



ORDINANCE NO. 923

**AN ORDINANCE AMENDING THE VILLAGE OF MACKINAW
MUNICIPAL CODE SAID MUNICIPAL CODE BEING ORDINANCE
NO. 513 OF THE VILLAGE OF MACKINAW TO PROVIDE
AMENDMENTS REGULATING TO STORM DRAINAGE OF
SUBDIVISION**

Published in pamphlet form by authority of the Village President and
Board of Trustees of the Village of Mackinaw

NOVEMBER 14, 2016

STATE OF ILLINOIS)
COUNTY OF TAZEWELL) SS
VILLAGE OF MACKINAW)

CERTIFICATE OF ORDINANCE

I, the undersigned, do hereby certify that I am the duly appointed, qualified and acting Village Clerk of the Village of Mackinaw, Tazewell County, Illinois (the "Issuer"), and as such official I am the keeper of the records and files of its President and Board of Trustees (the "Corporate Authorities").

I do further certify the foregoing constitutes a full, true and complete excerpt from the proceedings of the regular meeting of the Corporate Authorities held on the *14TH day of NOVEMBER 2016*, insofar as same relates to the adoption of *Ordinance No. 923*, entitled:

AN ORDINANCE AMENDING THE VILLAGE OF MACKINAW MUNICIPAL CODE SAID MUNICIPAL CODE BEING ORDINANCE NO. 513 OF THE VILLAGE OF MACKINAW TO PROVIDE AMENDMENTS RELATING TO STORM DRAINAGE OF SUBDIVISION

A true, correct and complete copy of which ordinance (the "Preliminary Ordinance" or "Ordinance") as adopted at such meeting appears in the transcript of the minutes of such meeting. The Preliminary Ordinance was adopted and approved by the vote and on the date therein set forth.

I do further certify the deliberations of the Corporate Authorities on the adoption of such Preliminary Ordinance were taken openly and was on the agenda at least 48 hours before the meeting at which it was adopted, that the adoption of such ordinance was duly moved and seconded, that the vote on the adoption of such ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place convenient to the public, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such Act and such Code and their procedural rules in the adoption of such ordinance.

The pamphlet form of *Ordinance No.923*, including the ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted for public inspection in the municipal building, the Mackinaw United States Post Office, and the Mackinaw Library commencing on *NOVEMBER 15, 2016* and continuing for at least ten days thereafter. The original ordinance was adopted by the Board of Trustees of the Village of Mackinaw at a regular meeting, attended by six members of the Board, and approved by the President, as said Ordinance appears on file in my office and as the same is recorded in the Book of Ordinances of said Village.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the official seal of said Village of Mackinaw, Illinois, this 25TH DAY OF NOVEMBER, 2016.



Village Clerk

ORDINANCE NO. 923

AN ORDINANCE AMENDING THE VILLAGE OF MACKINAW MUNICIPAL CODE
SAID MUNICIPAL CODE BEING ORDINANCE NO. 513 OF THE VILLAGE OF
MACKINAW TO PROVIDE AN AMENDMENT RELATING TO STORM DRAINAGE OF
SUBDIVISION

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE
OF MACKINAW:

SECTION 1: §152.40 of the Village Code of the Village of Mackinaw is hereby deleted
and in its place a new Section 152.40 is inserted which shall be as follows:

§152.40: STORM DRAINAGE:

- (A) The subdivider shall provide the subdivision with an adequate storm sewer system and stormwater controls including submitting any necessary plans and drawings in conformity with the Village Stormwater Control Ordinance of this Code. Such system shall be designed by a registered, professional engineer authorized to practice in this state. Such plans then shall be submitted to and examined by the Village Engineer for approval, correction or modification.
- (B) A storm sewer system shall be provided wherever curbs are installed, and where the evidence available indicates to the Village Engineer that the natural surface drainage is inadequate.
- (C) Where the surface drainage is deemed adequate, easements for such surface drainage may be required to be obtained by the subdivider.
- (D) All storm drainage facilities, land, easements and rights shall remain the responsibility and property of the subdivision and shall not become the property of the Village, upon acceptance of the subdivision plat, and thereafter the subdivision shall maintain and operate such systems unless the Village specifically accepts ownership, responsibility and control of the stormwater drainage facilities and easements. If the subdivision retains responsibility for stormwater drainage facilities, land, and improvements, the subdivider shall submit for approval and then record as part of the restrictions for the subdivision provisions providing for the maintenance, repair and replacement of the improvements and easements. If the subdivision fails to keep the improvements maintained and in proper repair, the Village may make any

necessary repairs, replacement and maintenance and may charge the subdivider if the subdivider retains any interest in the subdivided property and the owners of the lots in the subdivision. The subdivision plans submitted for approval by the Village Engineer shall include any required plans for erosion control required under Chapter 154 of this Code.

SECTION 2: If any section or part of this Ordinance is held invalid, it shall not affect the validity of the remainder of this Ordinance.

SECTION 3: This Ordinance shall take effect 10 days after publication thereof as provided by law.

SECTION 4: Ordinance No. 513 of the Village of Mackinaw, as amended by this Ordinance, shall remain in full force and effect and all previous amendments to Ordinance No. 513 shall remain in force and effect except as modified by this Ordinance


PASSED in due form on a roll call vote by the Board of Trustees of the Village of Mackinaw at a duly held meeting on the 14th day of November, 2016.

APPROVED:



President of the Board of Trustees of
The Board of Mackinaw

ATTEST:



Village Clerk

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|---------|----------|
| AYES: | <u>4</u> |
| NAYS: | <u>0</u> |
| ABSENT: | <u>2</u> |