments will expedite and streamline the approval process for final plats; and

WHEREAS, said amendment regarding City Council approval of final plats was considered by the Urbana Plan Commission at the December 8, 1994 Plan Commission meeting; and

WHEREAS, the Urbana Plan Commission voted to forward the proposed amendment to the Urbana City Council with a recommendation for approval; and

WHEREAS, after due and proper consideration, the Urbana City Council has deemed it to be in the best interests of the City of Urbana to amend the text of Chapter 21 of the Urbana City Code as described herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS that Chapter 21 of the Urbana City Code, Urbana, Illinois is hereby amended as follows:

**Section 1.** Amend Section 21-15 entitled “Final Plat of a Major Development” to read as follows:

Section (C). Review and Comment: The Administrative Review committee shall review the final plat for any additional detail and for adherence to the approved preliminary plat. The Administrative Review Committee shall forward its comments to the Secretary in writing within twenty (20) working days of the Committee’s receipt of the plat.

If the final plat of a major development substantially differs from the previously approved preliminary plat of the site or if petitioner is requesting new and different waivers than those included with the preliminary plat approval, the preliminary plat shall be submitted to the Urbana Plan Commission for review. If the final plat substantially conforms to the previously approved preliminary plat and no new waivers are requested, the final plat shall be submitted directly to the City Council for approval.

**Section 2.** Amend the following subsections of Section 21-29 entitled “Construction Bonds” to read as follows:

(A) Approval: The following procedures for approval of construction bonds shall apply:

(2) If all the improvements cannot be, or are not to be, constructed prior to the ninety (90) day deadline, the developer shall submit a request for approval of a construction bond to the City Engineer within thirty (30) days following the date of the final plat approval.

(3) The City Engineer and City Attorney shall review the proposed construction bond within sixty (60) days subsequent to the submittal of those documents. If the City Engineer and City Attorney find the bond to be in conformance with this Section they shall approve that bond within the same sixty (60) days.

(F) Security Release: The City Engineer and City Attorney shall release the construction bonds and any accrued interest and the surety therein upon satisfaction of all of the following:

(1) The developer’s engineer shall furnish to the City Engineer two complete sets of prints of the “As Built” plans with each set of prints clearly marked “As Built” showing all changes which were necessitated due to field conditions and were approved by the City Engineer. The City Engineer shall sign the cover sheet of “As Built” plans.

(2) The developer’s engineer and the City engineer shall certify that the improvement has been constructed in substantial compliance with the plans and specifications.

(3) Satisfaction of the conditions of the bond itself.

(4) Receipt of a maintenance bond in accordance with Section 21-30 of this Chapter.

(G) Partial Security Release: In the event that the said improvements are constructed in part, the City Engineer and City Attorney may release a bond posted under this section upon the filing of an identical bond in a lesser amount, but not less than ten thousand dollars (\$10,000) or ten (10%) percent of original bond amount, whichever is greater. However, a substitute bond may be for a shorter or longer period of time if the City Engineer so determines.

(H) Bond Release: Regardless of any other provision of this section, the City Engineer and City Attorney may release any development construction bond or PUD bond upon the recommendation of the City Engineer.

**Section 3.** Amend the following subsections of Section 21-30. Entitled Maintenance Bonds to read as follows:

(A) Bond Time Limit: The maintenance bond required by Section 21-29 (g) shall be filed with the City Engineer on an approved bond form. The bond shall be for a term of 18 months following approval of such bond by the City Engineer and City Attorney. The bond shall, by its terms, guarantee the repair of any defects or failures appearing the construction of the improvements required to have been built under the approval granted to the development under this Ordinance, within one (1) year of the date of the maintenance bond was approved by the City Engineer and City Attorney.

(B) City Engineer Inspection: At the end of one year from the date the City Engineer and City Attorney approve and accept the bond, the City Engineer shall conduct a final inspection of the improvements within thirty (30) days of the one year anniversary date of said bond approval. The City Engineer shall notify the developer and the developer's engineer in writing of the date, time, and place of the final inspections. If such improvements are free of defects, the City Engineer shall certify in writing that all improvements are free of defects in construction and shall give said certification to the developer, the Secretary of the Plan Commission, and the City Clerk.

(H) Bond Release: the City Engineer and the City Attorney shall release maintenance bonds and the surety thereon, if any, upon certification from the City Engineer that all improvements are free of defects in construction and that the conditions of the bond have been satisfied.

**Section 4.** This Ordinance shall be in full force and effect from and after its passage in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 19th day of December, 1994.

PASSED by the City Council on this 19th day of December 1994.

AYES: Hayes, Patt, Pollock, Taylor, Whelan

NAYS:

ABSTAINED:



APPROVED by the Mayor this 28th day of December, 1994.

Tod Satterthwaite  
Tod Satterthwaite, Mayor