

RULES AND DEFINITIONS

Chapter 16.08

RULES AND DEFINITIONS

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16.08.010 Rules of construction.

The language set forth in the text of this title shall be interpreted in accordance with the following rules of construction:

- A. The singular number includes the plural and the plural singular;
- B. The present tense includes the past and future tenses, and the future the present;
- C. The word "shall" is mandatory, while the word "may" is permissive;

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- D. The masculine gender includes the feminine and neuter;
- E. Whenever a word or term defined hereinafter appears in the text of this title, its meaning shall be construed as set forth in the definition thereof; and any word appearing in parenthesis, directly after a word herein defined, shall be construed in the same sense as that word;
- F. All measured distances, expressed in feet, tenths, and hundredths.
(Ord. 1963-21 § 2(1): Prior code § 11.002(1).)

16.08.020 Definitions generally.

The words and terms set out in Sections 16.08.030 through 16.08.310, wherever they occur in this title, shall be construed as defined in this chapter. (Ord. 1963-21 § 2(2) (part): Prior code § 11.002(2) (part).)

16.08.030 Building setback line.

"Building setback line" is a line within a lot or other parcel of land, so designated on the preliminary plan, between which line and the adjacent street the erection of an enclosed structure is prohibited. (Ord. 1963-21 § 2(2) (part): Prior code § 11.002(2) (part).)

16.08.040 Checklist.

"Checklist" is a list of all necessary data and information required to be shown on or submitted along with each preliminary plan, engineering plan, or final plat, as appropriate. (Ord. 1963-21 § 2(2) (part): Prior code § 11.002(2) (part).)

16.08.050 Collector streets.

"Collector streets" means streets serving primarily residential areas and providing for traffic movement between minor streets and major streets (ADT<three thousand five hundred vehicles per day). (Ord. 1977-M-42 § 2(part); Ord. 1963-21 § 2(2) (part): Prior code § 11.002(2) (part).)

16.08.055 Contractor.

"Contractor" is the individual, firm, partnership, or corporation contracting with the sponsor for the prescribed work. (Ord. 1989-M-64 § 1.)

16.08.060 Cul-de-sac.

"Cul-de-sac" is a minor street having one open end and being permanently terminated at the other by a vehicular turnaround. (Ord. 1963-21 § 2(2) (part): Prior code § 11.002(2) (part).)

16.08.070 Director of public works.

"Director of public works" means the director of public works of the city. (Ord. 1963-21 § 2(2) (part).)

16.08.080 Easement.

"Easement" is a grant by a property owner of the specific use of land by others. (Ord. 1963-21 § 2(2) (part): Prior code § 11.002(2) (part).)

16.08.085 Engineer.

"Engineer" is an Illinois registered professional engineer employed by the sponsor. (Ord. 1989-M-64 § 1.)

16.08.090 Engineering plan.

"Engineering plan" is a set of plans and specifications prepared by a registered engineer, showing in detail all data required in Chapter 16.20. (Ord. 1963-21 § 2(2) (part): Prior code § 11.002(2).)

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16.08.100 Estate streets.

"Estate streets" means streets adjoining lots having primarily over forty thousand square feet per dwelling unit (ADT<four hundred vehicles per day). (Ord. 1977-M-42 § 2 (part); Ord. 1963-21 2(2) (part).)

16.08.110 Final plat.

"Final plat" is a surveyor's plat of a proposed subdivision as described in Chapter 16.24. (Prior code § 11.002(2) (part); Ord. 1963-21 § 2(2) (part).)

16.08.120 Industrial, collector streets.

"Industrial, collector streets" means streets carrying industrial-type traffic between local industrial streets and major streets or along major or collector streets (ADT<three thousand five hundred vehicles per day). (Ord. 1977-M-42 § 2 (part); Ord. 1963-21 § 2(2) (part).)

16.08.130 Industrial, local streets.

"Industrial, local streets" means streets adjoining industrial lots or carrying industrial-type traffic (ADT<one thousand vehicles per day). (Ord. 1977-M-42 § 2 (part); Ord. 1963-21 § 2(2) (part).)

16.08.140 Industrial, major streets.

"Industrial, major streets" means streets carrying predominantly industrial or commercial traffic between areas and/or across the city (ADT<ten thousand vehicles per day). (Ord. 1977-M-42 § 2 (part); Ord. 1963-21 § 2(2) (part).)

16.08.150 Land improvements.

"Land improvements" are sanitary sewer, storm sewer and water systems, including all appurtenances thereto, retention and detention basins, grading and surface drainage ways and facilities, curbs, paving, streets, street lighting, sidewalks, street signs, seeding, and tree plantings. (Ord. 1987-M-45 § 2; Ord. 1963-21 § 2(2) (part); prior code § 11.002(2) (part).)

16.08.160 Lot.

"Lot" is a portion of a subdivision or other parcel of land intended as a unit for the purpose whether immediate or future, of transfer or ownership or for building development. (Ord. 1963-21 § 2(2) (part); Prior code § 11.002(2) (part).)

16.08.170 Marginal street.

"Marginal street" is a minor street which is parallel to and adjacent to, or in the immediate vicinity of a arterial street and which has for its purpose the relief of such thoroughfares from the local service of abutting properties. (Ord. 1963-21 § 2(2) (part); Prior code § 11.002(2).)

16.08.180 Major streets.

"Major streets" means streets providing for through traffic movement of a predominantly residential-type traffic between areas and across the city (ADT<ten thousand vehicles per day). (Ord. 1977-M-42 § 2 (part); Ord. 1963-21 § 2(2) (part).)

16.08.190 Minor streets.

"Minor streets" means streets serving primarily residential areas (ADT<one thousand vehicles per day). (Ord. 1977-M-42 § 2 (part); Ord. 1963-21 § 2(2) (part).)

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16.08.200 Official plan.

"Official plan" refers to the composite of the functional and geographic elements of the official plan or any segment thereof, in the form of plans, maps, charts, and textural material, as adopted by the city. (Ord. 1963-21 § 2(2) (part): Prior code § 11.002(2) (part).)

16.08.210 Official survey monument.

"Official survey monument" means a one-half-inch diameter iron rod cast in the center of a portland cement monument four inches by six inches by twenty-four inches or approved equal. (Ord. 1963-21 § 2(2) (part): Prior code § 11.002(2) (part).)

16.08.220 Owner.

"Owner" is any individual, firm, association, partnership, corporation, trust, or any other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this title. (Ord. 1963-21 § 2(2) (part): Prior code § 11.002(2) (part).)

16.08.230 Pedestrianway (crosswalk).

"Pedestrianway (crosswalk)" is a right-of-way across a block or providing access within a block, to be used primarily by pedestrians. (Ord. 1963-21 § 2(2) (part): Prior code § 11.002(2) (part).)

16.08.240 Person.

"Person" is any individual, firm, association, partnership, corporation, trust, or any other legal entity. (Ord. 1963-21 § 2(2) (part): Prior code § 11.002(2) (part).)

16.08.250 Plan commission.

"Plan commission" is the plan commission of the city. (Ord. 1963-21 § 2(2) (part).)

16.08.255 Planned unit development.

"Planned unit development" is a unified development of one or more tracts of contiguous land in a single ownership or unified control and which includes two or more principal buildings or uses and where the specific requirements of a given zoning district may be modified if the application is processed under the planned unit development procedure of the zoning ordinance codified in Title 17. (Ord. 1979-M-41 § 1(b).)

16.08.260 Preliminary plan.

"Preliminary plan" is a tentative map or plan of a proposed subdivision, as described in Chapter 16.16. (Ord. 1963-21 § 2(2) (part): Prior code § 11.002(2) (part).)

16.08.270 Protective covenants.

"Protective covenants" are contracts entered into between private parties and constitute a restriction on the use of all private property within a subdivision for the benefit of property owners and to provide mutual protection against undesirable aspects of development which would tend to impair stability of values. (Ord. 1963-21 § 2(2) (part): Prior code § 11.002(2) (part).)

16.08.275 Sponsor.

"Sponsor" is the individual, firm, partnership or corporation, planning, initiating or managing the land improvement and may be the owner of the land on which the improvement is being made. (Ord. 1989-M-64 § 1.)

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16.08.280 Street (avenue, highway, road, boulevard, land, court, drive, parkway, place, terrace).

"Street (avenue, highway, road, boulevard, lane, court, drive, parkway, place, terrace)" is a right-of-way which affords primary means of access by pedestrians and vehicles to abutting properties. (Ord. 1963-21 § 2(2) (part): Prior code § 11.002(2) (part).)

16.08.290 Street width.

"Street width" is the shortest distance between lines delineating the right-of-way of a street. (Ord. 1963-21 § 2(2) (part): Prior code § 11.002(2) (part).)

16.08.300 Subdivider.

"Subdivider" is any person commencing proceedings under this title for himself or for another. (Ord. 1963-21 § 2(2) (part): Prior code § 11.002(2) (part).)

16.08.310 Subdivision.

"Subdivision" means: 1) A described tract of land which has been or is to be divided into two (2) or more lots, parcels, or tracts, for the purpose, either immediate or future, of transfer of ownership, lease, or building development, including a resubdivision for any such purpose, and 2) A planned unit development involving one or more parcels of land; and 3) A described tract of land which has been or is to be developed which includes the installation of on-site public improvements which are intended to be accepted by the city for purposes of ownership and maintenance. (Ord. 1987-M-45 § 3; Ord. 1979-M-41 § 1(a); Ord. 1963-21 § 2(2) (part): Prior code § 11.002(2) (part).)