

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION

For Inclusion on Board Agenda

Resolution or Ordinance (Blue)  Waiver of First Requested  
Recommendations of Boards, Commissions & Committees (Green)  
Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager

DATE: June 10, 2008 (B of T) Date: June 19, 2008

TITLE: Ordinance Adopting Current Version of DuPage Countywide Stormwater  
and Floodplain Ordinance

SUBMITTED BY: Department of Community Development *CMAD*

BACKGROUND/POLICY IMPLICATIONS:

Please find attached staff's recommendation relative to approving an Ordinance Adopting the  
revisions to the DuPage Countywide Stormwater and Floodplain Ordinance. (ALL DISTRICTS)

Staff recommends approval of this request.

Staff is recommending a waiver of first reading due to the Board of Trustees summer schedule.

Please place this item on the June 19, 2008 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney

Date

Finance Director

Date

Village Manager

Date 6/16/08

*David A. Hulseberg*

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.





## MEMORANDUM

**TO:** David A. Hulseberg, Village Manager

**FROM:** Nick Hatfield, PE, Development Engineer *Nick Hatfield*

**DATE:** June 4, 2008

**SUBJECT:** Ordinance Adopting Current Version of DuPage Countywide Stormwater and Floodplain Ordinance

The attached ordinance adopts the latest revision of the DuPage Countywide Stormwater and Floodplain Ordinance, which was recently revised to address requirements from the United States Environmental Protection Agency relating to storm water quality. As a partial waiver community within DuPage County, the Village is required to adopt all revisions to the DuPage Countywide Stormwater and Floodplain Ordinance. With this revision, the DuPage Countywide Stormwater and Floodplain Ordinance will now require new developments to address water quality issues through the implementation of Best Management Practices (BMPs). Note that parcels of less than one acre that are developed for single family or two family uses are exempt. The intent of the use of BMPs is to address the pollutants associated with stormwater runoff. The County has prepared a comprehensive appendix of available BMPs that can be implemented to achieve the required water quality. Examples of BMPs include wet-bottom ponds, native grassed swales in place of storm sewer pipes, permeable pavers, etc.

As these BMPs will have some impact on the overall site design of developments, there will be a learning curve on both developer's and regulator's behalf. To assist with the implementation of this Ordinance, the County has set up training sessions that will prepare municipal and private planners and engineers. These sessions will be held prior to the effective date of the Ordinance, August 1, 2008.

Lastly, please note that there is a BMP fee-in-lieu for developments that fall into the following

categories:

- 1) The parcels being developed total less than three acres for single family or two family residential subdivision uses.
  - 2) The parcels being developed total less than one acre for non-residential and multi-family subdivision uses.
  - 3) The parcels being developed are less than one acre for multi-family or non-residential uses and the new development is less than 25,000 square feet.
  - 4) The area being developed is less than one acre for road developments in rights-of-way under ownership by a unit of government.
- The fee-in-lieu rates are based on the cost to install a typical BMP for a given development.

As the Village has previously adopted the DuPage Countywide Stormwater and Floodplain Ordinance and is a partial waiver community within DuPage County, Staff recommends that the Board approve this Ordinance. Please place this item on the Board of Trustees agenda for the June 19, 2008 meeting. Please call me if you have any questions.

NH:mh



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING ORDINANCE NO. 3476,  
ADOPTED NOVEMBER 21, 1991, AS AMENDED, IN REGARD TO THE  
COUNTY OF DU PAGE COUNTYWIDE STORMWATER  
AND FLOODPLAIN ORDINANCE**

WHEREAS, the Village of Lombard (the "Village") has previously adopted the DuPage County Countywide Stormwater and Floodplain Ordinance (the "Stormwater Ordinance"); and

WHEREAS, the Village has worked with DuPage County and countywide municipalities to develop the revisions to the Stormwater Ordinance contained herein; and

WHEREAS, the proposed Stormwater Ordinance revisions include revisions to the floodplain, egression and sediment, permit submittal requirements and enforcement sections of the Stormwater Ordinance; and

WHEREAS, the revisions address requirements set forth by the United States Environmental Protection Agency National Pollution Discharge Elimination System Phase II permit issued to the Village (a co-permittee with DuPage County); and

WHEREAS, the DuPage County Board enacted and approved the revisions to the Stormwater Ordinance on March 25, 2008, pursuant to Ordinance No. OSM-004-07, to become effective on August 1, 2008; and

WHEREAS, enacting the proposed revisions to the Stormwater Ordinance is in the best interests of the Village and its residents;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

Section 1: That, effective August 1, 2008, Ordinance No. 3476, adopted November 21, 1991 as amended, is hereby further amended to incorporate the revisions to the Stormwater Ordinance, in regard to Article 2 Definitions; SECTION 14-47; SECTION 15-112; SECTION 15-114; SECTION 15-146; SECTION 15-149; SECTION 15-177; SECTION 15-259; and SCHEDULE B thereof, as provided for by DuPage County Ordinance No. OSM-004-07, with said revisions being attached hereto as Exhibit A and made part hereof.

Section 2: That all other provisions of Ordinance No. 3476, as amended, shall remain in full force and effect.

Section 3: That this Ordinance shall be in full force and effect from and after its passage approval and publication in pamphlet form as provided by law.

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Ordinance No. \_\_\_\_\_

Passed on first reading this 19<sup>th</sup> day of June, 2008.

First reading waived by action of the Board of Trustees this 19<sup>th</sup> day of June, 2008, pursuant to a roll call vote as follows:

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

William J. Mueller, Village President

ATTEST:

\_\_\_\_\_  
Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Brigitte O'Brien  
Village Clerk

SECTION 3

PROPOSED CHANGES TO ORDINANCE – Article 2 Definitions; SECTION 15-47;  
SECTION 15-112; SECTION 15-114; SECTION 15-146; SECTION 15-149; SECTION  
15-177; SECTION 15-259; SCHEDULE B



Adopted As Appendix F  
To The DuPage County Stormwater Management Plan

Public Review Draft  
June 2007

*COUNTYWIDE STORMWATER  
AND FLOOD PLAIN ORDINANCE*

*COUNTY OF DUPAGE,  
ILLINOIS*



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**Base Flood Elevation.** The height of the base flood in relation to the National Geodetic Vertical Datum of 1929.

**Best Management Practices (BMPs).** Design, construction, and maintenance practices and criteria for stormwater facilities that minimize the impact of stormwater runoff rates and volume, prevent erosion, and capture pollutants.

**Building.** A structure that is constructed or erected partially or wholly above ground and is enclosed by walls and a roof. The term "building" includes manufactured homes and includes both the above-ground and the below-ground portions of the structure.

**Certify/Certification.** A statement that a proposed development meets the requirements of this Ordinance.

**Committee.** The Stormwater Management Committee of the DuPage County Board, authorized by Public Act 85-905.

**Community.** Any municipality, or the unincorporated County, within DuPage County acting as a unit of local government.

**Compensatory Storage.** An excavated hydrologically and hydraulically equivalent volume of storage created to offset the loss of existing flood storage.

**CLOMA.** A Conditional Letter of Map Amendment. A FEMA comment letter on a development proposed to be located in, and affecting only that portion of, the area of flood plain outside the regulatory floodway and having no impact on the existing regulatory floodway or base flood elevations.

**CLOMR.** A Conditional Letter of Map Revision. A letter that indicates that FEMA will revise base flood elevations, flood insurance rate zones, flood boundaries, or floodways as shown on an effective FIRM or FBFM, after the record drawings are submitted and approved.

**COE.** The United States Army Corps of Engineers.

**Complete Waiver.** The authority granted to a community pursuant to Articles 3, 4, and 5 of this Ordinance whereby a community acquires complete jurisdiction over reviewing applications for and granting Stormwater Management Permits.

**County.** The County of DuPage, Illinois.

**Critical Wetlands.** Wetlands of the highest value by virtue of one or more high ranking characteristics that result in a uniquely valuable environment. See Sections 15-134 and 15-135 of this Ordinance.

**FHBM.** A Flood Hazard Boundary Map. An official map of a community, issued by FEMA, on which the boundaries of the flood, mudslide or mudflow, or related erosion areas having special hazards have been designated as Zones A, M, and/or B.

**FEMA.** The Federal Emergency Management Agency.

**FIRM.** A Flood Boundary and Floodway Map. A flood plain management map issued by FEMA that depicts, based on detailed analysis, the boundaries of the base flood, the two tenth percent (0.2%) probability flood, and the floodway.

**Expansion to an Existing Manufactured Home Park.** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of street, and either final site grading or the pouring of concrete pads).

**Existing Manufactured Home Park.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring on concrete pads) is completed before the effective date of the flood plain management regulations adopted by a community.

**Environmental Scientist.** A person with a four-year degree in a life science curriculum in which the emphasis was on ecologic systems, and four years of experience. Examples of such curricula are ecology, botany, or biology.

**Elevation Certificates.** A form published by FEMA, or its equivalent, that is used to certify the base flood elevation and the lowest elevation of usable space to which a building has been constructed.

**Director.** The DuPage County Director of Stormwater Management or his or her designee. The Director Stormwater Management shall be a professional engineer.

**Development.** Any activity, excavation or fill, alteration, subdivision, change in land use, or practice, undertaken by private or public entities that affects the discharge of stormwater; or any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials in a Special Management Areas. The term "development" does not include maintenance of stormwater facilities.

**Developer.** Any person who undertakes development or permits development on such person's behalf.

**Department.** The DuPage County Department of Engineering.

**Dam.** Any obstruction, wall embankment, or barrier, together with any abutments and appurtenant works, constructed to store or direct water or to create a pool (not including underground water storage tanks).

**Public Flood Easement.** An easement acceptable to the appropriate jurisdictional body that meets the regulation of the OWR, the Department, and the community, that provides legal assurances that all areas subject to flooding in the created backwater of the development will remain open to allow flooding.

**Professional Engineering Practice.** The consultation on, conception, investigation, evaluation, planning, and design of, and selection of materials and methods to be used in, administration of construction contracts for or site observation of an engineering system or facility, when such observation requires extensive knowledge of engineering laws, formulae, materials, practice, and construction methods.

**Professional Engineering.** The application of science to the design of engineering systems and facilities, using the knowledge, skills, ability, and professional judgment developed through professional engineering education, training, and experience.

**Professional Engineer.** A person licensed under the laws of the State of Illinois to practice professional engineering.

**Pollutant.** Any substance harmful to the environment that is not authorized for discharge from a storm sewer by an IEPA MS4 permit.

**Plan.** The DuPage County Stormwater Management Plan, adopted by the DuPage County Board in September 1989, as amended from time to time.

**Person.** Any individual, partnership, firm, school district, company, corporation, association, joint stock company, trust, estate, unit of local government, special taxing district, public utility, political subdivision, state agency, or any other legal entity, or owner, or any legal representative, agent, or assign thereof.

**Partial Waiver.** Authority granted to a community pursuant to Articles 3, 4, and 5 of this Ordinance whereby the waiver community acquires limited jurisdiction over reviewing applications for, and issuing, Stormwater Management Permits.

**Parcel.** Contiguous land under single ownership or control.

**OWR.** The Illinois Department of Natural Resources, Office of Water Resources.

**Oversight Committee.** A committee appointed by a waiver community to oversee the implementation and enforcement of the waiver community's ordinance.

**NRCS.** The United States Department of Agriculture, Natural Resources Conservation Service.

**Article 2. DEFINITIONS.** Sec. 15-16. through 15-17. 44 of the Code of Federal Regulations. program. The requirements of the NFIP are codified in Title

butters. See Article 10 of this Ordinance.

ARTICLE 2. DEFINITIONS.

Sec. 15-16. through 15-17.

permit was issued provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement or other improvement was within 180 days of the permit date. The actual start date includes the first day of any land preparation, including clearing, grading, filling, or excavation. For substantial improvements, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building whether or not that alteration affects the external dimensions of the building.

**Stormwater Facility.** All ditches, channels, conduits, bridges, culverts, levees, ponds, natural and man-made impoundments, wetlands, wetland buffers, riparian environment, tile, swales, sewers, BMPs or other natural or artificial structures or measures which serve as a means of draining surface and subsurface water from land.

**Stormwater Management Permit.** A permit established by this Ordinance or by a waiver community's Stormwater Ordinance, and issued by the Department or a waiver community signifying acceptance of measures identified for proposed development to comply with this Ordinance and the Plan.

**Structure.** Anything that is erected or constructed. The term "structure" includes, without limitation: buildings, manufactured homes, tanks, dams, sewers, constructed channels, outfalls, parking lots, driveways, roads, sidewalks, and concrete patios.

**Structural Engineer.** A person licensed under the laws of the State of Illinois as a structural engineer.

**Substantial Damage.** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**Substantial Improvement.** Any repair, reconstruction, rehabilitation, addition, or other improvement of a building, the cost of which improvement equals or exceeds, individually or in the aggregate, 50 percent of the fair market value of the building, determined from the equalized assessed value of the building, before the start of construction of the improvement or, if the building has been damaged, before the damage occurred. The term "cost of improvement" includes the value of volunteer labor and donated materials. The term "cost of improvement" does not, however, include either (1) any project for improvement of a building to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary to assure safe living conditions or (2) any alteration of a historic building that will not preclude the building's continued designation as a historic building.

**Usable Space.** Space used for dwelling, storage, utilities, or other beneficial purposes, including without limitation basements.

**Variance.** An authorization recommended by the Committee or an Oversight Committee, and

granted by the DuPage County Board or the corporate authorities of a waiver community, that varies certain requirements of this Ordinance or a waiver community ordinance in a manner in harmony

**ARTICLE 2. DEFINITIONS.**

Sec. 15-16, through 15-17.

's general purpose and intent, which variance shall be granted only in a case where there are practical difficulties or particular hardships.

**Violation.** Failure of a structure or other development to be fully compliant with the regulations identified by Ordinance.

**Waiver Community.** A community that has been granted either a partial waiver or a complete waiver from County enforcement of this Ordinance. See Article 4 of this Ordinance.

**Waiver Community Ordinance.** An approved, valid, and effective stormwater management ordinance of a waiver community. See Articles 3 and 4 of this Ordinance.

**Watershed.** All land area drained by, or contributing water to, the same stream, lake, or stormwater facility.

**Watershed Basin Committee.** A technical committee established within a watershed planning area.

**Watershed Benefit.** A decrease in flood elevations or flood damages or an improvement in water quality, upstream or downstream of the development site.

**Watershed Plan.** A plan adopted by the County for stormwater management within a watershed consistent with the requirements in Chapter 3 of the Plan.

**Watershed Planning Area.** That area considered in a specific watershed plan, adopted as part of the Plan, and depicted on the attached Exhibit I.

**Watershed Plan Model.** The hydrologic and hydraulic model meeting the standards of the Plan and used in developing a watershed plan.

**Waters of DuPage.**

1. All waters such as lakes, rivers, streams (including intermittent streams), mudflats, wetlands, sloughs, wet meadows, or natural ponds.

2. All impoundments of waters not otherwise defined as waters of DuPage under the definition.

3. Tributaries of waters identified above.

4. Wetlands adjacent to waters identified above.

For clarification, waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the CWA (other than cooling ponds as defined in 40 CFR 123.11(m) which also meet



ARTICLE 3. WAIVER COMMUNITY ENFORCEMENT.  
Sec. 15-31, through 15-35.

ARTICLE 4. COMMITTEE PROCEDURES FOR WAIVER OF ENFORCEMENT.

Sec. 15-46. Committee Consideration of Petition.

The Committee shall consider each properly filed petition for either a partial or a complete waiver of County enforcement of this Ordinance at a regular or special call meeting. The Committee may take comments from interested parties, and the Committee shall have the right by rule to establish procedures for the conduct of such meetings.

Sec. 15-47. Standards for Grant of Petition.

The Committee shall grant a petition for waiver of County enforcement of this Ordinance upon finding that:

1. The community's stormwater ordinance is consistent with, and at least as stringent as, the Plan and this Ordinance, as they may be amended from time to time; and
2. The community has complied with the requirements of Article 3 of this Ordinance; and
3. By the effective date of the community's stormwater ordinance, the community shall provide reasonable assurance that it has available and will utilize experts with the following qualifications:
  - a. In a complete waiver community:
    - (1) A professional engineer with two years experience in stormwater and flood plain management; and
    - (2) A professional engineer with two years experience in the application of continuous hydrology and fully dynamic hydraulic models; and
    - (3) An environmental scientist who has attended at least one course in wetland delineation approved by the Department; and
    - (4) A soil scientist; or,
  - b. In a partial waiver community; a professional engineer with two years experience in stormwater and flood plain management.

- (1) A professional engineer with two years experience in stormwater and flood plain management; and
- (2) An environmental scientist; or a request for assistance from the Director to review for water quality BMPs.

ARTICLE 9. REQUIREMENTS FOR STORMWATER AND FLOOD  
PLAIN MANAGEMENT.

Sec. 15-111. General Information.

1. All developments shall meet the requirements specified for general stormwater and flood plain development (Section 15-112), site runoff (Section 15-113), sediment and erosion control (Section 15-116), and performance security (Article 13).

2. All developments, with consideration given to those developments as noted in Section 15-111.3 of this ordinance, shall comply with the site runoff storage requirements provided in Section 15-114 of this Ordinance in which:

a. The parcels being developed total three acres or greater for single or two family residential subdivision land uses; or

b. The parcels being developed total one acre or greater for multiple family or non-residential subdivision land uses; or

c. The parcels being developed total one acre or greater for multiple family or non-residential developments and the new development totals either individually or in the aggregate after February 15, 1992 to more than 25,000 square feet; or

d. The area being developed totals one acre or greater for road developments in rights-of-way under the ownership or control of a unit of government.

3. The Director or Administrator in a waiver community shall consider granting an exception to Section 15-111.2 of this Ordinance for those developments listed below, if specific requirements are met for such development as listed or required by the Administrator:

a. The development is strictly limited to the grading of pervious area, in which the following specific requirements are met:

(1) The Applicant must demonstrate to the administrator's satisfaction that for all storm events, up to and including the critical duration 100-year event, the grading activity does not:

a) Result in an increase in runoff volume; and,

b) Result in an increase in peak release rate; and,

ARTICLE 9. REQUIREMENTS FOR STORMWATER AND FLOOD PLAIN MANAGEMENT

Sec. 15-111. through 15-122.

b. The development is strictly limited to the reconstruction of an existing parking lot, in which the following specific requirements are met:

(1) The Applicant must demonstrate that the reconstruction will remain in the same foot print as the existing parking lot; and,

(2) The Applicant must demonstrate to the administrator's satisfaction that for all storm events, up to and including the critical duration 100-year event, the development activity does not:

(a) Result in an increase in runoff volume; and,

(b) Result in an increase in peak release rate; and,

(c) Result in a time decrease associated with the time of concentration; and,

(d) Contribute to adjacent flood problems; and,

(e) Alter the direction of runoff.

c. The development is strictly a Regional Stormwater Management Project or a Flood Control project in substantial compliance with either a watershed plan or other said study as reviewed and approved by the DuPage County Stormwater Management Committee.

d. The development is strictly a Stream Bank Stabilization project.

e. The development is strictly limited to the construction, or re-construction, of a pedestrian walkway/bike path, in which the following specific requirements are met:

(1) The pedestrian walkway/bike path shall not exceed twelve (12) feet in width; and,

(2) The pedestrian walkway/bike path must be constructed by a government agency (e.g., DuPage County regional trail system, municipal sidewalk program, etc.)

(3) The pedestrian walkway/bike path shall not be constructed in such a manner as to violate Section 15-112 of this Ordinance.

f. The development is strictly limited to the creation of a DuPage County recognized wetland bank and/or wetland mitigation site.

g. The development is strictly limited to the modification of an existing stormwater management

4. Developments shall also meet the more specific requirements of applicable adopted Watershed Plans

111.3.i will apply.

(8) Approved Stormwater plans or permits that contain more stringent criteria than Section 15-

(7) Additions to an existing site that increase the imperviousness above the eighty (80%) threshold are subject to providing the full storage such that the probability of the release rate exceeding 0.1 cfs/acre of new development is less than one percent (1.0%) per year, providing the new development is greater than 25,000 square feet.

(6) There shall be no increase in peak release rates up to and including the one percent probability of occurrence (100-yr) per year.

(5) The post development site runoff storage shall not be less than the existing site runoff storage.

(4) Where there are known off-site flooding problems, the Administrator may require additional site runoff storage, best management practices or other measures to reduce the flood potential.

(3) Site runoff storage facilities shall meet the requirements of Section 15-114 of this Ordinance.

(2) The required storage in Section 15-111.3.i.(1) is required for the total project, regardless of phasing.

(b) Where the required site runoff storage cannot be provided on-site, the stored storage shall be provided off-site or by payment into an approved detention variance fee program as determined in Section 15-115 of this Ordinance.

(a) Where detention storage is provided in impervious areas (i.e. underground tanks, parking lots, etc.) best management practices as described in Section 15-113.11 of this Ordinance shall be required and the applicant shall demonstrate that these practices are appropriate and effective for the site conditions

(1) Where there are no known off-site flooding problems that the development is contributory to, sufficient site runoff storage shall be provided in pervious (vegetative) areas such that the probability of the post development release rate exceeding 0.04 cfs/acre of development shall be less than fifty percent (50%) per year (2-yr event), unless the applicant demonstrates to the Administrator why this criteria can't be met and the following specific requirements are met:

i. The development is greater than one acre and the existing parcel(s) is greater than eighty percent (80%) impervious on March 8, 2005, in which the following specific requirements are met:  
Sec. 15-111. through 15-122.

ARTICLE 9. REQUIREMENTS FOR STORMWATER AND FLOOD PLAIN MANAGEMENT.

h. The development is strictly limited to the construction of a single-family residential structure on a parcel of land greater than three (3) acres.

facility to incorporate Best Management Practices.

- c. Be consistent with techniques specified in the Watershed Plans or the Interim Watershed Plans; and
  - b. Consider the Technical Guidance for the DuPage Countywide Stormwater and Flood Plain Ordinance for the Plan; and
  - a. Meet the standards and criteria established in the Plan and, if available, in Watershed Plans or in Interim Watershed Plans; and
2. Analysis and design of all stormwater and flood plain facilities required for development shall:

- e. Unreasonably or unnecessarily degrade surface or ground water quality.
  - d. Violate any provision of this Ordinance or any applicable waiver community ordinance either during or after construction; nor
  - c. Pose any new or additional increase in flood velocity or impairment of the hydrologic and hydraulic functions of streams and flood plains unless a watershed benefit is realized; nor
  - b. Increase flood elevations or decrease flood conveyance capacity upstream or downstream of the area under the ownership or control of the developer; nor
  - a. Result in any new or additional expense to any person other than the developer for flood protection or for lost environmental stream uses and functions; nor
1. Development shall not:

The following general stormwater and flood plain requirements shall apply to all development.

**Sec. 15-112. General Stormwater and Flood Plain Requirements.**

- 7. Facilities constructed under the provisions of this Ordinance or the waiver community ordinance shall be maintained according to the criteria and guidelines established in the Plan. Maintenance is the responsibility of the owner of the land on which the stormwater facilities are constructed unless the responsibility is assigned, pursuant to Section 15-180 of this Ordinance, to an entity acceptable to the governmental unit that has jurisdiction over such land.
- 6. All developers shall submit the documents specified in Article 11 of this Ordinance to verify compliance with these requirements.

Sec. 15-111. through 15-122.

**ARTICLE 9. REQUIREMENTS FOR STORMWATER AND FLOOD PLAIN MANAGEMENT.**

- 5. All development within special management areas, shall also satisfy the requirements specified in Article 10 of this Ordinance.

or adopted Interim Watershed Plans, set forth in Sections 15-117 through 15-122.

- a. Antecedent moisture condition = 2; and
  - b. Huff or SCS Type II rainfall distribution.
- assumptions:
5. Design runoff rates shall be calculated by using continuous simulation models or by event hydrograph methods. If event hydrograph methods are used, they must be either HEC-1 SCS runoff method, TR-20, or TR-55 tabular method. Event methods must incorporate the following assumptions:
  4. Major stormwater systems shall be sized to carry the base flood without causing additional property damage.
  3. Minor stormwater systems shall be sized to convey runoff from the tributary watershed under fully developed conditions consistent with the design requirements of the local jurisdiction.
  2. Stormwater facilities shall be designed to conform with the requirements of Illinois law and the applicable Sections 15-117 through 15-122 of this Ordinance.
  1. Stormwater facilities shall be required and shall be designed so that runoff exits the site at a point where flows will not damage adjacent property.

**Sec. 15-113. Site Runoff Requirements.**

6. All usable space in new buildings or added to existing buildings adjacent to a major stormwater system, site runoff storage facility overflow path or site runoff storage facility, shall be elevated, floodproofed, or otherwise protected to at least one foot above the design elevation to prevent the entry of surface stormwater. The design elevation is the elevation associated with the design rate as determined in Section 15-114.8.f.
5. In areas outside the boundary of the regulatory flood plain all usable space in new buildings, or added to existing buildings shall either be elevated, floodproofed, or otherwise protected such that the lowest entry shall be at least one foot above the adjacent base flood elevation to prevent the entry of surface stormwater. Floodproofing devices shall be operational without human intervention. If electricity is required for protection against flood damage, there shall be a backup power source which will activate without human intervention. Floodproofing measures shall be certified by a professional engineer.
7. Stormwater facilities shall be functional where practicable for single parcel developments before general construction begins.

**ARTICLE 9. REQUIREMENTS FOR STORMWATER AND FLOOD PLAIN MANAGEMENT.**

3. Stormwater facilities shall be functional before building permits are issued for residential and non-residential subdivision.
- d. Consider existing and ultimate watershed and land use conditions, with and without the proposed development.

6. Any design runoff rate method shall use Illinois State Water Survey Bulletin 70 northeast sectional rainfall statistics or the National Oceanic and Atmospheric Administration continuous rainfall record from 1949 to present at the Wheaton gage, and shall calculate flow from all tributary area upstream of the point of design.

ARTICLE 9. REQUIREMENTS FOR STORMWATER AND FLOOD PLAIN MANAGEMENT.

Sec. 15-111. through 15-122.  
1. Major and minor stormwater systems shall be located within easements or rights-of-way explicitly providing for public access for maintenance of such facilities.

8. Maximum flow depths on any roadway shall not exceed six inches during the base flood condition.

9. Transfers of waters between watersheds shall be prohibited except when such transfers will not violate the provisions of Subsection 15-112.1 of this Ordinance.

10. Stormwater facilities for runoff upstream of flood protection facilities shall provide for conveyance or storage of flood waters without increased potential for damage to real or personal property during base flood conditions.

11. Developments requiring a Stormwater Management Permit under Section 15-147 of this Ordinance shall treat one hundred per cent (100%) of the developed area for pollutants from the site in accordance with accepted practices and procedures, examples of which are in Appendix E of the Duraige Countywide Stormwater and Flood Plain Ordinance, Part I-Technical Guidance, Water Quality Best Management Practices. The Director or Administrator in a waiver community shall consider granting an exception to this provision for those developments listed in section 15-111.3, b and e, to the extent practicable and necessary; incorporate the following Best Management Practices into the site design to minimize increases in runoff rates, volumes, and pollutant loads:

i. All runoff from rooftops and parking lots, and discharge from sump pumps, that does not discharge into a site runoff storage facility shall be directed onto vegetated swales or filter strips, for a distance of at least 50 feet.

ii. Vegetated swales shall be utilized, where appropriate, as an alternative to storm sewers to promote the infiltration of stormwater and the filtration of stormwater pollutants.

iii. Effective impervious surface area should be limited by site design which minimize the area of streets, parking lots, and rooftops and/or utilize permeable paving material such as concrete grids in low traffic areas.

iv. Other Best Management Practices such as infiltration basins and trenches (where permeable soils are present) and filtration basins and sand filters (on highly impervious or industrial developments) shall be utilized where appropriate.

v.a. The practices and procedures established in the Technical Guidance for the Duraige Countywide Stormwater and Flood Plain Ordinance for the Plan and as described in the United States Environmental Protection Agency's "Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters," dated January 1993.

12. Developments shall incorporate all best management practices as may be required pursuant to the United States Clean Water Act, 33 U.S.C. §§ 1251 et seq., as amended.

Sec.15-114 (re-number sections from here to 15-130- Page 38) Water Quality BMP Fee-in-Lieu Program.

1. The applicant for single or two family residential land uses may elect to pay a fee in lieu of providing water quality BMPs under the following conditions:

a. A Stormwater Management Permit is required under section 15-147 of this Ordinance, and

b. The development is not required to provide site runoff storage per Section 15-111.2, and

c. Payment into a BMP Fee-in-lieu program shall be made prior to the issuance of a Stormwater Management Permit.

2. The applicant for multiple family or non-residential land uses and roadway developments may elect to pay a fee in lieu of providing water quality BMPs under the following conditions:

a. A Stormwater Management Permit is required under section 15-147 of this Ordinance, and

b. The development is not required to provide site runoff storage per Section 15-111.2, and

c. The Director or Administrator in a waiver community has determined that it is not practical to install water quality BMPs.

d. Payment into a BMP Fee-in-lieu program shall be made prior to the issuance of a Stormwater Management Permit.

3. Development in a non-waiver community or in a waiver community that has not adopted a BMP fee-in-lieu program shall participate in the County's program where:

a. BMP Fee-in-lieu payment shall be made to the County and is determined by applying the criteria as follows:

(1) The adopted fee schedule, attached to this ordinance as Schedule B and by this reference incorporated into this ordinance, that identifies reasonable and rational cost to construct and maintain similar BMPs for those areas of the development that remain without effective water quality treatment.

b. Funds collected shall be accounted for in watershed planning area accounts. Funds shall be used in the same watershed planning areas as collected solely to design, construct, and maintain water quality improvements. Funds may not be used to fulfill obligations required by the Ordinance.

c. The County Board shall provide accounting on an annual basis of all funds deposited in each watershed planning account and shall account for each fund on a first-in, first-out basis.



- 4. If continuous simulation methods are used, design runoff volumes shall be calculated using the statistics.
- c. Twenty-four (24) hour duration storm with a one percent (1.0%) probability of occurrence in any one year as specified by Illinois State Water Survey Bulletin 70 northeast sectional rainfall statistics.
- b. Huff or SCS Type II rainfall distribution; and
- a. Antecedent moisture condition = 2; and

assumptions:  
 tabular method with outlet control routing. Event methods shall incorporate the following SCS runoff method with outlet routing option, TR-20 with outlet control routing option, or TR-55 tabular method with outlet control routing. If event hydrograph methods are used to calculate design runoff volumes, they must be either HEC-1 or TR-55.

3. If event hydrograph methods are used to calculate design runoff volumes, they must be either HEC-1 or TR-55. The probability of the post development release rate exceeding 0.1 cfs/acre of development shall be less than one percent (1.0%) per year. Design runoff volumes shall be calculated using continuous simulation or event hydrograph methods.

**ARTICLE 9. REQUIREMENTS FOR STORMWATER AND FLOOD PLAIN MANAGEMENT.**

1. Maximum site runoff storage requirements shall be consistent with the information, procedures, and requirements of the applicable Sections 15-117 through 15-122 of this Ordinance, except as limited by the provisions of Subsection 15-14.2 of this Ordinance.

**Sec. 15-114. Site Runoff Storage Requirements (Detention).**

3. Development in a waiver community shall participate in the waiver community's BMP fee-in-lieu program where the corporate authority has adopted a program that is consistent with Section 15-114. The waiver community may adopt its own fee schedule and designate off-site facilities. Funds may be used in the same community or watershed planning area as collected. All accounting records shall be made available to the Committee upon request.

4. Refunds are made provided that the person who paid the fee, or that person's successor in interest, files a petition with the County within one year from the date on which such fees are required to be encumbered.

5. All BMP fee-in-lieu payments are refunded to the person who paid the fee, or to that person's successor in interest, whenever the County fails to encumber the fees collected within 10 years of the date on which such fees are collected.

114.2.b.  
 d. The Committee may prioritize and allocate funds on an annual basis within each watershed planning area account. Communities may make a request to the Committee by June 30th of each year for funds within the watershed planning accounts for uses as identified in Section 15-

- 4. Any structure subject to a differential water pressure head of greater than three feet shall be prepared, Ordinance or the applicable waiver community ordinance.
- 3. All submittals that include the design of stormwater facilities, calculations for the determination of the regulatory flood plain, or calculations of the impacts of development shall meet the standards of the Plan and shall be prepared, signed, and sealed by a professional engineer. Such professional engineer shall provide an opinion that the technical submittal meets the criteria required by the Plan and this Ordinance.
- 2. All Stormwater Management Permit review fees shall be paid at the time of application. See Section 15-153 of this Ordinance.
- 1. Any person proposing a development shall obtain a Stormwater Management Permit prior to development, as provided in Section 15-147 of this Ordinance.

**Sec. 15-146. General Requirements.**

**ARTICLE II. STORMWATER MANAGEMENT PERMITS.**

**ARTICLE 10. SPECIAL MANAGEMENT AREAS.**  
Sec. 15-131. through 15-137.

a. The development involves one or more Special Management Areas; or

1. A Stormwater Management Permit shall be required if:

**Sec. 15-147. Applicability; Required Submittals.**

11. Any and all proposed development in or near a wetland shall be reviewed under the supervision of an environmental scientist meeting the requirements in Section 15-47.3.a (3), and certified by that environmental scientist that the proposed development meets the minimum requirements of this Ordinance.

10. Any and all proposed development within the regulatory flood plain shall be reviewed under the supervision of a professional engineer meeting the requirements in Section 15-47.3.a. and, in the case of floodway development, certified by that professional engineer that the proposed development meets the minimum requirements of this Ordinance.

**ARTICLE 11. STORMWATER MANAGEMENT PERMITS.**  
Sec. 15-146. through 15-154.

9. Any and all proposed development not in a Special Management Area shall be reviewed under the supervision of a professional engineer and, where applicable, an environmental scientist, meeting the requirements in Section 15-47.3.b.

d. Analyses of hydrologically and hydraulically equivalent compensatory storage.

c. Analyses of alternative transition sections as required in Subsection 15-133.23 of this Ordinance; and

b. Hydraulic analyses of new, modified, or replacement bridges or culverts; and

a. Flood damage analyses for the replacement or modification of existing bridges or culverts; and

8. Within the regulatory floodway, the following calculations or analyses shall be submitted to and approved by OWR or its designee prior to the issuance of a Stormwater Management Permit:

7. All development undertaken by a unit of local government in the regulatory flood plain where no regulatory floodway has been designated shall obtain a permit from OWR or its designee prior to issuance of a Stormwater Management Permit.

6. Any proposed development shall secure all appropriate stormwater management related approvals, including without limitation a OWR Dam Safety permit if required, and other appropriate federal, state, and regional approvals prior to the issuance of a Stormwater Management Permit.

5. The site topographic map, record drawings, and other required drawings shall be prepared, signed, and sealed by a land surveyor or professional engineer and tied to the DuPage County Survey Control Network (National Geodetic Vertical Datum, 1929 adjustment).

signed, and sealed by a structural engineer.

- 5. A statement of opinion by a qualified person either denying or acknowledging the presence of Special Management Areas on the development site, and the appropriate submittals if the statement
- 4. Affidavits signed by the land owner and the developer attesting to their understanding of the requirements of this Ordinance or the applicable waiver community ordinance and their intent to comply therewith; and
- 3. A general narrative description of the development, including submittals required pursuant to Subsection 15-147.2 of this Ordinance; and
- 2. The common address and legal description of the site where the development will take place; and
- 1. The name and legal address of the applicant and of the owner of the land; and

The Stormwater Management Permit application shall include all of the following:

**Sec. 15-148. Stormwater Management Permit Application.**

**ARTICLE 11. STORMWATER MANAGEMENT PERMITS.**  
Sec. 15-146. through 15-154.

- c. The Wetland Submittal provided in Section 15-151 of this Ordinance shall be required for any development proposed within a wetland designated in Section 15-134 of this Ordinance.
  - b. The Flood Plain Submittal provided in Section 15-150 of this Ordinance shall be required for all development proposed within any regulatory flood plain designated in Section 15-132 of this Ordinance.
  - a. The Stormwater Submittal provided in Section 15-149 of this Ordinance shall be required for all development requiring a stormwater permit.
2. In addition to the application requirements provided in Sections 15-146 and 15-148 of this Ordinance, the following submittals shall be required:

- (4) Maintenance, repair, or at grade replacement of existing lawn areas not otherwise requiring a stormwater permit under Ordinance.
- (3) Excavation or removal of vegetation in rights-of-way or public utility easements for the purpose of installing or maintaining utilities; or
- (2) Installation, renovation, or replacement of a septic system, potable water service line, or other utility to serve an existing structure; or
- (1) Cultivation, conservation measures, or gardening; or

- c. The development disturbs more than 5,000 square feet of ground cover, unless the development solely involves one or more of the following:
- b. The development involves a substantial improvement in the regulatory flood plain; or

(2) Major and minor stormwater systems (i.e., storm water pipes, culverts, inlets, and storage and infiltration facilities, and flooding limits under base flood conditions for the major stormwater system); and

(1) Boundaries for watersheds tributary to all significant stormwater facilities (i.e., channels, bridges, inlets, and the like), along with the location of such facilities; and

b. A plan view drawing of all existing and proposed stormwater facilities features, at the same scale as the site topographic map, including all of the following:

a. A site topographic map depicting both existing and proposed contours of the entire site to be disturbed during development and all areas 100 feet beyond the site or as required by the Director or the Administrator at a scale of at least one inch equals 100 feet or less (e.g., one inch to 50 feet), with a minimum contour interval of one foot with accuracy equal to 0.5 foot of elevation; and

2. The site stormwater plan shall include:

**ARTICLE 11. STORMWATER MANAGEMENT PERMITS.**  
Sec. 15-146, through 15-154.

- a. A site stormwater plan; and
- b. Site runoff calculations; and
- c. Site runoff storage calculations if site runoff storage is required in Section 15-111.2; and
- d. Information describing off-site conditions; and
- e. A sediment and erosion control plan; and
- f. Description on how Best Management Practices are incorporated in the development.

1. The stormwater submittal shall include:

**Sec. 15-149. Stormwater Submittal.**

- 1. An engineer's estimate of probable construction cost of the stormwater facilities.
- 10. A riparian environment submittal, if development is proposed in a riparian environment; and
- 9. A wetland submittal, if development is proposed in a wetland; and
- 8. A flood plain submittal, if development is proposed in a flood plain; and
- 7. A stormwater submittal; and
- 6. Copies of other permits or permit applications as required; and
- acknowledges the presence of Special Management Areas; and

- a. Documentation identifying the procedures, assumptions, and data used to calculate hydrologic and hydraulic conditions and to determine the allowable release rate and related storage volume; and
- 4. The site runoff storage calculations shall include:

- b. Documentation identifying the procedures, assumptions, and data used to calculate hydrologic and hydraulic conditions for sizing both major and minor stormwater systems.

ARTICLE 11. STORMWATER MANAGEMENT PERMITS.  
Sec. 15-146, through 15-154.

- a. Profile drawings of the major and minor stormwater systems, including cross section data for open channels, showing the hydraulic grade line and water surface elevation under the design and base flood condition; and

- 3. The site runoff calculations shall include:

- f. Upon completion of development, record drawings of the site stormwater plan shall be submitted to the Director or the Administrator. Such drawings shall be prepared, signed, and sealed by a land surveyor or professional engineer and shall include calculations showing the "as-built" volume of compensatory and site-runoff storage.

- e. A schedule of implementation of the site stormwater plan; and

- (3) A description of the permanent public access maintenance easements granted or dedicated to, and accepted by, a governmental entity; and

- (2) Identification of the person or persons responsible for performing the maintenance tasks as required by Section 15-180 of this Ordinance; and

- (1) Planned maintenance tasks; and

- d. A scheduled maintenance program for the stormwater facilities, including:

- c. Design details for all proposed stormwater facilities (i.e., major and minor stormwater systems, storage basins, and outlet works, and the like); and

- (a) Planting locations, specifications, methodology; and
- (b) A schedule for installation; and
- (c) Management, monitoring, and maintenance provisions; and
- (d) Performance standards; and
- (e) An opinion of probable cost

- (5) A planting plan for all vegetated areas which shall include:

- (4) The nearest base flood elevations; and

- (3) Roadways, structures, parking lots, driveways, sidewalks, and other impervious surfaces; and

ARTICLE 13. PERFORMANCE SECURITY.

Sec. 15-176. General Security Requirements.

1. As security to the County or the waiver community for the performance by the developer of the developer's obligations to complete the construction of any stormwater facilities required by the Stormwater Management Permit, to pay all costs, fees, and charges due from the developer pursuant to this Ordinance or the applicable waiver community ordinance, and to otherwise faithfully perform the developer's undertakings pursuant to this Ordinance or the applicable waiver community ordinance, the developer shall, prior to issuance of a Stormwater Management Permit:

a. Post a development security as provided in Section 15-177 of this Ordinance; and

b. Post an erosion and sediment control security as provided in Section 15-178 of this Ordinance, if a erosion and sediment control plan is required pursuant to Section 15-149 of this Ordinance.

2. The developer shall bear the full cost of securing and maintaining the securities required by this Section 15-176.

Sec. 15-177. Development Security.

1. A development security shall be posted and shall include:

a. A schedule, agreed upon by the developer and the Director or the Administrator, for the completion of the construction of any stormwater facilities required by the permit; and

b. An irrevocable letter of credit, or such other adequate security as the Director or the Administrator may approve, in an amount equal to not less than one hundred ten percent (110%) of the estimated probable cost to complete the construction of any stormwater facilities required by the Stormwater Management Permit, which estimated probable cost shall be approved by the Director or the Administrator; and

c. A statement signed by the applicant granting the Director or the Administrator the right to draw on the security and the right to enter the development site to complete required work in the event that work is not completed according to the work schedule; and

d. A statement signed by the applicant that the applicant shall indemnify the community and the Department for any additional costs incurred attributable to concurrent activities of or conflicts between the applicant's contractor and the community's or Department's remedial contractor at the site.

2. The security required by this Section 15-177 shall be maintained and renewed by the applicant, and shall be held in escrow by the Director or the Administrator until the conditions set forth in this Section 15-177 or other applicable provision are satisfied.

Sec. 15-179. Letters of Credit.

1. If an erosion and sediment control plan is required pursuant to Section 15-149 of this Ordinance, then an erosion and sediment control security shall be required. Such a security shall include:
  - a. An irrevocable letter of credit, or such other adequate security as the Administrator shall approve, in an amount equal to not less than one hundred ten percent (110%) of the estimated probable cost to install and maintain the erosion and sediment control measures, which estimated probable cost shall be approved by the Director or the Administrator; and
  - b. A statement signed by the applicant granting the Director or the Administrator, as applicable, the right to draw on the security and the right to enter the development site to complete erosion and sediment control measures in the event that such measures are not installed and maintained according to the established schedule.
2. The security required by this Section 15-178 shall be maintained and renewed by the applicant, and shall be held in escrow by the Director or the Administrator, as applicable, until the conditions set forth in this Section 15-178 are satisfied.
3. After establishment of vegetation, removal of all sediment from stormwater facilities, and final inspection and approval by the Director or the Administrator, as applicable, one hundred percent (100%) of the erosion and sediment control security shall be released.

Sec. 15-178. Erosion and Sediment Control Security.

1. After approval of record drawings and final inspection by the Director or the Administrator, not more than ninety percent (90%) of the security provided for in this Section 15-177 or other applicable provision may be released. A minimum of ten percent (10%) of the security shall be retained for a period of time not to exceed:
  - a. One year after completion of construction of all stormwater facilities required by the permit if the development involves no wetland mitigation; or
  - b. Five years after completion of construction of all stormwater facilities required by the permit if the development involves wetland mitigation.
2. After approval of record drawings and final inspection by the Director or the Administrator, not more than ninety percent (90%) of the security provided for in this Section 15-177 or other applicable provision may be released. A minimum of ten percent (10%) of the security shall be retained for a period of time not less than one year after completion of construction.
3. At a minimum, the security required for this Section 15-177, in an amount equal to not less than one hundred ten percent (110%) of the estimated probable cost to plant, maintain and monitor all vegetated areas as required by the permit, may be held until all conditions or other applicable provisions are satisfied. The vegetated areas security may be reduced at the discretion of the Director or Administrator as conditions are met, but must not be less than one hundred ten (110%) of the estimated probable cost to continue to meet all conditions or other applicable provisions.
4. After approval of record drawings and final inspection by the Director or the Administrator, not more than ninety percent (90%) of the security provided for in this Section 15-177 or other applicable provision may be released. A minimum of ten percent (10%) of the security shall be retained for a period of time not less than one year after completion of construction.



This Ordinance is intended to repeal the original ordinance or resolution which was adopted to meet the National Flood Insurance Program regulations, but is not intended to repeal any resolution which the applicable governmental entity passed in order to establish initial eligibility for the National Flood Insurance Program.

**ARTICLE 17. MISCELLANEOUS PROVISIONS.**  
Sec. 15-256, through 15-260.

**Sec. 15-259. Amendments.**

This Ordinance may be amended in accordance with the adopted rules of the Committee and the DuPage County Board. Amendments to this Ordinance shall only take effect after a public hearing is held before the Committee and the amendment is adopted by the DuPage County Board. Unless otherwise noted, complete Stormwater Permit Applications that are accepted prior to the effective date of an amendment will not be subject to that amendment.

**Sec. 15-260. Effective Date.**

This Ordinance shall take effect for all purposes, and its effective date shall be, February 15, 1992.

**Sec. 15-261, through 15-265. Reserved.**

Single or two family residential land uses	\$3,000 per acre
Multiple family or non-residential land uses	\$15,000 per acre
Roadway developments	\$30,000 per acre

BMP Fee

The fee is calculated by multiplying the varied storage amount by the cost per acre-foot for the watershed planning area where the development is located.

Salt Creek	\$133,000 per acre-foot
East Branch DuPage River	\$106,000 per acre-foot
West Branch DuPage River	\$94,000 per acre-foot
Sawmill Creek	\$87,000 per acre-foot
Des Plain River Tributaries	\$133,000 per acre-foot
Fox River Tributaries	\$81,000 per acre-foot

Detention Variance Fee

SCHEDULE B  
DETENTION VARIANCE and BMP FEE SCHEDULE  
9/4/99 1/1/08

## SECTION 4

Water Quality Best Management Practices Guidance, for inclusion into Appendix E-  
Technical Guidance for the DuPage County Stormwater Ordinance

Due to the size of this document, please view it online at:

<http://ec.dupageco.org/bmp/>

The Water Quality Best Management Practices Guidance (BMP Manual) can be found at the following link:

<http://www.dupageco.org/emphibrary/Final%209-19-07.pdf>

To view the document, cut and past the link into your web browser or type the full address into the web browser manually.

Adopted As Appendix F  
To The DuPage County Stormwater Management Plan

*COUNTYWIDE STORMWATER  
AND FLOOD PLAIN ORDINANCE*

*COUNTY OF DUPAGE,  
ILLINOIS*

Adopted by the County Board of the County  
of DuPage, Illinois on the 24<sup>th</sup> day of  
September 1991.

Revised by the County Board on the 14<sup>th</sup> day  
of June 1994. Revisions effective the 1<sup>st</sup> day of  
September 1994.

Revised by the County Board on the 23<sup>rd</sup> day  
of April 1996. Revisions effective the 23<sup>rd</sup> day  
of April 1996.

Revised by the County Board on the 12<sup>th</sup> day  
of November 1997. Revisions effective the 1<sup>st</sup>  
day of February 1998.

Revised by County Board on the 22<sup>nd</sup>  
day of June 1999. Revisions effective the 1<sup>st</sup>  
day of September 1999.

Revised by County Board on the 13<sup>th</sup> day of  
June 2000. Revisions effective the 13<sup>th</sup> day of  
June 2000.

Revised by County Board on the 25<sup>th</sup> day of  
March 2003. Revisions effective the 25<sup>th</sup> day of  
March 2003.

Revised by County Board on the 27<sup>th</sup> day of  
January 2004. Revisions effective the 27<sup>th</sup> day of  
January 2004.

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*DuPage County  
Countywide Stormwater  
And Flood Plain Ordinance*

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Revised by County Board on the 8<sup>th</sup> day of  
June 2004. Revisions effective the 1<sup>st</sup> day of  
July 2004.

Revised by County Board on the 8<sup>th</sup> day of  
March 2005. Revisions effective the 8<sup>th</sup> day of  
March 2005.

Revised by County Board on the 28<sup>th</sup> day of  
February 2006. Revisions effective the 28<sup>th</sup>  
day of February 2006.

Revised by County Board on the 8<sup>th</sup> day of  
April 2008. Revisions effective the 1<sup>st</sup> day of  
August 2008.

**Base Flood Elevation.** The height of the base flood in relation to the National Geodetic Vertical Datum of 1929.

**Best Management Practices (BMPs).** Design, construction, and maintenance practices and criteria for stormwater facilities that minimize the impact of stormwater runoff rates and volume, prevent erosion, and capture pollutants.

**Building.** A structure that is constructed or erected partially or wholly above ground and is enclosed by walls and a roof. The term "building" includes manufactured homes and includes both the above-ground and the below-ground portions of the structure.

**Certify/Certification.** A statement that a proposed development meets the requirements of this Ordinance.

**Committee.** The Stormwater Management Committee of the DuPage County Board, authorized by Public Act 85-905.

**Community.** Any municipality, or the unincorporated County, within DuPage County acting as a unit of local government.

**Compensatory Storage.** An excavated hydrologically and hydraulically equivalent volume of storage created to offset the loss of existing flood storage.

**CLOMA.** A Conditional Letter of Map Amendment. A FEMA comment letter on a development proposed to be located in, and affecting only that portion of, the area of flood plain outside the regulatory floodway and having no impact on the existing regulatory floodway or base flood elevations.

**CLOMR.** A Conditional Letter of Map Revision. A letter that indicates that FEMA will revise base flood elevations, flood insurance rate zones, flood boundaries, or floodways as shown on an effective FIRM or FBFM, after the record drawings are submitted and approved.

**COE.** The United States Army Corps of Engineers.

**Complete Waiver.** The authority granted to a community pursuant to Articles 3, 4, and 5 of this Ordinance whereby a community acquires complete jurisdiction over reviewing applications for and granting Stormwater Management Permits.

**County.** The County of DuPage, Illinois.

**Critical Wetlands.** Wetlands of the highest value by virtue of one or more high ranking characteristics that result in a uniquely valuable environment. See Sections 15-134 and 15-135 of this Ordinance.



**Dam.** Any obstruction, wall embankment, or barrier, together with any abutments and appurtenant works, constructed to store or direct water or to create a pool (not including underground water storage tanks).

**Department.** The DuPage County Department of Engineering.

**Developer.** Any person who undertakes development or permits development on such person's behalf.

**Development.** Any activity, excavation or fill, alteration, subdivision, change in land use, or practice, undertaken by private or public entities that affects the discharge of stormwater, or any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials in a Special Management Areas. The term "development" does not include maintenance of stormwater facilities.

**Director.** The DuPage County Director of Stormwater Management or his or her designee. The Director of Stormwater Management shall be a professional engineer.

**Elevation Certificates.** A form published by FEMA, or its equivalent, that is used to certify the base flood elevation and the lowest elevation of usable space to which a building has been constructed.

**Environmental Scientist.** A person with a four-year degree in a life science curriculum in which the emphasis was on ecologic systems or equivalent education, and four years of experience. Examples of such curricula are ecology, botany, or biology.

**Existing Manufactured Home Park.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the flood plain management regulations adopted by a community.

**Expansion to an Existing Manufactured Home Park.** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of street, and either final site grading or the pouring of concrete pads).

**FIRM.** A Flood Boundary and Floodway Map. A flood plain management map issued by FEMA that depicts, based on detailed analysis, the boundaries of the base flood, the two tenth percent (0.2%) probability flood, and the floodway.

**FEMA.** The Federal Emergency Management Agency.

**FHBM.** A Flood Hazard Boundary Map. An official map of a community, issued by FEMA, on which the boundaries of the flood, mudslide or mudflow, or related erosion areas having special hazards have been designated as Zones A, M, and/or E.

**NFIP.** The National Flood Insurance Program. The requirements of the NFIP are codified in Title 44 of the Code of Federal Regulations.

**NRCS.** The United States Department of Agriculture, Natural Resources Conservation Service.

**Oversight Committee.** A committee appointed by a waiver community to oversee the implementation and enforcement of the waiver community's ordinance.

**OWR.** The Illinois Department of Natural Resources, Office of Water Resources.

**Parcel.** Contiguous land under single ownership or control.

**Partial Waiver.** Authority granted to a community pursuant to Articles 3, 4, and 5 of this Ordinance whereby the waiver community acquires limited jurisdiction over reviewing applications for, and issuing, Stormwater Management Permits.

**Person.** Any individual, partnership, firm, school district, company, corporation, association, joint stock company, trust, estate, unit of local government, special taxing district, public utility, political subdivision, state agency, or any other legal entity, or owner, or any legal representative, agent, or assign thereof.

**Plan.** The DuPage County Stormwater Management Plan, adopted by the DuPage County Board in September 1989, as amended from time to time.

**Pollutant.** Any substance harmful to the environment that is not authorized for discharge from a storm sewer by an Illinois Environmental Protection Agency General NPDES Permit.

**Professional Engineer.** A person licensed under the laws of the State of Illinois to practice professional engineering.

**Professional Engineering.** The application of science to the design of engineering systems and facilities, using the knowledge, skills, ability, and professional judgment developed through professional engineering education, training, and experience.

**Professional Engineering Practice.** The consultation on, conception, investigation, evaluation, planning, and design of, and selection of materials and methods to be used in, administration of construction contracts for or site observation of an engineering system or facility, when such observation requires extensive knowledge of engineering laws, formulae, materials, practice, and construction methods.

**Public Flood Easement.** An easement acceptable to the appropriate jurisdictional body that meets the regulation of the OWR, the Department, and the community, that provides legal assurances that all areas subject to flooding in the created backwater of the development will remain open to allow flooding.

**Special Management Areas.** Regulatory flood plains, riparian environment, wetlands, or wetland buffers. See Article 10 of this Ordinance.

**Start of Construction.** The date the permit was issued provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement or other improvement was within 180 days of the permit date. The actual start date includes the first day of any land preparation, including clearing, grading, filling, or excavation. For substantial improvements, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building whether or not that alteration affects the external dimensions of the building.

**Stormwater Facility.** All ditches, channels, conduits, bridges, culverts, levees, ponds, natural and man-made impoundments, wetlands, welland buffers, riparian environment, tile, swales, sewers, BMPs or other natural or artificial structures or measures which serve as a means of draining surface and subsurface water from land.

**Stormwater Management Permit.** A permit established by this Ordinance or by a waiver community's Stormwater Ordinance; and issued by the Department or a waiver community signifying acceptance of measures identified for proposed development to comply with this Ordinance and the Plan.

**Structure.** Anything that is erected or constructed. The term "structure" includes, without limitation, buildings, manufactured homes, tanks, dams, sewers, constructed channels, outfalls, parking lots, driveways, roads, sidewalks, and concrete patios.

**Structural Engineer.** A person licensed under the laws of the State of Illinois as a structural engineer.

**Substantial Damage.** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**Substantial Improvement.** Any repair, reconstruction, rehabilitation, addition, or other improvement of a building, the cost of which improvement equals or exceeds, individually or in the aggregate, 50 percent of the fair market value of the building, determined from the equalized assessed value of the building, before the start of construction of the improvement or, if the building has been damaged, before the damage occurred. The term "cost of improvement" includes the value of volunteer labor and donated materials. The term "cost of improvement" does not, however, include either (1) any project for improvement of a building to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary to assure safe living conditions or (2) any alteration of a historic building that will not preclude the building's continued designation as a historic building.

**Usable Space.** Space used for dwelling, storage, utilities, or other beneficial purposes, including without limitation basements.

**Variance.** An authorization recommended by the Committee or an Oversight Committee, and granted by the DuPage County Board or the corporate authorities of a waiver community, that varies certain requirements of this Ordinance or a waiver community ordinance in a manner in harmony with the application of such ordinance's general purpose and intent, which variance shall be granted only in a case where there are practical difficulties or particular hardships.

**Violation.** Failure of a structure or other development to be fully compliant with the regulations identified by Ordinance.

**Waiver Community.** A community that has been granted either a partial waiver or a complete waiver from County enforcement of this Ordinance. See Article 4 of this Ordinance.

**Waiver Community Ordinance.** An approved, valid, and effective stormwater management ordinance of a waiver community. See Articles 3 and 4 of this Ordinance.

**Watershed.** All land area drained by, or contributing water to, the same stream, lake, or stormwater facility.

**Watershed Basin Committee.** A technical committee established within a watershed planning area.

**Watershed Benefit.** A decrease in flood elevations or flood damages or an improvement in water quality, upstream or downstream of the development site.

**Watershed Plan.** A plan adopted by the County for stormwater management within a watershed consistent with the requirements in Chapter 3 of the Plan.

**Watershed Planning Area.** That area considered in a specific watershed plan, adopted as part of the Plan, and depicted on the attached Exhibit 1.

**Watershed Plan Model.** The hydrologic and hydraulic model meeting the standards of the Plan and used in developing a watershed plan.

### Waters of DuPage.

1. All waters such as lakes, rivers, streams (including intermittent streams), mudflats, wetlands, sloughs, wet meadows, or natural ponds.

2. All impoundments of waters not otherwise defined as waters of DuPage under the definition.

3. Tributaries of waters identified above.

4. Wetlands adjacent to waters identified above.

For clarification, waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the CWA (other than cooling ponds as defined in 40 CFR 123.11(m) which also meet the criteria of this definition) are not waters of DuPage. It should also be noted that the following

At least once every three years the Department shall review the implementation and enforcement of each waiver community's stormwater program.

Sec. 15-36, through 15-45. Reserved.

ARTICLE 4. COMMITTEE PROCEDURES FOR WAIVER OF ENFORCEMENT.

Sec. 15-46. Committee Consideration of Petition.

The Committee shall consider each properly filed petition for either a partial or a complete waiver of County enforcement of this Ordinance at a regular or special call meeting. The Committee may take comments from interested parties, and the Committee shall have the right by rule to establish procedures for the conduct of such meetings.

Sec. 15-47. Standards for Grant of Petition.

The Committee shall grant a petition for waiver of County enforcement of this Ordinance upon finding that:

1. The community's stormwater ordinance is consistent with, and at least as stringent as, the Plan and this Ordinance, as they may be amended from time to time; and
2. The community has complied with the requirements of Article 3 of this Ordinance; and
3. By the effective date of the community's stormwater ordinance, the community shall provide reasonable assurance that it has available and will utilize experts with the following qualifications:

a. In a complete waiver community:

(1) A professional engineer with two years experience in stormwater and flood plain management; and

(2) A professional engineer with two years experience in the application of continuous hydrology and fully dynamic hydraulic models; and

(3) An environmental scientist who has attended at least one course in wetland delineation approved by the Department; and

(4) A soil scientist; or,

b. In a partial waiver community: a professional engineer with two years experience in stormwater and flood plain management.

ARTICLE 4. COMMITTEE PROCEDURES FOR WAIVER OF ENFORCEMENT.

Sec. 15-46, through 15-49.

ARTICLE 9. REQUIREMENTS FOR STORMWATER AND FLOOD PLAIN MANAGEMENT.

Sec. 15-111. General Information.

1. All developments shall meet the requirements specified for general stormwater and flood plain development (Section 15-112), site runoff (Section 15-113), sediment and erosion control (Section 15-114), and performance security (Article 13).

2. All developments, with consideration given to those developments as noted in Section 15-113 of this ordinance, shall comply with the site runoff storage requirements provided in Section 15-114 of this Ordinance in which:

a. The parcels being developed total three acres or greater for single or two family residential subdivision land uses; or

b. The parcels being developed total one acre or greater for multiple family or non-residential subdivision land uses; or

c. The parcels being developed total one acre or greater for multiple family or non-residential developments and the new development totals either individually or in the aggregate after February 15, 1992 to more than 25,000 square feet; or

d. The area being developed totals one acre or greater for road developments in rights-of-way under the ownership or control of a unit of government.

3. The Director or Administrator in a waiver community shall consider granting an exception to Section 15-112 of this Ordinance for those developments listed below, if specific requirements are met for such development as listed or required by the Administrator:

a. The development is strictly limited to the grading of previous area, in which the following specific requirements are met:

(1) The Applicant must demonstrate to the administrator's satisfaction that for all storm events, up to and including the critical duration 100-year event, the grading activity does not:

a) Result in an increase in runoff volume; and,

b) Result in an increase in peak release rate; and,

c) Result in a time decrease associated with the time of concentration; and,

d) Contribute to adjacent flood problems; and,

e) Alter the direction of runoff.

b. The development is strictly limited to the reconstruction of an existing parking lot, in which the following specific requirements are met:

(1) The Applicant must demonstrate that the reconstruction will remain in the same foot print as the existing parking lot; and,

(2) The Applicant must demonstrate to the administrator's satisfaction that for all storm events, up to and including the critical duration 100-year event, the development activity does not:

(a) Result in an increase in runoff volume; and,

(b) Result in an increase in peak release rate; and,

(c) Result in a time decrease associated with the time of concentration; and,

(d) Contribute to adjacent flood problems; and,

(e) Alter the direction of runoff;

c. The development is strictly a Regional Stormwater Management Project or a Flood Control project in substantial compliance with either a watershed plan or other said study as reviewed and approved by the DuPage County Stormwater Management Committee.

d. The development is strictly a Stream Bank Stabilization project.

e. The development is strictly limited to the construction, or re-construction, of a pedestrian walkway/bike path, in which the following specific requirements are met:

(1) The pedestrian walkway/bike path shall not exceed twelve (12) feet in width; and,

(2) The pedestrian walkway/bike path must be constructed by a government agency (e.g., DuPage County regional trail system, municipal sidewalk program, etc.)

(3) The pedestrian walkway/bike path shall not be constructed in such a manner as to violate Section 15-112 of this Ordinance.

f. The development is strictly limited to the creation of a DuPage County recognized wetland bank and/or wetland mitigation site.

g. The development is strictly limited to the modification of an existing stormwater management facility to incorporate Best Management Practices.

h. The development is strictly limited to the construction of a single-family residential structure on a parcel of land greater than three (3) acres.

1. The development is greater than one acre and the existing parcel(s) is greater than eighty percent (80%) impervious on March 8, 2005, in which the following specific requirements are met:

(1) Where there are no known off-site flooding problems that the development is contributory to sufficient site runoff storage shall be provided in pervious (vegetative) areas such that the probability of the post development release rate exceeding 0.04 cfs/acre of development shall be less than fifty percent (50%) per year (2-yr event), unless the applicant demonstrates to the Administrator why this criteria can't be met and the following specific requirements are met:

(a) Where detention storage is provided in impervious areas (i.e. underground tanks, parking lots, etc.) best management practices as described in Section 15-113.11 of this Ordinance shall be required and the applicant shall demonstrate that these practices are appropriate and effective for the site conditions

(b) Where the required site runoff storage cannot be provided on-site, the stored storage shall be provided off-site or by payment into an approved detention variance fee program as determined in Section 15-115 of this Ordinance.

(2) The required storage in Section 15-113.1(1) is required for the total project, regardless of phasing.

(3) Site runoff storage facilities shall meet the requirements of Section 15-114 of this Ordinance.

(4) Where there are known off-site flooding problems, the Administrator may require additional site runoff storage, best management practices or other measures to reduce the flood potential.

(5) The post development site runoff storage shall not be less than the existing site runoff storage.

(6) There shall be no increase in peak release rates up to and including the one percent probability of occurrence (100-yr) per year.

(7) Additions to an existing site that increase the imperviousness above the eighty (80%) threshold are subject to providing the full storage such that the probability of the release rate exceeding 0.1 cfs/acre of new development is less than one percent (1.0%) per year, providing the new development is greater than 25,000 square feet.

(8) Approved Stormwater plans or permits that contain more stringent criteria than Section 15-111.3.1 will apply.

4. Developments shall also meet the more specific requirements of applicable adopted Watershed Plans or adopted Interim Watershed Plans, set forth in Sections 15-117 through 15-122.

5. All development within special management areas, shall also satisfy the requirements specified in Article 10 of this Ordinance.



6. All developers shall submit the documents specified in Article 11 of this Ordinance to verify compliance with these requirements.

7. Facilities constructed under the provisions of this Ordinance or the waiver community ordinance shall be maintained according to the criteria and guidelines established in the Plan. Maintenance is the responsibility of the owner of the land on which the stormwater facilities are constructed unless the responsibility is assigned, pursuant to Section 15-180 of this Ordinance, to an entity acceptable to the governmental unit that has jurisdiction over such land.

### Sec. 15-112. General Stormwater and Flood Plain Requirements.

The following general stormwater and flood plain requirements shall apply to all development.

1. Development shall not:

a. Result in any new or additional expense to any person other than the developer for flood protection or for lost environmental stream uses and functions; nor

b. Increase flood elevations or decrease flood conveyance capacity upstream or downstream of the area under the ownership or control of the developer; nor

c. Pose any new or additional increase in flood velocity or impairment of the hydrologic and hydraulic functions of streams and flood plains unless a watershed benefit is realized; nor

d. Violate any provision of this Ordinance or any applicable waiver community ordinance either during or after construction; nor

e. Unreasonably or unnecessarily degrade surface or ground water quality.

2. Analysis and design of all stormwater and flood plain facilities required for development shall:

a. Meet the standards and criteria established in the Plan and, if available, in Watershed Plans or in Interim Watershed Plans; and

b. Consider the Technical Guidance for the DuPage Countywide Stormwater and Flood Plain Ordinance for the Plan; and

c. Be consistent with techniques specified in the Watershed Plans or the Interim Watershed Plans; and

d. Consider existing and ultimate watershed and land use conditions, with and without the proposed development.

3. Stormwater facilities shall be functional before building permits are issued for residential and non-residential subdivision.

4. Stormwater facilities shall be functional where practicable for single parcel developments before general construction begins.
5. In areas outside the boundary of the regulatory flood plain all usable space in new buildings, or added to existing buildings shall either be elevated, floodproofed, or otherwise protected such that the lowest entry shall be at least one foot above the adjacent base flood elevation to prevent the entry of surface stormwater. Floodproofing devices shall be operational without human intervention. If electricity is required for protection against flood damage, there shall be a backup power source which will activate without human intervention. Floodproofing measures shall be certified by a professional engineer.
6. All usable space in new buildings or added to existing buildings adjacent to a major stormwater system, site runoff storage facility or site runoff storage facility, shall be elevated, floodproofed, or otherwise protected to at least one foot above the design elevation to prevent the entry of surface stormwater. The design elevation is the elevation associated with the design rate as determined in Section 15-114.8.f

**Sec. 15-113. Site Runoff Requirements.**

1. Stormwater facilities shall be required and shall be designed so that runoff exits the site at a point where flows will not damage adjacent property.
2. Stormwater facilities shall be designed to conform with the requirements of Illinois law and the applicable Sections 15-117 through 15-122 of this Ordinance.
3. Minor stormwater systems shall be sized to convey runoff from the tributary watershed under fully developed conditions consistent with the design requirements of the local jurisdiction.
4. Major stormwater systems shall be sized to carry the base flood without causing additional property damage.
5. Design runoff rates shall be calculated by using continuous simulation models or by event hydrograph methods. If event hydrograph methods are used, they must be either HEC-1 SCS runoff method, TR-20, or TR-55 tabular method. Event methods must incorporate the following assumptions:
  - a. Antecedent moisture condition = 2; and
  - b. Huff or SCS Type II rainfall distribution.
6. Any design runoff rate method shall use Illinois State Water Survey Bulletin 70 northeast sectional rainfall statistics or the National Oceanic and Atmospheric Administration continuous rainfall record from 1949 to present at the Wheaton gage, and shall calculate flow from all tributary area upstream of the point of design.

7. Major and minor stormwater systems shall be located within easements or rights-of-way explicitly providing for public access for maintenance of such facilities.
8. Maximum flow depths on any roadway shall not exceed six inches during the base flood condition.
9. Transfers of waters between watersheds shall be prohibited except when such transfers will not violate the provisions of Subsection 15-112.1 of this Ordinance.
10. Stormwater facilities for runoff upstream of flood protection facilities shall provide for conveyance or storage of flood waters without increased potential for damage to real or personal property during base flood conditions.
11. Developments requiring a Stormwater Management Permit under Section 15-147 of this Ordinance shall treat the developed area for pollutants from the site in accordance with accepted practices and procedures, examples of which are in Appendix E of the DuPage Countywide Stormwater and Flood Plain Ordinance, Part I-Technical Guidance, Water Quality Best Management Practices, with the following exceptions:
- a. The parcels being developed total less than one acre for single or two family land uses.
- b. The Director or Administrator in a waiver community shall consider granting an exception to section 15-113.1, for those developments listed in section 15-111.3.b and e.
12. Developments requiring a Stormwater Management Permit under Section 15-147 of this Ordinance shall, to the extent practical, permeable and necessary, incorporate the following Best Management Practices into the site design to minimize runoff rates, volumes, and pollutant loads:
- a. All runoff from rooftops and parking lots, and discharge from sump pumps, that does not discharge into a site runoff storage facility shall be directed onto vegetated swales or filter strips, for a distance of at least 50 feet.
- b. Vegetated swales shall be utilized, where appropriate, as an alternative to storm sewers to promote the infiltration of stormwater and the filtration of stormwater pollutants.
- c. Effective impervious surface area should be limited by site designs which minimize the area of streets, parking lots, and rooftops and/or utilize permeable paving material such as concrete grids in low traffic areas.
- d. Other Best Management Practices such as infiltration basins and sand filters (on highly impervious or industrial developments) shall be utilized where appropriate.
- e. The practices and procedures established in the Technical Guidance for the DuPage Countywide Stormwater and Flood Plain Ordinance for the Plan and as described in the United States Environmental Protection Agency's "Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters", dated January 1993.

13. Developments shall incorporate all best-practice management practices, as may be required pursuant to the United States Clean Water Act, 33 U.S.C. §§ 1251 et seq., as amended.

#### Sec. 15-114. Site Runoff Storage Requirements (Detention).

1. Maximum site runoff storage requirements shall be consistent with the information, procedures, and requirements of the applicable Sections 15-117 through 15-122 of this Ordinance, except as limited by the provisions of Subsection 15-114.2 of this Ordinance.

2. If no release rate, or a greater release rate than identified below, is specified in the applicable Sections 15-117 through 15-122 of this Ordinance, then sufficient storage shall be provided such that the probability of the post development release rate exceeding 0.1 cfs/acre of development shall be less than one percent (1.0%) per year. Design runoff volumes shall be calculated using continuous simulation or event hydrograph methods.

3. If event hydrograph methods are used to calculate design runoff volumes, they must be either HEC-1 SCS runoff method with outlet routing option, TR-20 with outlet control routing option, or TR-55 tabular method with outlet control routing. Event methods shall incorporate the following assumptions:

- a. Antecedent moisture condition = 2; and
- b. Huff or SCS Type II rainfall distribution; and
- c. Twenty-four (24) hour duration storm with a one percent (1.0%) probability of occurrence in any one year as specified by Illinois State Water Survey Bulletin 70 northeast sectional rainfall statistics.

4. If continuous simulation methods are used, design runoff volumes shall be calculated using the Wheaton National Oceanic and Atmospheric Administration rainfall record from 1949 to present.

5. For sites where the undeveloped release rate is less than the maximum release rate in Subsection 15-114.2 of this Ordinance, the developed release rate and corresponding site runoff storage volume shall be based on the existing undeveloped release rate for the development site.

6. All hydrologic and hydraulic computations must be verified under the full range of expected downstream water surface elevations, from low flow through the base flood elevation.

7. Responsibility for maintenance of all storage facilities shall be designated on the plat of subdivision or other recorded documents.

8. Storage facilities shall be designed and constructed with the following characteristics:

- a. Water surface depths two feet above the base flood elevation will not damage the storage facility.
- b. The storage facilities shall be accessible and easily maintained.
- c. All outlet works shall function without human intervention or outside power and shall operate with minimum maintenance.

- d. Storage facilities shall facilitate sedimentation and catchment of floating material.
- e. Storage facilities shall minimize impacts of stormwater runoff on water quality by incorporating Best Management Practices.
- f. Storage facilities shall provide an overflow structure and overflow path that can safely pass excess flows through the development site. The minimum design rate shall be 1.0 cfs/acre of area tributary to the storage facility.

9. Storage facilities located within the regulatory flood plain shall:

- a. Conform to all applicable requirements specified in Article 10 of this Ordinance; and
- b. Store the required site runoff under all stream flow and backwater conditions up to the base flood elevation; and
- c. Not allow design release rates to be exceeded under any stream elevation less than the base flood elevation.

10. Storage facilities located within the regulatory floodway shall:

- a. Meet the requirements for locating storage facilities in the regulatory flood plain; and
- b. Be evaluated by performing hydrologic and hydraulic analysis consistent with the standards and requirements for Watershed Plans; and
- c. Provide a watershed benefit.

11. Developments with storage facilities that have off-site flow tributary to the site either shall provide storage sufficient to accommodate runoff from the off-site tributary watershed and the site, or shall store the site runoff and convey off-site flows through the development while preserving the existing flow and storage of the site.

12. Storage facilities may be located off-site if the following conditions are met:

- a. The off-site storage facility meets all of the requirements of this Article 9; and
- b. Adequate storage capacity in the off-site facility is dedicated to the development; and
- c. The development includes provisions to convey stormwater to the off-site storage facility.

### Sec. 15-115. Detention Variance Fee Program.

1. Where a variance to the site runoff storage requirements of Section 15-114 is granted, payment into a detention variance fee program shall be made prior to the issuance of a Stormwater Management Permit as a condition of the variance.

2. Development in a non-waiver community or in a waiver community that has not adopted a detention variance fee program shall participate in the County's program where:

a. Payment of a detention variance fee for the varied storage shall be made to the County and is determined by applying the first applicable criteria as follows:

(1) A fee calculated by multiplying the per acre-foot cost of the closest off-site storage facility times the varied storage where:

(a) A design concept plan for the facility has been approved by the Committee and the County Board containing an estimate of the per acre-foot cost of constructing the storage, including operation and maintenance costs; and

(b) A formula has been developed to determine that any investment in the facility shall be at least equal to the cost of planning, acquiring of lands, constructing, operating, and maintaining the facility; and

(c) The facility is located in the same watershed planning area as the variance.

(2) An adopted fee schedule, attached to this Ordinance as Schedule B and by this reference incorporated into this Ordinance, that identifies reasonable and rational cost to provide site runoff storage in the same watershed planning area as the variance. The fee shall include the cost of planning, acquiring land, construction, operation, and maintenance.

b. Funds collected shall be accounted for in separate project or watershed planning area accounts. Funds shall be used in the same community or watershed planning areas as collected to enhance existing site runoff storage facilities and related components, construct off-site facilities and related components, provide maintenance of stormwater facilities, or undertake other development that provides a watershed benefit.

c. The County Board shall provide accounting on an annual basis of all funds deposited in each project or watershed planning accounts and shall account for each fund on a first-in, first-out basis.

d. The Committee may prioritize and allocate funds on an annual basis within each watershed planning area account. Communities may make a request to the Committee by June 30th of each year for funds within the watershed planning accounts for uses identified in Section 15-15.2.b.

e. All detention variance fees are refunded to the person who paid the fee, or to that person's successor in interest, whenever the County fails to encumber the fees collected within 10 years of the date on which such fees are collected.

f. Refunds are made provided that the person who paid the fee, or that person's successor in interest, files a petition with the County within one year from the date on which such fees are required to be encumbered.

3. Development in a waiver community shall participate in the waiver community's detention variance fee program where the corporate authority has adopted a program that is consistent with Section 15-15.2. The waiver community may adopt its own fee schedule and designate off-site facilities.

Funds may be used in the same community or watershed planning area as collected. All accounting records shall be made available to the Committee upon request.

Sec. 15-116 (re-number sections from here to 15-130- Page 38) Water Quality BMP Fee-in-Lieu Program.

1. The applicant for single or two family residential land uses that are not specifically exempted by 15-113.11 may elect to pay a fee in lieu of providing water quality BMPs under the following conditions:

- a. A Stormwater Management Permit is required under section 15-147 of this Ordinance, and
- b. The development is not required to provide site runoff storage per Section 15-111.2, and
- c. Payment into a BMP fee-in-lieu program shall be made prior to the issuance of a Stormwater Management Permit.

2. The applicant for multiple family or non-residential land uses and roadway developments may elect to pay a fee in lieu of providing water quality BMPs under the following conditions:

- a. A Stormwater Management Permit is required under section 15-147 of this Ordinance, and
- b. The development is not required to provide site runoff storage per Section 15-111.2, and
- c. The Director or Administrator in a waiver community has determined that it is not practical to install water quality BMPs, and
- d. Payment into a BMP fee-in-lieu program shall be made prior to the issuance of a Stormwater Management Permit.

3. Development in a non-waiver community or in a waiver community that has not adopted a BMP fee-in-lieu program shall participate in the County's program where:

- a. BMP fee-in-lieu payment shall be made to the County and is determined by applying the criteria as follows:

(1) The adopted fee schedule, attached to this ordinance as Schedule B and by this reference incorporated into this ordinance, that identifies reasonable and rational cost to construct and maintain similar BMPs for those areas of the development that remain without effective water quality treatment.

b. Funds collected shall be accounted for in watershed planning area accounts. Funds shall be used in the same watershed planning areas as collected solely to design, construct, and maintain water quality improvements. Funds may not be used to fulfill obligations required by the Ordinance.

c. The County Board shall provide accounting on an annual basis of all funds deposited in each watershed planning account and shall account for each fund on a first-in, first-out basis.

d. The Committee may prioritize and allocate funds on an annual basis within each watershed planning area account. Committees may make a request to the Committee by June 30th of each year for funds within the watershed planning accounts for uses as identified in Section 15-116.3.b.

c. All BMP fee-in-lieu payments are refunded to the person who paid the fee, or to that person's successor in interest, whenever the County fails to encumber the fees collected within ten (10) years of the date on which such fees are collected.

d. Refunds are made provided that the person who paid the fee, or that person's successor in interest, files a petition with the County within one year from the date on which such fees are required to be encumbered.

4. Development in a waiver community shall participate in the waiver community's BMP fee-in-lieu program where the corporate authority has adopted a program that is consistent with Section 15-116. The waiver community may adopt its own fee schedule and designate off-site facilities. Funds may be used in the same community or watershed planning area as collected. All accounting records shall be made available to the Committee upon request.

**Sec. 15-117. Erosion and Sediment Control Requirements.**

1. Erosion and sediment control features shall be considered as part of any development's initial site planning process. The developer's engineer should consider the following factors in the overall site design:

- a. The susceptibility of the existing soils to erosion.
- b. The natural contours of the land.
- c. Existing native and mature vegetation.
- d. Existing natural or established drainageways.
- e. Emphasize erosion controls first then address sediment control.

2. All developments, whether a permit is required or not, shall incorporate stormwater management measures that control and manage runoff from such developments, as provided in this section. Temporary erosion and sediment control measures shall be functional and consistent with the information and requirements of this entire section before land is otherwise disturbed on the site. These measures shall be maintained during both the construction season and any construction shutdown periods until permanent erosion and sediment control measures are operational.

3. Soil erosion and sediment control measures shall be appropriate with regard to the amount of tributary drainage area as follows:

- a. Disturbed areas draining less than 1 acre shall, at a minimum, be protected by a filter barrier or equivalent to control all runoff leaving the site. The use of straw bales for this purpose is prohibited.
- b. Disturbed areas draining more than 1 but fewer than 5 acres shall, at a minimum, be protected by a sediment trap or equivalent control measure.
- c. Disturbed areas draining more than 5 acres shall, at a minimum, be protected by a sediment basin or equivalent control measure.



state, and regional approvals prior to the issuance of a Stormwater Management Permit.

7. All development undertaken by a unit of local government in the regulatory flood plain where no regulatory floodway has been designated shall obtain a permit from OWR or its designee prior to issuance of a Stormwater Management Permit.

8. Within the regulatory floodway, the following calculations or analyses shall be submitted to and approved by OWR or its designee prior to the issuance of a Stormwater Management Permit:

a. Flood damage analyses for the replacement or modification of existing bridges or culverts; and

b. Hydraulic analyses of new, modified, or replacement bridges or culverts; and

c. Analyses of alternative transition sections as required in Subsection 15-133.23 of this Ordinance; and

d. Analyses of hydrologically and hydraulically equivalent compensatory storage.

9. Any and all proposed development not in a Special Management Area shall be reviewed under the supervision of a professional engineer and, where applicable, an environmental scientist, meeting the requirements in Section 15-47.3.b.

10. Any and all proposed development within the regulatory flood plain shall be reviewed under the supervision of a professional engineer meeting the requirements in Section 15-47.3.a. and, in the case of floodway development, certified by that professional engineer that the proposed development meets the minimum requirements of this Ordinance.

11. Any and all proposed development in or near a wetland shall be reviewed under the supervision of an environmental scientist meeting the requirements in Section 15-47.3.a (3), and certified by that environmental scientist that the proposed development meets the minimum requirements of this Ordinance.

### Sec. 15-147. Applicability; Required Submittals.

1. A Stormwater Management Permit shall be required if:

a. The development involves one or more Special Management Areas; or

b. The development involves a substantial improvement in the regulatory flood plain; or

c. The development disturbs more than 5,000 square feet of ground cover, unless the development solely involves one or more of the following:

(1) Cultivation, conservation measures, or gardening; or

(2) Installation, renovation, or replacement of a septic system, potable water service line, or other utility to serve an existing structure; or

(3) Excavation or removal of vegetation in rights-of-way or public utility easements for the purpose of installing or maintaining utilities; or

Sec. 15-149. Stormwater Submittal.

11. An engineer's estimate of probable construction cost of the stormwater facilities.
  10. A riparian environment submittal, if development is proposed in a riparian environment; and
  9. A wetland submittal, if development is proposed in a wetland; and
  8. A flood plain submittal, if development is proposed in a flood plain; and
  7. A stormwater submittal; and
  6. Copies of other permits or permit applications as required; and
  5. A statement of opinion by a qualified person either denying or acknowledging the presence of Special Management Areas on the development site, and the appropriate submittals if the statement acknowledges the presence of Special Management Areas; and
  4. Affidavits signed by the land owner and the developer attesting to their understanding of the requirements of this Ordinance or the applicable waiver community ordinance and their intent to comply therewith; and
  3. A general narrative description of the development, including submittals required pursuant to Subsection 15-147.2 of this Ordinance; and
  2. The common address and legal description of the site where the development will take place; and
  1. The name and legal address of the applicant and of the owner of the land; and
- The Stormwater Management Permit application shall include all of the following:

Sec. 15-148. Stormwater Management Permit Application.

- a. The Stormwater Submittal provided in Section 15-149 of this Ordinance shall be required for all development requiring a stormwater permit.
  - b. The Flood Plain Submittal provided in Section 15-150 of this Ordinance shall be required for all development proposed within any regulatory flood plain designated in Section 15-132 of this Ordinance.
  - c. The Wetland Submittal provided in Section 15-151 of this Ordinance shall be required for any development proposed within a wetland designated in Section 15-134 of this Ordinance.
2. In addition to the application requirements provided in Sections 15-146 and 15-148 of this Ordinance, the following submittals shall be required:
    - (4) Maintenance, repair, or at grade replacement of existing lawn areas not otherwise requiring a stormwater permit under Ordinance.

1. The stormwater submittal shall include:

- a. A site stormwater plan; and
- b. Site runoff calculations; and
- c. Site runoff storage calculations if site runoff storage is required in Section 15-11.2; and
- d. Information describing off-site conditions; and
- e. A sediment and erosion control plan; and
- f. Description on how Best Management Practices are incorporated in the development.

2. The site stormwater plan shall include:

- a. A site topographic map depicting both existing and proposed contours of the entire site to be disturbed during development and all areas 100 feet beyond the site or as required by the Director or the Administrator at a scale of at least one inch equals 100 feet or less (e.g., one inch to 50 feet), with a minimum contour interval of one foot with accuracy equal to 0.5 foot of elevation; and

b. A plan view drawing of all existing and proposed stormwater facilities features, at the same scale as the site topographic map, including all of the following:

- (1) Boundaries for watersheds tributary to all significant stormwater facilities (i.e., channels, bridges, inlets, and the like), along with the location of such facilities; and

- (2) Major and minor stormwater systems (i.e., storm water pipes, culverts, inlets, and storage and infiltration facilities, and flooding limits under base flood conditions for the major stormwater system); and

- (3) Roadways, structures, parking lots, driveways, sidewalks, and other impervious surfaces; and

- (4) The nearest base flood elevations; and

(5) A planning plan for all vegetated areas which shall include:

(a) Planning locations, specifications, methodology; and

(b) A schedule for installation; and

(c) Management, monitoring, and maintenance provisions; and

(d) Performance standards; and

(e) An opinion of probable cost

- (1) Design details for all proposed stormwater facilities (i.e., major and minor stormwater systems, storage basins, and outlet works, and the like); and

- (2) A scheduled maintenance program for the stormwater facilities, including:

(3) Planned maintenance tasks; and

(4) Identification of the person or persons responsible for performing the maintenance tasks as required by Section 15-180 of this Ordinance; and

(5) A description of the permanent public access maintenance easements granted or dedicated to, and accepted by, a governmental entity; and

c. A schedule of implementation of the site stormwater plan; and

f. Upon completion of development, record drawings of the site stormwater plan shall be submitted to the Director or the Administrator. Such drawings shall be prepared, signed, and sealed by a land surveyor or professional engineer and shall include calculations showing the "as-built" volume of compensatory and site-runoff storage.

3. The site runoff calculations shall include:

a. Profile drawings of the major and minor stormwater systems, including cross section data for open channels, showing the hydraulic grade line and water surface elevation under the design and base flood condition; and

b. Documentation identifying the procedures, assumptions, and data used to calculate hydrologic and hydraulic conditions for sizing both major and minor stormwater systems.

4. The site runoff storage calculations shall include:

a. Documentation identifying the procedures, assumptions, and data used to calculate hydrologic and hydraulic conditions and to determine the allowable release rate and related storage volume; and

b. Elevation-area-storage and elevation-discharge data for storage systems.

5. Information describing the off-site conditions shall include sufficient information to allow evaluation of off-site impacts to and resulting from the proposed development. Such information shall include:

a. A vicinity topographic map covering the entire upstream watershed that drains to or through the site and the entire watershed downstream to the point of known or assumed discharge and water surface elevation; and

b. A plan view drawing of existing and proposed stormwater facilities, at the same scale as the vicinity topographic map, including:

(1) Watershed boundaries for areas draining through or from the development; and

(2) The location of the development within the watershed planning area; and

(3) Soil types, vegetation, and land cover conditions affecting runoff upstream of the development site for any area draining through or to the site.

6. The erosion and sediment control plan shall conform to the requirements of Section 15-116-117 of this Ordinance. The erosion and sediment control plan shall include:

a. A plan and schedule for construction, including site clearing and grading, construction waste disposal and stockpile locations, placement and maintenance of all soil stabilization controls, and sediment trapping facilities; and

b. A description of the development, including existing site land cover and hydrologic conditions, adjacent areas, soil types including a soils report and/or survey, permanent and temporary erosion and sediment control measures, and maintenance requirements; and

c. All data and calculations used to size, locate, design and maintain any soil erosion and sediment control measures.

d. Plan view drawings of existing and proposed site conditions, at the same scale as the site stormwater plan, including:

(1) Existing contours with drainage patterns and watershed boundaries; and

(2) Soil types, vegetation, and land cover conditions; and

(3) Limits of clearing and grading; and

(4) Final contours with locations of drainageways and erosion and sediment control measures with the drainage area tributary to each sediment control measure delineated on the drawings; and

(5) A sediment control quantity table including: total project area, total disturbed area, total existing and proposed impervious area, and total number of units for each sediment control measure.

e. Design details for proposed erosion and sediment control facilities; and

f. A copy of the written opinion, when applicable, of the Soil and Water Conservation District required under 70 ILCS 405/22.02 (1992); and

g. Evidence that the sediment and erosion control installation and maintenance requirements, including both a list of maintenance tasks and a performance schedule, are identified and required in the plans and specifications.

7. Information describing how Best Management Practices are incorporated into the site design. Such information shall include:

a. A description of Best Management Practices that are incorporated into the site design and how they will function. Include applicable design criteria such as soil type, vegetation, and land cover conditions draining to the Best Management Practice along with appropriate calculations; and

b. A description of the maintenance requirements.

### Sec. 15-150. Flood Plain Submittal.

The flood plain submittal shall include:

Sec. 15-179. Letters of Credit.

1. If an erosion and sediment control plan is required pursuant to Section 15-149 of this Ordinance, then an erosion and sediment control security shall be required. Such a security shall include:
  - a. An irrevocable letter of credit, or such other adequate security as the Director or the Administrator shall approve, in an amount equal to not less than one hundred ten percent (110%) of the estimated probable cost to install and maintain the erosion and sediment control measures, which estimated probable cost shall be approved by the Director or the Administrator; and
  - b. A statement signed by the applicant granting the Director or the Administrator, as applicable, the right to draw on the security and the right to enter the development site to complete erosion and sediment control measures in the event that such measures are not installed and maintained according to the established schedule.
2. The security required by this Section 15-178 shall be maintained and renewed by the applicant, and shall be held in escrow by the Director or the Administrator, as applicable, until the conditions set forth in this Section 15-178 are satisfied.
3. After establishment of vegetation, removal of all sediment from stormwater facilities, and final inspection and approval by the Director or the Administrator, as applicable, one hundred percent (100%) of the erosion and sediment control security shall be released.

Sec. 15-178. Erosion and Sediment Control Security.

1. After approval of record drawings and final inspection by the Director or the Administrator, not more than ninety percent (90%) of the security provided for in this Section 15-177 or other applicable provision may be released. A minimum of ten percent (10%) of the security shall be retained for a period of time not to exceed not less than one (1) year after completion of construction.
  - a. One year after completion of construction of all stormwater facilities required by the permit if the development involves no wetland mitigation or
  - b. Five years after completion of construction of all stormwater facilities required by the permit if the development involves wetland mitigation.
2. The security required by this Section 15-177 shall be maintained and renewed by the applicant, and shall be held in escrow by the Director or the Administrator until the conditions set forth in this Section 15-177 or other applicable provision are satisfied.
 

At a minimum, the security required for this Section 15-177, in an amount equal to not less than one hundred ten percent (110%) of the estimated probable cost to plant, maintain and monitor all vegetated areas as required by the permit, may be held until all conditions or other applicable provisions are satisfied. The vegetated areas security may be reduced at the discretion of the Director or Administrator as conditions are met, but must not be less than one hundred ten (110%) of the estimated probable cost to continue to meet all conditions or other applicable provisions.
3. After approval of record drawings and final inspection by the Director or the Administrator, not more than ninety percent (90%) of the security provided for in this Section 15-177 or other applicable provision may be released. A minimum of ten percent (10%) of the security shall be retained for a period of time not to exceed not less than one (1) year after completion of construction.
  - a. One year after completion of construction of all stormwater facilities required by the permit if the development involves no wetland mitigation or
  - b. Five years after completion of construction of all stormwater facilities required by the permit if the development involves wetland mitigation.

1. Letters of credit posted pursuant to Sections 15-176, 15-177, and 15-178 of this Ordinance shall be in a form satisfactory to the Director or the Administrator, as applicable.
2. Each letter of credit shall be from a lending institution: (a) acceptable to the Director or the Administrator, as applicable; (b) having capital resources of at least ten million dollars (\$10,000,000), or such other amount acceptable to the Director or the Administrator; (c) with an office in the Chicago Metropolitan Area; and, (d) insured by the Federal Deposit Insurance Corporation.
3. Each letter of credit shall, at a minimum, provide that:
  - a. It shall not be canceled without the prior written consent of the Director or the Administrator; and
  - b. It shall not require the consent of the developer prior to any draw on it by the Director or the Administrator; and
  - c. If at any time it will expire within 45 or any lesser number of days, and if it has not been renewed, and if any applicable obligation of the developer for which its security remains uncompleted or is unsatisfactory, then the Director or the Administrator may, without notice and without being required to take any further action of any nature whatsoever, call and draw down the letter of credit and thereafter hold all proceeds as security for the satisfactory completion of all such obligations or employ the proceeds to complete all such obligations and reimburse the County or the waiver community for any and all costs and expenses, including legal fees and administrative costs, incurred by the County or the waiver community, as the Director or the Administrator shall determine.
4. If at any time the Director or the Administrator determines that the funds remaining in the letter of credit are not, or may not be, sufficient to pay in full the remaining unpaid cost of all stormwater facility construction or erosion and sediment control measures, then, within ten (10) days following a demand by the Director or the Administrator, the developer shall increase the amount of the letter of credit to an amount determined by the Director or the Administrator to be sufficient to pay such unpaid costs. Failure to so increase the amount of the security shall be grounds for the Director or the Administrator to draw down the entire remaining balance of the letter of credit.
5. If at any time the Director or the Administrator determines that the bank issuing the letter of credit is without capital resources of at least ten million dollars (\$10,000,000), is unable to meet any federal or state requirement for reserves, is insolvent, is in danger of becoming any of the foregoing, or is otherwise in danger of being unable to honor such letter of credit at any time during its term, or if the Director or the Administrator otherwise reasonably deems the bank to be insecure, then the Director or the Administrator shall have the right to demand that the developer provide a replacement letter of credit from a bank satisfactory to the Director or the Administrator. Such replacement letter of credit shall be deposited with the Director or the Administrator not later than ten (10) days following such demand. Upon such deposit, the Director or the Administrator shall surrender the original letter of credit to the developer.
6. If the developer fails or refuses to meet fully any of its obligations under this Ordinance or the applicable waiver community ordinance, then the Director or the Administrator may, in his or her discretion, draw on and retain all or any of the funds remaining in the letter of credit. The Director or the Administrator thereafter shall have the right to take any action he or she deems reasonable and appropriate to mitigate the effects of such failure or refusal, and to reimburse the County or the waiver community from the proceeds of the letter of credit for all of its costs and expenses, including legal fees and administrative expenses, resulting from or incurred as a result of the developer's failure or

Sec. 15-261. through 15-265. Reserved.

This Ordinance shall take effect for all purposes, and its effective date shall be, February 15, 1992.

Sec. 15-260. Effective Date.

This Ordinance may be amended in accordance with the adopted rules of the Committee and the DuPage County Board. Amendments to this Ordinance shall only take effect after a public hearing is held before the Committee and the amendment is adopted by the DuPage County Board. Unless otherwise noted, complete Stormwater Permit Applications that are accepted prior to the effective date of an amendment will not be subject to that amendment.

Sec. 15-259. Amendments.



**SCHEDULE B  
DETENTION VARIANCE FEE AND BMP FEE IN LIEU SCHEDULE**

9/1/998/1/08

Detention Variance Fee

\$133,000 per acre-foot	Salt Creek
\$106,000 per acre-foot	East Branch DuPage River
\$94,000 per acre-foot	West Branch DuPage River
\$87,000 per acre-foot	Sawmill Creek
\$133,000 per acre-foot	Des Plain River Tributaries
\$81,000 per acre-foot	Fox River Tributaries

The fee is calculated by multiplying the varied storage amount by the cost per acre-foot for the watershed planning area where the development is located.

BMP Fee in lieu

\$3,000 per acre	Single or two family residential land uses
\$3,000 per acre	Religious institutions defined under Sec. 15-40 of the Illinois Property Tax Code and governmental entities, not to include roadways and parking lots
\$15,000 per acre	Multiple family or non-residential land uses
\$30,000 per acre	Roadway developments

STATE OF ILLINOIS  
)  
) SS  
)  
) COUNTY OF DU PAGE)

I, GARY A. KING, COUNTY CLERK AND CLERK OF THE

COUNTY BOARD IN THE COUNTY AND STATE AFORESAID, AND

KEEPER OF THE RECORDS AND FILES THEREOF, DO HEREBY

CERTIFY THE FOREGOING TO BE A TRUE AND CORRECT COPY OF

AN ORDINANCE.

ADOPTED BY THE COUNTY BOARD AT A MEETING HELD AT THE

DU PAGE CENTER, 421 NORTH COUNTY FARM ROAD, WHEATON,

ILLINOIS, ON THE 25TH DAY OF MARCH, A. D. 20 08.

ALL OF WHICH APPEARS FROM THE RECORDS OF THE

PROCEEDINGS OF SAID COUNTY BOARD NOW IN MY OFFICE

REMAINING.

GIVEN UNDER MY HAND AND OFFICIAL SEAL AT WHEATON,

ILLINOIS, THIS 26TH DAY OF MARCH, A. D. 20 08.

COUNTY CLERK AND CLERK  
OF THE COUNTY BOARD OF  
DU PAGE COUNTY, ILLINOIS

