

300.0 Applicability and Exceptions

This Ordinance shall apply to all platted and unplatted lands within the geographic boundaries of The Village Homer Glen. Unless listed below all development activities shall comply with the full requirements of this ordinance.

Description	Ordinance Section			
	1300.0 Stormwater Management	1400.0 Soil Erosion & Sediment Control	1500.0 Stream & Wetland Protection	1600.0 Floodplain
1. Clearing, grading, stripping, filling or excavating associated with the construction of a single-family residence on a site equal to or greater than five (5) acres.	Exempt	Not Exempt	Not Exempt *STC	Not Exempt *STC
2. Clearing, grading, stripping, filling or excavating associated with the construction of single-family accessory structures on a site equal to or greater than two and one-half (2.5) acres provided that the aggregate footprint of the structure and/or additions constructed as of the effective date of this ordinance is equal to or less than three thousand (3,000) square feet in area.	Exempt	Not Exempt	Not Exempt *STC	Not Exempt *STC
3. Clearing, grading, stripping, filling or excavating associated with the construction of an addition to an existing residential building or the construction of a single-family residential accessory structure, provided that the aggregate footprint of either as of the effective date of this ordinance is equal to or less than one thousand (1,000) square feet in area.	Exempt	Not Exempt	Not Exempt *STC	Not Exempt *STC
4. Clearing, grading, stripping, filling or	Exempt	Exempt	Exempt	Exempt

<p>excavating associated with the agricultural use of land, including the implementation of conservation practices included in a farm conservation plan approved by the Will/South Cook Soil and Water Conservation District, and including the construction of structures used for agricultural purposes.</p>				
<p>5. Clearing, grading, stripping, filling or excavating associated with the installation, renovation or replacement of a septic system to serve an existing dwelling or structure.</p>	<p>Exempt</p>	<p>Not Exempt</p>	<p>Exempt</p>	<p>Exempt</p>
<p>6. Removal of plant cover in an aggregate amount as of the effective date of this ordinance of less than or equal to five thousand (5,000) square feet in an area when structures are not involved.</p>	<p>Exempt</p>	<p>Not Exempt *STC</p>	<p>Not Exempt *STC</p>	<p>Exempt</p>
<p>7. Emergency work necessary to preserve life or property. When emergency work is performed under this section, the person performing it shall report the pertinent facts relating to the work to the Village of Homer Glen within ten (10) working days after commencement of the work and shall thereafter obtain a permit and shall perform such work as may be determined by the agency to be reasonably necessary to correct any impairment to the watercourse, lake, pond, floodplain or wetland (in terms of the purposes of this ordinance indicated in Section 201.0);</p>	<p>Not Exempt *STC</p>	<p>Not Exempt *STC</p>	<p>Not Exempt *STC</p>	<p>Not Exempt *STC</p>

<p>8. Lands adjacent to farm ditches if:</p> <ul style="list-style-type: none"> a. Such lands are not adjacent to a natural stream, river, wetland or High Quality Aquatic Resources; or b. Those parts of such drainage ditches adjacent to such lands were not streams before it became a ditch; c. Such lands are maintained in agricultural uses without buildings and structures. <p>Where farm ditches are found to contribute to adverse environmental impacts or hazards to persons or property, the Village of Homer Glen may include designated farm ditches in the Lowland Conservancy District. The Village of Homer Glen may also require that linings, bulkheads, dikes and culverts be removed to mitigate hazards or that other mitigating measures be taken, such as the maintenance of a natural vegetation buffer strip.</p>	<p>Not Exempt</p>	<p>Not Exempt</p>	<p>Not Exempt *STC</p>	<p>Not Exempt *STC</p>
<p>9. Excavation, fill or any combination thereof which is equal to or less than:</p> <ul style="list-style-type: none"> a. Twenty (20) cubic yards in volume on a site less than one (1) acre; b. b. Forty (40) cubic yards in volume on a site between one (1) acre and two (2) acres; c. c. Sixty (60) cubic yards on a site greater than two (2) acres in size <p>Where no structures are involved and the proposed activity is not located within ten (10) feet from a property line, drainage feature (swale, ditch, creek, etc.), wetland, floodplain or located within an easement. See Zoning Ordinance for setback requirements and applicable restrictions.</p>	<p>Exempt</p>	<p>Not Exempt *STC</p>	<p>Exempt (a & b) Not Exempt *STC (c only)</p>	<p>Exempt</p>

<p>10. Minor Development Activities where the proposed activity is not located within ten (10) feet from a drainage feature (swale, ditch, creek, etc.), wetland or floodplain or is located within an easement. See Zoning Ordinance for setback requirements and applicable restrictions.</p>	<p>Exempt</p>	<p>Not Exempt *STC</p>	<p>Exempt</p>	<p>Exempt</p>
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*Subject To Conditions (STC) – See appropriate section(s) for requirements.

400.0 Site Development Permit

To ensure that proposed development activity can be carried out in a manner which is compatible and harmonious with the natural amenities and surrounding land uses, a request for a Site Development Permit shall be submitted and approved by the Village of Homer Glen for any clearing, grading, stripping, excavating, or filling of land, except as otherwise provided in this Ordinance. Failure to obtain a site development permit is a violation of this ordinance.

Application for a Site Development Permit shall be made by the owner of the property, or his/her authorized agent, to the Village of Homer Glen on a form furnished for that purpose. Each application shall bear the name(s) and address(es) of the owner or developer of the site and of any consulting firm retained by the applicant together with the name of the applicant's principal contact at such firm, and shall be accompanied by a filing fee. Each application shall include certification that any land clearing, construction, or development involving the movement of earth shall be in accordance with the plans approved upon issuance of the permit.

No permit shall be issued unless the Village of Homer Glen finds that:

1. The development will not detrimentally affect or destroy natural features such as ponds, streams, wetlands, and forested areas (as defined in the Village's other ordinances, including but not limited to the Village's Tree Preservation Ordinance and Conservation Design Ordinance), nor impair their natural functions, but will preserve and incorporate such features into the development's site;
2. The locations of natural features and the site's topography have been considered in the designing and siting of all physical improvements;
3. Adequate assurances have been received that the clearing of the site of topsoil, trees, and other natural features will not occur before the commencement of building operations and; only those areas approved for the placement of physical improvements may be cleared;
4. The development will not reduce the natural retention storage capacity of any watercourse, nor increase the magnitude and volume of flooding at other locations;
5. The development will not increase stream velocities; and
6. The soil and subsoil conditions are suitable for excavation and site preparation, and the drainage is designed to prevent erosion and environmentally deleterious surface runoff.

None of the following activities shall commence unless and until a site development permit is granted subject to the provisions of this Ordinance:

- i. Clearing or removal of ground cover and/or trees within the Lowland Conservancy Overlay District for any purpose.
- ii. Dumping, filling, mining, excavating, dredging, or transferring of any earth material within the Lowland Conservancy Overlay District.
- iii. Creation of ponds or impoundments.
- iv. Any alterations or improvements in the Lowland Conservancy Overlay District for recreational uses, stormwater management, flood control, agricultural uses, or as scenic features.

This ordinance is not intended to preclude the removal of vegetation (e.g., removal of exotic species or selective thinning in order to increase sunlight penetration) as part of a management program for maintenance and restoration of natural areas.

401.0 Review and Approval

Each application for a Site Development Permit shall be reviewed and acted upon according to the following procedures:

1. The Village of Homer Glen will review each application for a Site Development Permit to determine its conformance with the provisions of this ordinance. The Village of Homer Glen may also refer for review and comments any application to the Will/South Cook County Soil and Water Conservation District and/or any other local government or public agency within whose jurisdiction the site is located. Upon completion of the review the Village of Homer Glen shall, in writing, (a) approve the permit application if it is found to be in conformance with the provisions of this ordinance, and issue the permit; (b) approve the permit application subject to such reasonable conditions as may be necessary to secure substantially the objectives of this ordinance, and issue the permit subject to these conditions; or (c) disapprove the permit application, indicating the deficiencies and the procedure for submitting a revised application and/or submission.
2. No Site Development Permit shall be issued for an intended development site unless:
 - A. All relevant local, federal and state permits (i.e., for floodplains and wetlands) have been received for the portion of the site subject to soil disturbance;
 - B. Proper zoning is obtained for the proposed use; and
 - C. The development, including, but not limited to, subdivisions and planned unit developments, has been approved by the Village of Homer Glen Board where applicable and as defined by Ordinance No. 06-053 Regulating Commencement of Construction for Development; or
 - D. The proposed development is coordinated with any overall development program previously approved by Village of Homer Glen for the area in which the site is situated.

402.0 Expiration of Permit

Every Site Development Permit shall expire and become null and void if the work authorized by such permit has not been commenced within one hundred and eighty (180) days, or is not completed within one (1) year; except that the Village may, if the permittee presents satisfactory evidence that unusual difficulties have prevented work being commenced or completed within the specified time limits, grant a reasonable extension of time if written application is made before the expiration date of the permit. The Village may require modification of the erosion control plan to prevent any increase in erosion or offsite sediment runoff resulting from any extension.

403.0 Retention of Plans

When required as part of the submission process, plans, specifications, and reports for all site developments shall be submitted to the Village in a digital form utilizing the latest version of AutoCAD, or other software approved by the Village of Homer Glen. The applicant shall keep a copy of the approved Site Plan on site for reference at all times during construction.

500.0 Appeals

The Village Board shall hear and decide appeals from an administrative order, requirement or determination under this Ordinance. An appeal taken to the Village Board shall be conducted in the same manner as an appeal taken to the Plan Commission as more fully set forth in applicable sections of Section 12 of the Village of Homer Glen Zoning Ordinance.

The Village Board may, by separate ordinance, create and authorize a committee or commission to conduct public hearings to hear and decide appeals from an administrative order, requirement or determination under this Ordinance and to make recommendations to the Village Board.

600.0 Variance

601.0 Application for Variance

An application for a variance, signed by the owner or developer of the development to which it relates, shall be filed with the Village. No application for a variance will be accepted for filing unless it relates to a previously or contemporaneously filed application for a Site Development Permit, Building Permit, Development Permit or Zoning Permit. No action will be taken on an application for a variance unless it has been demonstrated that all other requirements of this ordinance and related conditions as placed upon the project by the Village, can be met. Where formal variances are requested, they shall be considered approved after receiving a vote from the Village Board and after the Site Development Permit has been issued. When applicable, the Village shall send a copy of the complete application to the Will County Stormwater Director and to all other communities within the same watershed.

An application for variance shall contain the following information:

1. The common addresses and legal descriptions of all lands comprising the development;
2. The names and addresses of all owners of record of the legal title of all lands comprising the development;
3. If title to any of the land comprising the development is held in trust, the names and addresses of all beneficiaries of the trust;
4. The names and addresses of the developers of the land, if different from the owner;
5. The names and addresses of all consultants retained by the developer in connection with the application for a variance;
6. The names and addresses of all property owners within two-hundred fifty feet (250') of the property being developed;
7. The specific feature or features of the development that require a variance;
8. The specific provision of this Ordinance from which a variance is sought and the precise extent of the variance there from;
9. A statement of the characteristics of the development that prevent compliance with the provisions of this Ordinance;
10. A statement that the variance requested is the minimum variance necessary to permit the development; and
11. A statement as to how the variance requested satisfies the standards set forth in Section 605.0 of this Ordinance.

602.0 Application Fee

With the filing of the application for a variance, the applicant shall pay the fee prescribed by a separate act of the permitting authorities.

603.0 Public Hearing

After an application for variance is accepted, the Village will schedule a public hearing on the application before the Village Board and notify the applicant. Not more than 30 or less than 15 days before the hearing. When applicable, notice of the hearing shall be sent by first class mail, postage prepaid, to the applicant, to the Will County Stormwater Director, to all property owners

within two-hundred fifty feet (250') of the development as disclosed in the application. Within the same time period, notice of the hearing shall be published at least once in a newspaper published within the Village of Homer Glen. The notices given under the section shall set forth the common name, address and legal description of the development and a brief description of the variance requested.

604.0 Granting of Variances

The Village Board shall not grant a variance for a project from the provisions of this Ordinance unless the variance is consistent with the purpose of this Ordinance and meets the following minimum criteria as demonstrated by the applicant based upon substantial evidence submitted at the hearing:

1. The variance will not increase measurably the probability of flood damage to insurable structures;
2. The variance requested is the minimum required considering each of the following statements of underlying intent of this Ordinance;
 - A. Detention of stormwater shall also contribute to the improvement of the quality of stormwater runoff.
 - B. The volume of detention storage provided in open air vegetated facilities is maximized consistent with other land use site constraints including zoning requirements essential for the proposed development.
 - C. Conveyance of stormwater from the project shall not increase peak discharges from existing offsite conveyance facilities beyond design capacity for any storm event from the 2-year to the 100-year flood frequency.
 - D. High quality natural areas shall be preserved on the site, including without limiting the generality of the foregoing, stands of native trees, existing wetlands, natural floodplain storage or other valuable environmental and biological resources.
3. There are no means other than the requested variance by which the alleged hardships can be avoided or remedied to a degree sufficient to permit the reasonable continuation of the development;
4. The variance is not requested solely for the purpose of increasing the density of the development nor impervious areas on the site;
5. The variance is not requested solely as a result of economic hardship;
6. The variance is required due to unique, natural topographical features of the site; and
7. The applicant's circumstances are not self-imposed.

No variance shall be granted for any development in the regulatory floodway, the effect of which would be to create regulation less restrictive than the federal or state minimum standards applicable to development in such areas.

605.0 Floodway & Floodplain Variances

605.1 Floodway Variances

No variances shall be granted for any development located in a designated floodway as defined in Section 202.0.

605.2 Floodplain Variances

In addition to meeting the requirements of Section 605.0, a floodplain variance is also subject to the criteria outlined in this section and shall be demonstrated by the applicant:

1. Whenever the standards of this Ordinance place undue hardship on a specific development proposal, not located in a designated floodway, the applicant may apply to the Village for a variance.
2. The Village shall review the applicant's request for a variance and may attach such conditions to granting of a variance as it deems necessary to further the flood protection intent of this ordinance.
3. No variation from the regulations of this Section shall be granted unless the applicant also demonstrates that:
 - A. The development activity cannot be located outside the SFHA;
 - B. An exceptional hardship would result if the variance were not granted;
 - C. The relief requested is the minimum necessary;
 - D. There will be no additional threat to public health, safety, beneficial stream uses and functions, especially aquatic habitat, or creation of a nuisance;
 - E. There will be no additional public expense for flood protection, lost environmental stream uses and functions, rescue or relief operations, policing, or repairs to streambeds and banks, roads, utilities, or other public facilities;
 - F. The provisions of Sections 1604.0-2 and 1606.0-1-B of this Ordinance shall still be met;
 - G. The activity will not violate the applicable regulations as set forth by FEMA and IDNR.
 - H. The applicant's circumstances are unique and do not represent a general problem, and;
 - I. The granting of the variance will not alter the essential character of the area involved including existing stream uses.
4. Variances requested in connection with restoration of a historic site or historic structure as defined in 202.0 "Historic Structures," may be granted using criteria more permissive than the requirements of this section, subject to the conditions that:
 - A. The repair or rehabilitation is the minimum necessary to preserve the historic character and design of the structure; and
 - B. The repair or rehabilitation will not result in the structure being removed as a certified historic structure.

606.0 Recommendations

In its discretion, the Village Board may authorize a designee to review the application for a variance and present his/her written recommendations to the Village Board at the public hearing. The written recommendations shall be accompanied by written findings of fact with respect to each of the considerations set forth in Section 604.0, Section 605.0 and if applicable Section 605.2.

607.0 Decision

The Village Board shall grant the variation, grant the variation with modifications or conditions, or deny the variation in writing within 45 days after the date of the public hearing or of any continuation of the public hearing. In the event the Village Board does not act within the time limits set forth herein, the application shall be considered denied.

608.0 Conditions

1. A variance less permissive than that requested may be granted when the record supports the applicant's right to some relief, but not to the relief requested.
2. In granting a variance, the Village Board may impose such specific conditions and limitations concerning any matter relating to the purposes and objectives of this Ordinance on the applicant as may be necessary or appropriate.
3. Whenever any variance is granted subject to any condition or limitation to be met by the applicant, upon meeting such conditions, the applicant shall file evidence to that effect with the Village.

700.0 Liability

1. The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study.
2. Floods exceeding design criteria may occur or flood heights may be increased by man-made or natural causes.
3. This Ordinance does not imply that development, either inside or outside of the SFHA, will be free from flooding or damage.
4. This Ordinance does not create liability on the part of the Village or any officer or employee thereof for any flood damage that results from reliance on this Ordinance or any administrative decision lawfully made hereunder.

Prior to issuance of a construction permit, the applicant shall enter into an agreement with the Village of Homer Glen. The agreement will run with the property, and be in a form acceptable to the Village's Attorney, indemnifying and insuring the Village of Homer Glen, its officers, representatives or engineers for any damage resulting from development activity on the subject property.

The permittee shall not be relieved of responsibility for damage to persons or property otherwise imposed by law, and the Village or its officers or agents will not be made liable for such damage by (1) the issuance of a permit under this Ordinance, (2) compliance with the provisions of that permit or with conditions attached to it by the Village, (3) failure of Village officials to observe or recognize hazardous or unsightly conditions, (4) failure of Village officials to recommend denial of or to deny a permit, or (5) exemptions from the permit requirements of this Ordinance.

800.0 Abrogation and Greater Restrictions

1. This Ordinance is not intended to repeal, abrogate or impair any existing easements, covenants, or deed restrictions.
2. Where this Ordinance and other ordinance, easements, covenants, or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
3. The Village of Homer Glen is part of Will County and is therefore subject to and under the regulations of the Will County Stormwater Management Ordinance. In any cases where the Village of Homer Glen Stormwater Ordinance and the Will County Stormwater Management Ordinance are in conflict, the more restrictive of the two shall govern.

900.0 Reserved

1000.0 Submission Requirements

Each applicant shall submit the following information, where applicable, to ensure that the provisions of this Ordinance are met. The submittal shall include sufficient information to evaluate the environmental characteristics of the property, the potential adverse impacts of the development on water resources both on-site and downstream, and the effectiveness of the proposed drainage plan in managing stormwater runoff. The applicant shall certify on the application and any drawings that all clearing, grading, drainage, and construction shall be accomplished in strict conformance with the requirements of this ordinance.

1001.0 Minimum Submission Requirements

For minor development activity or activity relating to development on a parcel of land that is consistent with the land use specified in an approved stormwater management plan that was developed at the time that the parcel was created, only the following minimum information must be provided by the applicant:

1. Site Plan Application
2. A paper sketch (digital information is not required) of the proposed development which includes the following:
 - A. Floodplains (if any). A potential applicant may review an indication of the floodplain status of a property by visiting the FEMA Map Service Center at <http://msc.fema.gov>. However, this is only a preliminary indication as the Village must make its own determination;
 - B. Easements and buffers (if any);
 - C. Erosion control measures to be taken to avoid deposition of sediment onto other properties and/or into storm sewers, drainage channels, lakes, streams, ponds or any body of water;
 - D. A copy of the subdivision grading plan, if available.

If there are issues unique to this site such as, but not limited to: a history of drainage or erosion concerns, steep slopes or highly erodible soils, or if the information provided by the applicant causes the Village to require additional information to complete its review; additional information consistent with the further requirements of this ordinance may be requested by the Village and it shall be provided and approved prior to the issuance of any permit.

1002.0 Basic Submission Requirements

For development activities on parcels 5 acres or less that do not qualify for the Minimum Submission Requirements above, the applicant must provide the following information, prepared by and bearing the seal and signature of a registered Illinois Professional Engineer (P.E.), in addition to that information required for Minimum Submissions:

1. Topographic Map: A topographic survey of the property at one-foot (1') contours under existing and proposed conditions, and areas upstream and downstream, necessary to determine off-site impacts of the proposed drainage plan. As a minimum, this information shall include ground and structure elevations within one-

- hundred feet (100') of the subject parcel and/or project. The map shall be keyed to a consistent datum specified by the Village of Homer Glen.
2. Mapping and descriptions, where relevant, of existing water resource management system features of the property and immediate vicinity including:
 - A. The banks and centerline of streams and channels, buffer areas or conservation easements;
 - B. Shoreline of lakes, ponds, wetlands, and detention basins and any buffer areas or conservation easements;
 - C. Farm drains and tiles where information is available;
 - D. Sub-watershed boundaries within the property indicating the direction of runoff from the property with designation of receiving storm sewer inlet and/or swale and detention facility;
 - E. Watershed soils classifications;
 - F. A general description of the predominant soil types on the site, their location, and their limitations for the proposed use;
 - G. The property's location within the larger watershed, demonstrating all off-site areas tributary to the property;
 - H. Location, size and slope of stormwater conduits and drainage swales;
 - I. Sanitary or combined sewers, wells and septic systems;
 - J. Depressional storage areas;
 - K. Delineation of upstream and downstream drainage features and watershed which might be affected by the development;
 - L. Detention facilities with labeled normal water level, high water level, top of berm, location of control structure and type of facility (wet, wetland bottom, dry bottom, etc.);
 - M. Roads, streets, other paved areas, and associated stormwater inlets;
 - N. Base flood elevation, and designated floodway where identified for the property;
 - O. Location of scaled floodplain and regulatory floodway;
 - P. Project benchmark location and datum consistent with Will County;
 - Q. Existing and proposed structure locations and foundation elevations, vegetative cover, paved areas, and other significant natural or man-made features on the site and adjacent land within 100' of the project site.
 3. Mapping and descriptions, where relevant, of proposed water resource management system features of the development including:
 - A. Location, size and slope of stormwater conduits and drainage swales including calculations to support ditch sizing, culvert sizing, and other design aspects;
 - B. Sanitary or combined sewers, wells and septic systems;
 - C. Detention facilities with labeled normal water level, high water level, top of berm, location of control structure and type of facility (wet, wetland bottom, dry bottom, etc.);
 - D. Roads, streets, other paved areas, and associated stormwater inlets;
 - E. Base flood elevation, and designated floodway where identified for the property;
 - F. Location of scaled floodplain and regulatory floodway;
 - G. Proposed structure locations (or areas of building pad), garage floor elevations and foundation elevations;
 - H. Percent grade of driveways and swales;

- I. Spot elevations at all property and building corners;
 - J. Proposed basement floor elevations or indication that no basement is proposed;
 - K. Sufficient spot elevations to verify requirements of this Ordinance are met;
 - L. Retaining wall locations and top and bottom elevations;
 - M. Assessment of minor drainage systems, major drainage systems, and emergency overland flow routes that will be impacted by the development;
 - N. Location of silt fence, and other erosion and sediment control measures and the note "Erosion and Sediment Control to be applied per the latest edition of Illinois Procedures for Urban Soil Erosion and Sedimentation Control and the Illinois Urban Manual;" and
 - O. Signed and sealed drainage certificate.
4. Environmental Features: A depiction of environmental features of the property and immediate vicinity including the following:
 - A. The limits and quality assessment of wetland areas and buffers;
 - B. Any designated natural areas and buffers; and
 - C. Any proposed environmental mitigation features.
 5. Should the information required per 1002.0-4 show impact to any natural area or buffer, the following Stream and Wetland information shall be provided as specified in the ordinance sections cited:

General provisions:

Site Development Plan	Section 1507.0
Soil Mapping	Section 1508.0
Delineation	Section 1509.0
Drainage Control Plan	Section 1510.0
Site Grading and Excavation Plan	Section 1511.0
Landscape Plan	Section 1512.0

Justification for Watercourse Relocation and Minor Modifications:

Stream Modification/Relocation Plan	Section 1513.0
Channel and Bank Armoring	Section 1516.0
Culverts	Section 1517.0
Mitigation	Section 1518.0
Impact Assessment	Section 1519.0
 6. A Stormwater Pollution Prevention Plan (SWPPP) to minimize silt load to Village streams and sewers.

These submissions shall be prepared in accordance with the requirements of this Ordinance and the standards and requirements contained in the Illinois Urban Manual: A Technical Manual Designed for Urban Ecosystem Protection and Enhancement prepared in 1995 by the Natural Resources Conservation Service for the Illinois Environmental Protection Agency and the Illinois Procedures and Standards for Urban Soil Erosion and Sedimentation Control prepared by the Northeastern Illinois Soil Erosion and Sedimentation Control Steering Committee and adopted by the Will/South Cook Soil and Water Conservation District, which standards and requirements are hereby incorporated into this Ordinance by reference.

The Village may waive specific requirements for the content of submissions upon finding that the information submitted is in his/her best professional judgment sufficient to show that the work will comply with the objectives and principles of this Ordinance.

Where a proposed development activity occurs on a parcel five (5) acres or less in area, the Village of Homer Glen may waive or simplify any or all of the above submission requirements provided that the person responsible for any such development shall implement necessary protection measures to satisfy the purpose and intent set forth in Section 200.0 of this ordinance (see Section 600.0, Variances).

1003.0 Advanced Submission Requirements

The same information required as Basic Submission Requirements shall be provided by the applicant for properties larger than five (5) acres, where the activity does not qualify as a minor development activity, along with the following additional information for the minor drainage system's design runoff event and the 100-year runoff event of critical duration:

7. Elevations and maps of 100-year flooding;
8. Cross-section data for open channel flow paths and designated overland flow paths;
9. Direction of storm flows;
10. Flow rates and velocities at representative points in the drainage system; and
11. A statement by the design engineer of the drainage system's provisions for handling events greater than the 100-year event's runoff.
12. Proposed use of the site, including present development and planned utilization; areas of clearing, stripping, grading, excavation and filling; proposed contours, finished grades, and street profiles; provisions for storm drainage, including storm sewers, swales, detention basins and any other measures to control the rate of runoff, with a drainage area map, indications of flow directions and computations; kinds and locations of utilities; and areas and acreages proposed to be paved, covered, sodded or seeded, vegetative stabilized, or left undisturbed;
13. Detailed soil mapping obtained from borings per Section 1402-2;
14. A copy of the development plan provided in digital format acceptable to the Village of Homer Glen; and
15. The proposed phasing of development of the site, including stripping and clearing rough grading and construction, and final grading and landscaping. Phasing should identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, and the sequence of installation of temporary sediment control measures (including perimeter controls), clearing and grading, installation of temporary soil stabilization measures, installation of storm drainage, paving streets and parking areas, final grading and the establishment of permanent vegetative cover, and the removal of temporary measures.

It shall be the responsibility of the applicant to notify the Village of any significant changes, which occur in the site development schedule after the initial erosion, and sediment control plan has been approved.

After reviewing the submitted information, the Village reserves the right to request additional information concerning the impacts of storm events of differing frequencies on the proposed developments or adjacent properties.

1004.0 Additional Submission Requirements

Additional submission requirements, as identified in sections 1300, 1400, 1500 and 1600, may be required based on the applicability per Section 300 and/or the proposed development activity.

1100.0 Inspections and Enforcement

1101.0 Inspections During Construction

General site grading shall not begin until the applicant's engineer provides record drawings and certifies that necessary detention facilities are in place and operational. The Village's representative may also conduct periodic inspections of the work in progress to be certain that the drainage system is being built as designed. If any violations of the provisions or requirements of this Ordinance are noted during such inspections, the Village shall notify the property owner in writing of the items needing correction. The property owner shall have ten (10) calendar days to make such corrections unless given a specific extension of time in writing by the Village.

Failure to complete such corrections within the specified time period shall constitute a violation of this Ordinance.

1102.0 Final Inspection

Upon notification by the applicant that any component of the water resource management system (e.g. storm sewerage, stormwater management, permanent erosion control, floodplain management, constructed wetlands, etc.) is completed, the Village shall conduct a final inspection. If the component is found to contain deficiencies that require correction, the Village's representative shall notify the property owner of the necessary corrections. The property owner shall correct such deficiencies within ten (10) calendar days unless given a specific extension of time in writing by the Village. Failure to make necessary corrections within the specified time period shall constitute a violation of this Ordinance.

1103.0 Routine Inspections

For lands platted after the effective date of this ordinance the owner of all privately owned water resource management systems shall obtain inspection of the facilities by a qualified professional not less often than once per year. A report acceptable to the Village shall be filed with the Village of the results of any inspection accompanied by details of any problems which need correction, and the schedule for the corrections.

1104.0 Record Drawings (As-Built Plans)

After completion of all drainage system improvements, and prior to the final approval, the applicant shall make, or cause to be made, a map showing the actual location and elevation of all inlets, manholes, stubs, storm sewers, detention and/or retention facilities, emergency overflows, outlet control structures, channels, overflow routes, and such other facilities as the Village shall require. This map shall be in a digital form utilizing the latest version of AutoCAD, or other software approved by the Village, and shall bear the signature and seal of an Illinois Registered Professional Engineer. The presentation of this map shall be a condition of final approval of the improvements.

1105.0 Stop-Work Order: Revocation of Permit**1105.1 Site Development Permit NOT Issued for Subject Property**

In the event any person has not obtained a Site Development Permit and work controlled by the Ordinance has been initiated, a stop work order shall be issued to prevent further violations of this Ordinance. Continuing to work at a site after a stop work order has been issued is a violation of this Ordinance.

Any person, firm, corporation or governmental body not exempted by state law that commences any clearing, grading, stripping, excavating, or filling of land without first obtaining a Site Development Permit from the Village shall be required to obtain an after-the-fact Site Development Permit at a cost that is double the normal fee. After issuance of the Site Development Permit, the person, firm, corporation or governmental body shall correct all violations and complete work in a timely fashion in accordance with the permit, approved plans and this ordinance and are then subject to permit suspension, penalties and other provisions of Sections 1105.2 and 1106.0.

1105.2 Site Development Permit Issued for Subject Property

In the event that any person holding a Site Development Permit pursuant to this Ordinance violates the terms of the permit, or carries onsite development in such a manner as to materially adversely affect the health, welfare or safety of persons residing or working in the neighborhood of the development site or so as to be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, the Village may suspend or revoke the Site Development Permit.

1. Suspension of a permit shall be by a written stop-work order issued by the Village and delivered to the permittee or his/her agent or the person performing the work. The stop-work order shall be effective immediately, shall state the specific violations cited, shall state the conditions under which work may be resumed, and shall state the schedule for the work to be completed.
2. The Village may make an application to the Circuit Court for an injunction-requiring conformance with this Ordinance or make such other order, as the Court deems necessary to secure compliance with the Ordinance.
3. The Village may record a notice of violation on the title to the property.
4. A Site Development Permit may be suspended until a hearing is held by the Village. Written notice of such hearing shall be served on the permittee, either personally or by registered mail, and shall state:
 - A. The grounds for complaint or reasons for suspension or revocation, in clear and concise language; and,
 - B. The time and the place where such hearing will be held. Such notice shall be served on the permittee at least five (5) days prior to the date set for the hearing. At such hearing, the permittee shall be given an opportunity to be heard and may call witnesses and present evidence on his/her behalf. The Village shall determine within fourteen (14) days of the conclusion of the hearing whether the permit shall be suspended or revoked.

5. The Village shall inform the owner that any violation of the floodplain sections of this ordinance is considered a willful act to increase flood damages and, therefore, may cause coverage by a Standard Flood Insurance Policy to be suspended.
6. Nothing herein shall prevent the Village of Homer Glen from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible for the work without a permit or work in violation of the permit, including disturbance of ground in the SFHA or regulated wetland.

1106.0 Penalty

1. If such property owner, permittee, person, partnership, corporation or other entity (herein after “violator”) fails after ten days notice to correct any violation:
 - A. The Village may make application to the Circuit Court for an injunction requiring compliance with this Ordinance or request such other remedy from the Court as may be appropriate.
 - B. Any person who violates this Ordinance shall, upon conviction thereof, be fined not less than two hundred and fifty dollars (\$250.00) or more than seven hundred and fifty dollars (\$750.00) for each offense.
 - C. A separate offense shall be deemed committed upon each day during or on which each violation occurs or continues.
 - D. The Village may record a notice of violation on the title to the property.
2. If applicable, the Village shall inform the violator that any such violation is considered a willful act to increase flood damages and, therefore, may cause coverage by a Standard Flood Insurance Policy to be suspended.
 - A. The Village is authorized to issue an order requiring the suspension of the subject development. The stop-work order shall be in writing, shall indicate the reason for the issuance, and shall order the action, if necessary, to resolve the circumstances requiring the stop-work order. The stop-work order constitutes a suspension of the permit.
 - B. No site development permit shall be permanently suspended or revoked until a hearing is held by the Village. Written notice of such hearing shall be served on the violator and shall state: (1) the grounds for complaint or reasons for suspension or revocation; and (2) the time and place of the hearing. At such hearing, the violator shall be given an opportunity to present evidence on his/her behalf. At the conclusion of the hearing, the Village shall determine whether the permit shall be suspended or revoked.
3. Nothing herein shall prevent the Village from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

In addition to any other penalty authorized by this Ordinance, any owner, permittee, person, partnership, corporation or other business entity convicted of violating any of the provisions of this Ordinance shall be required to restore the site to the condition existing prior to commission of the violation, or to bear the expense of such restoration.

1107.00 Enforcement

Proceedings to enforce violations of this Ordinance may be initiated and conducted in accordance with and pursuant to the provisions of the Village Ordinance Providing for Administrative Adjudication of Municipal Code Violations or by any other means provided by law for local enforcement of code violations including, but not limited to, an action for injunctive relief.

1200.0 Reserved