

VILLAGE OF MAPLE PARK

ORDINANCE NO. 2011-10

**AN ORDINANCE AMENDING TITLE 12, SUBDIVISION REGULATIONS, TO
ESTABLISH RESPONSIBILITY FOR THE MAINTENANCE OF ALL STORM WATER
MANAGEMENT INFRASTRUCTURE, PROVIDING FOR AN ENFORCEMENT
PROCEDURE AND ADDING APPLICABLE DEFINITIONS**

ADOPTED BY
THE BOARD OF TRUSTEES
OF THE
VILLAGE OF MAPLE PARK

Published in pamphlet form by authority of the Board of Trustees of the Village of Maple Park,
Kane and DeKalb Counties, Illinois, this 4th day of October, 2011.

AN ORDINANCE AMENDING TITLE 12, SUBDIVISION REGULATIONS, TO ESTABLISH RESPONSIBILITY FOR THE MAINTENANCE OF ALL STORM WATER MANAGEMENT INFRASTRUCTURE, PROVIDING FOR AN ENFORCEMENT PROCEDURE AND ADDING APPLICABLE DEFINITIONS

WHEREAS, it is necessary to establish regulations for the maintenance of all storm water management infrastructure; and

WHEREAS, it is necessary to provide a procedure for enforcement of such regulations.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees for the Village of Maple Park, that Title 12 of the Village Code of Maple Park, Illinois shall be amended as follows:

Section 1. That the Section 12-2-3 (Definitions) is hereby amended to add the following definitions:

“STORM WATER MANAGEMENT SYSTEM” All aspects of the system designed to effectively regulate and control storm water runoff emanating from one property or development to another, and which includes but is not limited to retention basins, detention basins, open waterways, and drainage easement areas.

“STORM WATER” Water that originates during precipitation events, snowmelt, or other runoff sources.

“STORM SEWER” A series of buried pipes, manholes, catch basins, or culvert pipes that are designed to drain excess rain and groundwater from paved streets, parking lots, sidewalks, and roofs, and convey to a drainage way.

“STORM WATER RUNOFF” Water from rain, snowmelt, or other sources, that flows over the land surface.

“DRAINAGE WAY” Use of the land to collect and transport storm water runoff in a swale, ditch, channel, or stream.

Further, that a new Section 12-3-21 shall be added to Title 12, SUBDIVISION REGULATIONS, as follows:

12-3-21. MAINTENANCE OF STORM WATER MANAGEMENT SYSTEMS

A. MAINTENANCE REQUIRED - The Homeowners Association for each residential development and/or the owner of each lot or parcel within the residential development, as well as the owner(s) of any non-residential development, shall be responsible for maintaining in good working order the

Storm Water Management System that has been provided to control the storm water runoff generated by such development. However, the Village of Maple Park shall be responsible for maintaining any Storm Water Management System that is located on Village owned property.

Minimum required maintenance of detention and/or retention basins shall include but not be limited to the control of vegetation within basin areas so as to not exceed a height of ten (10) inches unless otherwise explicitly approved by the Village Planning Commission and/or Village Board as part of a professional landscape plan. In addition, detention and/or retention basins shall not be permitted to accumulate with silt, soil, branches, trees, vegetation, debris, or any other obstructions, or to become damaged or compromised in any way so as to prevent the detention and/or retention basin from effectively operating in the manner in which it was designed and intended as determined by the Village Engineer.

Open drainage ways, or any portion thereof, located on any lot or parcel shall be maintained free from accumulations of silt, soil, branches, trees, vegetation, debris, or any other obstructions which impede the natural flow and/or course of the open waterway as determined by the Village Engineer.

B. INSPECTION – The Village will inspect each Homeowners Association Storm Water Management System according to the attached Inspection and Maintenance Checklist to ensure the system is being maintained in accordance with Village standards. If the Storm Water Management System is deemed unsatisfactory through the inspection, the Homeowners Association will be notified to the deficiencies. Upon notice, the Homeowners Association will have thirty (30) days to correct the deficiencies or be subject to Violation.

C. ABATEMENT OF VIOLATIONS - If the Homeowners Association for the residential development and/or the individual lot or parcel owners within the residential development, or the owner(s) of any non-residential development, after being given notice to comply with the requirements of this section, fail, neglect, or refuse, within thirty (30) days to comply with said order by the Village, the Village may take such action required by such order, either by force account or by contract, or the Village Prosecutor may institute legal proceedings to compel compliance with the order. The Village Engineer is authorized to grant an extension of the thirty-day compliance period if in his/her professional judgment additional time is reasonably required to correct the violation in question.

D. COLLECTION OF COSTS – Any cost or expense incurred by the Village pursuant to achieving compliance with the requirements of this Section, shall be reimbursed to the Village by the Homeowners Association and/or the individual lot or parcel owners within the residential development, or the owner(s) of any non-residential development, including an additional fifteen percent (15%) of either the contractors price or the Village's remedial expenses to cover the

Village's administrative cost of maintaining the Storm Water Management System.

Section 2. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 3. Should any provision of this ordinance be declared invalid by a court of competent jurisdiction, the remaining portions shall remain in full force and effect as if the invalid provision had not been a part of this ordinance.

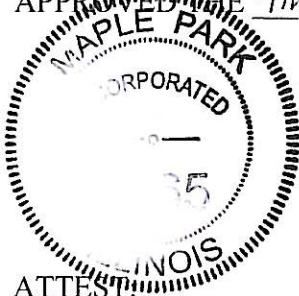
Section 4: This Ordinance shall be in full force and effect upon its passage and approval as required by law.

AYES: 7

NAYS: 0

ABSENT: 0

APPROVED BY THE 4th DAY OF October, 2011.



Kathleen Curtis

Kathleen Curtis
Village President
Village of Maple Park, Kane and DeKalb
Counties, Illinois

ATTEST:

Elizabeth E. Peerboom

Elizabeth E. Peerboom
Village Clerk
Village of Maple Park