

BURR RIDGE VILLAGE CODE

CHAPTER 8

STORM WATER RUN-OFF

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Article I Development in the Cook County Portion of the Village
(section renumbered by A-676-01-14)

Sec. 8.01 Permit Fees

All applications for stormwater review shall be accompanied by a fee as outlined in the attached "Schedule A – Permit Fee Structure". (Added by A-676-01-14)

Sec. 8.02 Adoption of Cook County Watershed Management Ordinance

Except as otherwise provided for herein, the Cook County Watershed Management Ordinance adopted on October 3, 2013, and effective on May 1, 2014, hereinafter referred to as the Cook County Watershed Management Ordinance, which is included herein as Appendix B to this Chapter 8, be and is hereby incorporated and adopted by reference as the regulations of the Village of Burr Ridge governing regulation of all development of land within those portions of the Village which are in Cook County. Such Cook County Ordinance has been on file and available for public use, inspection and examination in the office of the Village Engineer for a period of at least 30 days prior to the adoption of the Ordinance which incorporates such regulations by reference. (Added by A-676-01-14)

Sec. 8.03 Authorized Administration Municipality

That for purposes of the enforcement and implementation of the Cook County Ordinance (Appendix B), the Village of Burr Ridge shall be, until otherwise determined by the Village Board, an "Authorized Administration Municipality" within the meaning of such term as set forth in the Cook County Watershed Management Ordinance insofar as it relates to those portions of the Village which are in Cook County. (Added by A-676-01-14)

Sec. 8.04 Applicability.

All developments shall meet the requirements specified for general stormwater and floodplain development, site runoff, sediment and erosion control, and performance security. The controlled release and storage of excess storm water run-off shall be required in combination for all nonresidential developments which exceed one (1) acre in area, for all residential developments exceeding three (3) acres on which will or may exist more than one habitable structure, and for all developments which have a proposed impervious area of sixty (60%) percent or greater. (Amended by A-676-01-03)

When this ordinance is modified, by addition, deletion, or revision, or amendment, all sections of the revised code shall apply to all proposed developments which had not received Preliminary Plat approval by the Village Board in advance of the revision.

Sec. 8.05 Release Rate.

The controlled release of storm water run-off from all developments shall not exceed the existing safe storm drainage capacity of the natural down-stream outlet channel or storm sewer system. The release rate shall be an average value computed as a direct ratio to the tributary watershed area. In any case, this value shall not exceed 0.15 cfs/acre from an area designed to provide storage from excess storm water, or at a proportional rate of the most restrictive capacity of downstream channel, unless otherwise denoted in Section 4 below. The rate at which storm water run-off is transported into a designated storm water storage area shall be unrestricted. Control structure piping shall consist of a shear gate restrictor with a bored orifice and with an internal standpipe which is set at the High Water Level (HWL). The shear gate restrictor shall have a chain and handle so that the restrictor can be opened in the event of a blockage. (Amended by A-676-01-08)

Sec. 8.06 Channel System.

A natural or man-made channel system shall be designed with adequate capacity to convey the storm water run-off from all tributary upstream areas through or around the development. This system shall be designed to carry the Base Flood as indicated on the Flood Insurance Rate Map prepared by the Federal Emergency

Management Agency.

Design of this system shall also take into consideration control of storm water velocity to prevent erosion or other damage to the facility which will restrict its primary use. Depths of flow shall be totally under governmental control. In the event that the area within this bypass channel is reshaped or restricted for use as a floodway, the Village will cause removal or require the removal of such restrictions at the expense of the party or parties causing said restriction.

Should the development contain an existing natural waterway, this land configuration shall be preserved as part of the bypass channel system. If required, construction of a "low flow" system of storm sewers to carry the minor storm run-off and reshaping of the channel to have maximum side slope ratio of four (4) horizontal to one (1) vertical, and a bottom width adequate to facilitate maintenance and carry the flood run-off without eroding velocities shall be included in the plans for land development.

Sec. 8.07

Calculation of Volume.

The required volume for storm water detention for developments greater than three (3) acres in area, shall be calculated by means of a synthetic hydrograph and flood routing using technical release #55 (as published by the Soil Conservation Service) and supplemented by the Illinois State Water Survey Bulletin 70 dated 1989 by Huff and Angel, or other acceptable methods approved by the Village Engineer. This volume shall be provided for the excess storm water run-off that is tributary to the area designated for detention purposes. The storm water release rate shall be considered when calculating the storm water storage capacity. The control structure shall be designed to not exceed the storm water release rate. Storage capacity obtained by excavating the natural ground within the one hundred (100) year flood plain shall not be considered effective for storm water management. For developments three (3) acres or less in area and greater than one (1) acre, storm water detention may be calculated using the rational method with a maximum release rate of 0.15 cfs per acre.

Sec. 8.08

Reservoirs and Stormwater Storage Areas.

(Amended by A-676-01-08)

All stormwater storage facilities must be located in a separate outlot, with a unique P.I.N. and must be owned by either a single party or by a formal association of property owners. Any and all maintenance for all stormwater storage facilities on private property, and all fees and costs related thereto, whether wet bottom or dry bottom, shall be the exclusive responsibility of the original owner or developer of the subdivision during the development and completion thereof, and thereafter the subsequent owner(s) of the property or subdivision wherein the stormwater storage facilities are located.

Dry bottom detention facilities shall be designed to serve a secondary purpose such as recreation, open space, or other types of uses that will not be adversely affected by occasional flooding. A method of carrying the low flow through these areas shall be provided. In addition, a system of drains may be provided with a positive gravity outlet to a natural channel or other storm sewer facility.

Detention reservoirs and/or retention reservoirs shall be constructed to provide the required storage volume denoted herein. Existing manmade or natural storage channels or reservoirs that exist prior to proposed development shall not be used to offset the calculated storage requirement for the proposed development, for all storms up to and including the 100-year event. (Added by A-676-1-91)

The combination of storage of the water from a one hundred (100) year storm and the design release rate shall not result in a storage duration in excess of seventy-two (72) hours; however, release rate shall govern as long as possible. Maximum depths of planned storm water storage shall not exceed four (4') feet unless the existing natural ground contours and other conditions dictate greater storage depths, subject to approval by the Village Engineer. Minimum grades for areas to be constructed shall be two (2%) percent and maximum slopes shall be (25%) percent (four [4] units horizontally to one [1] unit vertically). Storage area side slopes shall be kept as close to the natural land contours as practical.

If slopes greater than 4:1 are necessary to meet storage requirements or area restrictions, approval shall be

obtained from the Village Engineer, and erosion control shall be provided in addition to the protection required to insure public health, safety and welfare.

Retaining walls may be used in order to enhance the appearance or volume of stormwater storage facilities. The height of each retaining wall may not exceed 42 inches in height measured from the top of grade at the bottom of the wall to the highest top cap of the wall. Retaining walls may not be constructed of poured concrete, but must be constructed of segmented, landscape quality, retaining wall blocks, with capstones. No portion of a retaining wall, including tie-backs or mesh, will be permitted to extend into a public utility easement or Village right-of-way. When retaining walls are used, a minimum 12' wide access path shall be provided in order to ensure that maintenance equipment can access the bottom of the stormwater storage facility. When tiered retaining wall systems are used, the engineering plans must include a detailed landscaping plan. The landscaping plan shall indicate species, location, and number of plantings. Plantings which will be placed below the 100 year High Water Level (HWL) must be suitable for use in submerged locations. The maintenance of the plantings will be the responsibility of the Homeowners Association, and should be included in the annual maintenance plan and budget. The landscape plan may be subject to review by a Village landscape consultant, at the developer's expense. All proposed landscaping below the 100 year High Water Level (HWL) must be approved by the Village Engineer and included in the annual maintenance plan and budget. Perimeter landscaping of the outlot must be in accordance with Ordinance #A-894-01-08.

Outlet control structures installed shall require little or no maintenance/attention for proper operation. Each storm water storage area shall be provided with a method of emergency overflow in order to accommodate a storm in excess of the one hundred (100) year return frequency, and to function as an overflow bypass in the event that the low flow outlet is obstructed. This emergency overflow facility shall be designed to function without maintenance/attention and shall become part of the natural or surface channel system described in the preceding section. Hydraulic calculations shall be submitted to substantiate all design features. Both outlet control structures and emergency overflow facilities shall be designed and constructed to fully protect the public health, safety and welfare in accordance with the recommendations of the Village Engineer. Storm water run-off velocities shall be kept to a minimum and turbulent conditions at an outfall control structure will not be permitted without complete protection for the public safety in accordance with the recommendations of the Village Engineer. The use of restrictive fences shall be kept to a minimum and shall be used only as a last resort when no other method is feasible.

Sec. 8.09

Wet Retention Stormwater Storage Areas - Additional Conditions.

(Amended by A-676-01-08)

Wet retention stormwater storage facilities require on-going maintenance, repair, improvement, as applicable, and the creation and continuance of a financing mechanism for long-term maintenance and improvement activities, to remain fully functional and operational. Retention reservoir or wet bottom storm water storage areas shall be designed to meet the requirements for detention reservoir or storage areas set forth above in Section 8.05. A low flow conduit and a system of drains with a positive gravity outlet shall not be required. However, the following additional conditions are required:

- a) Wet detention facilities will be permitted only in residential subdivisions which include a minimum of eight (8) lots, or commercial subdivisions with four (4) lots.
- b) Any and all maintenance for such wet detention facilities on private property, shall be the exclusive responsibility of the owner(s) of the property or subdivision wherein the stormwater storage facilities are located. All such subdivisions are responsible for the creation and operation of a formal association of property owners to ensure the applicable maintenance and funding responsibilities of this Chapter are met. Whether or not an association of property owners is created or operated, as here required, the lot owners in a subdivision shall at all times be both individually, and collectively, responsible for full compliance, and for all costs related thereto, with all applicable requirements of this Chapter for the creation, maintenance and costs thereof, of the establishment and operation of wet retention stormwater facilities within the subdivision.
- c) The surface area of the normal pool should be designed at a ration of 25:1 to the tributary area to

enhance the cycling frequency of the pond. In no case shall the water surface area exceed one tenth (1/10) of the tributary drainage area.

- d) Shoreline protection shall be provided utilizing native and/or wetland plantings. The buffer zone shall encompass the areas between the normal water level and the high water level, but in no case shall the buffer zone be less than 5' in width. The buffer zone must be designated and signed as a no-mow zone. The landscape plan may be subject to review by a Village landscape consultant, at the developer's expense. All proposed landscaping below the 100 year High Water Level (HWL) must be approved by the Village Engineer and included in the annual maintenance plan and budget. Perimeter landscaping of the outlot must be in accordance with Ordinance #A-894-01-08.
- e) Minimum normal water depth shall be five (5') feet. If the pond is to be stocked with fish, no less than one quarter (1/4) of the pond area shall be a minimum of eleven (11') feet deep.
- f) A 10' wide safety ledge must be provided around the entire perimeter of the basin. The ledge shall be located 1'-2' below the normal water level. The safety ledge must be planted with emergent wetland plantings.
- g) A sedimentation basin 1.5' deeper than the design depth of the basin shall be provided at the upstream end of the pond.
- h) The inflow pipe must discharge into a forebay with a minimum size of 10% of the water surface area. The forebay must be established with native wetland plants.
- i) Where feasible, facilities shall be provided to permit the pond level to be lowered by gravity flow for cleaning purposes and shoreline maintenance.
- j) Control structures for storm water release shall be designed to operate at full capacity with increases in the water surface level as required. Hydraulic calculations shall be submitted with final engineering plans.
- k) Aeration facilities to prevent pond stagnation, shall be provided. Design calculations to substantiate the effectiveness of these aeration facilities shall be submitted with final engineering plans. Agreements for the perpetual operation and maintenance of aeration facilities shall be prepared to the satisfaction of the Village Engineer.
- l) In the event that the normal water level of the pond is raised for any reason, the volume remaining for storage of excess storm water run-off shall still be sufficient to contain the one hundred (100) year storm run-off.
- m) Maintenance Agreement: A legally binding maintenance agreement will be executed, or recorded, before the Final Plat is signed. The agreement, or the substantive provisions thereof, shall be included in the property deed restrictions and homeowners association covenants, and shall be included in the documents which are recorded with the County Recorder. The terms of the agreement shall be binding upon all property owners, individually and collectively, following creation of the association. The Village of Burr Ridge Stormwater Facility Maintenance Agreement is attached hereto as Exhibit A.
- n) Maintenance Plan and Budget: The developer shall develop and attach to the Declaration of Property Owner's covenants, a maintenance plan and budget. The maintenance plan and budget shall more specifically describe the specific maintenance practices to be performed for the perpetual maintenance, operation, inspection, and repair, and if applicable, possible replacement of a part, or all, of the stormwater management facility. The Maintenance Plan and Budget shall be prepared on the forms which are attached hereto as Exhibit B.
- o) Maintenance funding mechanism: The Developer shall establish an escrow account for the maintenance of the facility or facilities. The escrow account shall be established in the amount

of 15% of the initial construction costs of the stormwater facility. The escrow account must be specifically defined for use regarding maintenance of the stormwater facility of facilities; no other use of the funds can be permitted. The escrow account shall be deeded to the Property Owners Association upon activation of the association. After incorporation by the Property Owner's association, the escrow account shall be supplemented annually with a sinking fund from property owner association dues or property owner payments in accordance with the approved maintenance schedule and budget. The annual contributions must include a contribution of the annual maintenance cost in accordance with the approved maintenance plan and budget, and an annual contribution toward reconstruction of the stormwater facility after 20 years. The Property Owner contribution schedule shall be structured such that 75% of initial construction costs of construction shall be deposited in the escrow account within 10-years following initial construction (such that the escrow account has 75% of initial construction costs in addition to maintenance costs), and 100% of initial construction costs within 20-years. Any funds drawn down as a result of annual maintenance shall be replaced in accordance with the annual deposit schedule. The Homeowner's Association must submit a copy of the HOA budget, annual report or audit, and an calculation of the average homeowner assessment (if not indicated in the budget), to the Village of Burr Ridge, January 1st of each year.

- p) Maintenance surety: Following completion and acceptance of the subdivision improvements, the developer will be required to provide a separate maintenance surety, which will be retained for five (5) years as a surety for maintenance of the pond. The escrow account shall be established in and FDIC-insured account. As part of the escrow instructions with the establishment of the escrow account, the Village must consent to the disbursement of funds from the escrow account to ensure ongoing compliance with the maintenance plan and budget. Such consent shall not be unreasonably withheld by the Village. The escrow instructions shall also allow the Village to receive information from the escrow agent regarding the deposits to, disbursements from, and the balance of the account, upon written request to the escrow agent from the Village.
- q) Following 60 days written notice to the property owner(s) and/or association of property owners, of any failure of such owners or association to fulfill any of their responsibilities under this Chapter, the Village shall have the right, but no duty, to go upon any property to undertake and complete any of the responsibilities imposed hereunder on the property owner(s) or upon any association of property owners, for any private property upon which is located a wet retention stormwater storage area. All costs of or related to any such work by the Village shall be the responsibility of the property owners or association and shall be reimbursed to the Village within 30 days of written notice from the Village for payment. If such costs are not paid by the property owners or association within 30 days, the Village shall have the option to pursue any and all remedies against any and all real property in the subdivision in the amount of such costs, and until such costs are paid.

Sec. 8.10

Paved Storage Areas.

Paved surfaces that are to serve as storm water storage areas shall have minimum grades of one (1%) percent and shall be restricted to storage depths of six (6") inch maximum. Rooftop storage shall be designed with permanent type control inlets and parapet walls to contain run-off on the rooftop. Emergency overflow areas shall be provided to insure that the weight of water stored will not exceed the structural capacity of the roof. Release rate and storage volume requirements for paved storage areas shall be as hereinabove outlined in Section 2 above. If a portion of an area within a storm water storage area is to be paved for parking or recreational purposes, the paved surface shall be placed at the highest elevation within the storage area as possible. Parking lot grades shall not exceed five (5%) percent. (Amended by A-676-1-91)

Sec. 8.11

Watersheds - Portions of.

Where developments form only a portion of a watershed or contain portions of several watersheds, the requirements for providing storage shall be based upon that proportion of the area being developed as compared to the total watershed tributary to the storage area. Compensatory storage will be acceptable

whenever it is justified and feasible. As a watershed is developed with a series of storm water storage facilities, due consideration will be given for calculation of the allowable release rate and capacity of the natural or surface channel system as described in Section 3 above.

Sec. 8.12 Engineering Plans.

Plans, specifications, and all calculations for storm water run-off control as required hereunder, shall be submitted to the Village Engineer for review and approval of a final plat, in the case of subdivisions and planned residential developments over three (3) acres in size, or issuance of a building permit in all other cases including residential developments over three acres if no plat is otherwise required or provided). Where required by the Plan Commission, detailed calculations shall be submitted prior to approval of the Preliminary Plat .(Amended by A-676-1-91)

Sec. 8.13 Pre-development Construction.

Where the development of a property presents the threat of flooding or damage by flash flood run-off to downstream residents, the facilities for storm water run-off control shall be constructed prior to any earthmoving or drainage construction on the project site including provisions for siltation as required.

Sec. 8.14 Possible Recapture.

The construction of the storm water control system shall be accomplished as part of the cost of land development. If the amount of storage capacity can be increased to provide certain benefits to the surrounding properties, negotiations for additional participation in the cost of such development may be feasible.

Sec. 8.15 Trunk Sewers.

All trunk storm sewers (sewers required to service in excess of two [2] acres), shall be designed to carry, at full uncharged flow, the waters from a storm considered to be of a once in ten (10) year frequency and shall be sized to handle such an amount as such storm would deposit on the area served by the system.

Sec. 8.16 Erosion Control.

During the construction phase of land development, facilities shall be provided to prevent the erosion and washing away of the earth. An erosion and sediment control plan shall be submitted for review and approval along with the Final Engineering Plans, in accordance with the applicable sections of the Village's Subdivision Regulations Ordinance and/or Building Ordinance. (Amended by A-676-01-03)

These submissions shall be prepared in accordance with the standards and requirements contained in "Procedures and Standards for Soil Erosion and Sedimentation Control in Illinois", October, 1981, as may be revised, prepared by the Northeastern Illinois Erosion and Sedimentation Control Steering Committee and adopted by the Kane-Du Page Soil and Water Conservation District, which by reference is hereby expressly made a part of this Ordinance. A copy of "Procedures and Standards for Soil Erosion and Sedimentation Control in Illinois" shall be kept on file with the Village and shall be made available for examination upon request. The Village may waive specific requirements for the content of submissions upon finding that the information submitted is sufficient to show the work will comply with the objectives and principles of this Ordinance. (Amended by A-676-1-90)

Sec. 8.17 Final Engineering Plans - Compliance Requirements.

Final engineering plans shall show complete details for all of the items covered in the Ordinance and shall be submitted for review and approved prior to the start of construction.

Sec. 8.18 Developments in Flagg Creek Water Reclamation District (formerly Hinsdale Sanitary District).

Plans for developments within the jurisdictional limits of the Flagg Creek Water Reclamation District (formerly

Hinsdale Sanitary District) shall be submitted to the District for their approval prior to approval by the Village Engineer. Developments within the Flagg Creek Water Reclamation District (formerly Hinsdale Sanitary District) shall comply with all District storm water management and flood plain regulation ordinances.

Sec. 8.19

Maintenance.

The maintenance and operation of any detention facility will be done by the owners of the facility, who shall record with the appropriate Recorder of Deeds or Registrar of Titles restrictions and covenants running with the land sufficient to provide for such maintenance and operation until such time as an alternative detention facility or equivalent is approved by the Village. (amended by A-676-01-08)

Sec. 8.20

Storm Water Calculations.

The owner of any development or detention facility subject to this Ordinance shall submit for review, by the Village Engineer, and approval by the Village Trustees, the methods of detention, methods of restricting the rate of discharge and all the necessary computations and calculations and such plans and specifications as may be required by the Village to determine compliance with this Ordinance.

Sec. 8.21

Building Permit - Compliance.

That the issuance of a building permit is contingent upon submission of adequate proof to the Village of Burr Ridge that any development or detention facility will be constructed in such a manner so as to comply with the terms and conditions of this Ordinance.

Sec. 8.22

Development in the Cook County Portion of the Village

Article I of this Chapter, entitled "Development in the Cook County Portion of the Village," shall apply only to development within those portions of the Village located in Cook County. (Added by A-676-2-91)

ARTICLE II Development in the DuPage Portion of the Village
(section renumbered by A-676-01-14)

Sec. 8.23 Permit Fees

All applications for stormwater review shall be accompanied by a fee as outlined in the attached "Schedule A – Permit Fee Structure" (Added by A-676-01-03)

Sec. 8.24 Adoption of DuPage County Ordinance

Except as otherwise provided for herein, the DuPage County Countywide Stormwater and Flood Plain Ordinance adopted on September 24, 1991, and as amended on June 14, 1994, April 23, 1996, November 12, 1997, June 22, 1999, June 13, 2000, March 25, 2003, January 27, 2004, June 8, 2004, March 8, 2005, February 28, 2006, August 1, 2008, April 24, 2012 and by the addition of the "DuPage County Illicit Discharge Detection and Elimination Ordinance" enacted May 26, 2009 hereinafter referred to as the DuPage County Ordinance, which is included herein as Appendix A to this Article II of Chapter 8, be and is hereby incorporated and adopted by reference as the regulations of the Village of Burr Ridge governing regulation of all development of land within those portions of the Village which are in DuPage County. Such DuPage County Ordinance has been on file and available for public use, inspection and examination in the office of the Village Clerk for a period of at least 30 days prior to the adoption of the Ordinance which incorporates such regulations by reference. (Amended by A-676-01-12)

Sec. 8.25 Partial Waiver Community

That for purposes of the enforcement and implementation of the DuPage County Ordinance (Appendix A), the Village of Burr Ridge shall be, until otherwise determined by the Village Board, "a partial waiver community" within the meaning of such term as set forth in the DuPage County Ordinance insofar as it relates to those portions of the Village which are in DuPage County. (Added by A-676-2-91)

Sec. 8.26 Amendment of Section 15-111 of Article 9 (Renumbered by A-676-1-92)

That subsection 2 of Section 15-111 of Article 9 of the DuPage County Ordinance (Appendix A) be and is hereby amended by adding thereto the following subsection e:

- e. The parcels being redeveloped or developed are less than one acre in area but total less than 60 percent impervious area. For these parcels, detention may be computed using the rational method with a release rate of 0.10 cfs/acre, with a 2 inch minimum orifice size. (Added by A-676-2-91)

Sec. 8.27 Amendment of Section 15-112 of Article 9 (Renumbered by A-676-1-99)

That Section 15-112 of Article 9 of the DuPage County Ordinance (Appendix A) be and is hereby amended by adding thereto subsections 6 and 7 thereof reading in their entirety as follows:

- 7. All trunk storm sewers (sewers required to service in excess of two (2) acres), shall be designed to carry, at full unsurcharged flow, the waters from a storm considered to be of a once in ten (10) year frequency and shall be sized to handle such an amount as such storm would deposit on the area served by the system. (Amend. A-676-1-99)
- 8. Plans for developments within the jurisdictional limits of the Flagg Creek Water Reclamation District (formerly Hinsdale Sanitary District) shall be submitted to the District for their approval prior to approval by the Administrator. Developments within the Flagg Creek Water Reclamation District (formerly Hinsdale Sanitary District) shall also comply with all District storm water management and flood plain regulation ordinances. (Amend. A-676-1-99)

Sec. 8.28 Application of County Ordinance (Renumbered by A-676-1-92)

Any development of any land within DuPage County which is annexed by the Village after the effective date of these amendments to Chapter 8 shall be required to comply with the DuPage County Ordinance. Any preannexation agreement affecting any such annexation shall likewise contain a requirement that the developer of the land comply with the provisions of the DuPage County Ordinance. (added by A-676-02-91)

Sec. 8.29

Reservoirs and Stormwater Storage Areas.

(added by A-676-01-08)

All stormwater storage facilities must be located in a separate outlot, with a unique P.I.N. and must be owned by either a single party or by a formal association of property owners. Any and all maintenance for all stormwater storage facilities on private property, and all fees and costs related thereto, whether wet bottom or dry bottom, shall be the exclusive responsibility of the original owner or developer of the subdivision during the development and completion thereof, and thereafter the subsequent owner(s) of the property or subdivision wherein the stormwater storage facilities are located.

Dry bottom detention facilities shall be designed to serve a secondary purpose such as recreation, open space, or other types of uses that will not be adversely affected by occasional flooding. A method of carrying the low flow through these areas shall be provided. In addition, a system of drains may be provided with a positive gravity outlet to a natural channel or other storm sewer facility.

Detention reservoirs and/or retention reservoirs shall be constructed to provide the required storage volume denoted herein. Existing manmade or natural storage channels or reservoirs that exist prior to proposed development shall not be used to offset the calculated storage requirement for the proposed development, for all storms up to and including the 100-year event. (Added by A-676-1-91)

The combination of storage of the water from a one hundred (100) year storm and the design release rate shall not result in a storage duration in excess of seventy-two (72) hours; however, release rate shall govern as long as possible. Maximum depths of planned storm water storage shall not exceed four (4') feet unless the existing natural ground contours and other conditions dictate greater storage depths, subject to approval by the Village Engineer. Minimum grades for areas to be constructed shall be two (2%) percent and maximum slopes shall be (25%) percent (four [4] units horizontally to one [1] unit vertically). Storage area side slopes shall be kept as close to the natural land contours as practical.

If slopes greater than 4:1 are necessary to meet storage requirements or area restrictions, approval shall be obtained from the Village Engineer, and erosion control shall be provided in addition to the protection required to insure public health, safety and welfare.

Retaining walls may be used in order to enhance the appearance or volume of stormwater storage facilities. The height of each retaining wall may not exceed 42 inches in height measured from the top of grade at the bottom of the wall to the highest top cap of the wall. Retaining walls may not be constructed of poured concrete, but must be constructed of segmented, landscape quality, retaining wall blocks, with capstones. No portion of a retaining wall, including tie-backs or mesh, will be permitted to extend into a public utility easement or Village right-of-way. When retaining walls are used, a minimum 12' wide access path shall be provided in order to ensure that maintenance equipment can access the bottom of the stormwater storage facility. When tiered retaining wall systems are used, the engineering plans must include a detailed landscaping plan. The landscaping plan shall indicate species, location, and number of plantings. Plantings which will be placed below the 100 year High Water Level (HWL) must be suitable for use in submerged locations. The maintenance of the plantings will be the responsibility of the Homeowners Association, and should be included in the annual maintenance plan and budget. The landscape plan may be subject to review by a Village landscape consultant, at the developer's expense. All proposed landscaping below the 100 year High Water Level (HWL) must be approved by the Village Engineer and included in the annual maintenance plan and budget. Perimeter landscaping of the outlot must be in accordance with Ordinance #A-894-01-08.

Outlet control structures installed shall require little or no maintenance/attention for proper operation. Each storm water storage area shall be provided with a method of emergency overflow in order to accommodate a storm in excess of the one hundred (100) year return frequency, and to function as an overflow bypass in the event that the low flow outlet is obstructed. This emergency overflow facility shall be designed to

function without maintenance/attention and shall become part of the natural or surface channel system described in the preceding section. Hydraulic calculations shall be submitted to substantiate all design features. Both outlet control structures and emergency overflow facilities shall be designed and constructed to fully protect the public health, safety and welfare in accordance with the recommendations of the Village Engineer. Storm water run-off velocities shall be kept to a minimum and turbulent conditions at an outfall control structure will not be permitted without complete protection for the public safety in accordance with the recommendations of the Village Engineer. The use of restrictive fences shall be kept to a minimum and shall be used only as a last resort when no other method is feasible.

Sec. 8.30

Wet Retention Stormwater Storage Areas - Additional Conditions.
(added by A-676-01-08)

Wet retention stormwater storage facilities require on-going maintenance, repair, improvement, as applicable, and the creation and continuance of a financing mechanism for long-term maintenance and improvement activities, to remain fully functional and operational. Retention reservoir or wet bottom storm water storage areas shall be designed to meet the requirements for detention reservoir or storage areas set forth above in Section 8.05. A low flow conduit and a system of drains with a positive gravity outlet shall not be required. However, the following additional conditions are required:

- a) Wet detention facilities will be permitted only in residential subdivisions which include a minimum of eight (8) lots, or commercial subdivisions with four (4) lots.
- b) Any and all maintenance for such wet detention facilities on private property, shall be the exclusive responsibility of the owner(s) of the property or subdivision wherein the stormwater storage facilities are located. All such subdivisions are responsible for the creation and operation of a formal association of property owners to ensure the applicable maintenance and funding responsibilities of this Chapter are met. Whether or not an association of property owners is created or operated, as here required, the lot owners in a subdivision shall at all times be both individually, and collectively, responsible for full compliance, and for all costs related thereto, with all applicable requirements of this Chapter for the creation, maintenance and costs thereof, of the establishment and operation of wet retention stormwater facilities within the subdivision.
- c) The surface area of the normal pool should be designed at a ration of 25:1 to the tributary area to enhance the cycling frequency of the pond. In no case shall the water surface area exceed one tenth (1/10) of the tributary drainage area.
- d) Shoreline protection shall be provided utilizing native and/or wetland plantings. The buffer zone shall encompass the areas between the normal water level and the high water level, but in no case shall the buffer zone be less than 5' in width. The buffer zone must be designated and signed as a no-mow zone. The landscape plan may be subject to review by a Village landscape consultant, at the developer's expense. All proposed landscaping below the 100 year High Water Level (HWL) must be approved by the Village Engineer and included in the annual maintenance plan and budget. Perimeter landscaping of the outlot must be in accordance with Ordinance #A-894-01-08.
- e) Minimum normal water depth shall be five (5') feet. If the pond is to be stocked with fish, no less than one quarter (1/4) of the pond area shall be a minimum of eleven (11') feet deep.
- f) A 10' wide safety ledge must be provided around the entire perimeter of the basin. The ledge shall be located 1'-2' below the normal water level. The safety ledge must be planted with emergent wetland plantings.
- h) A sedimentation basin 1.5' deeper than the design depth of the basin shall be provided at the upstream end of the pond.
- i) The inflow pipe must discharge into a forebay with a minimum size of 10% of the water surface area. The forebay must be established with native wetland plants.

- j) Where feasible, facilities shall be provided to permit the pond level to be lowered by gravity flow for cleaning purposes and shoreline maintenance.
- k) Control structures for storm water release shall be designed to operate at full capacity with increases in the water surface level as required. Hydraulic calculations shall be submitted with final engineering plans.
- l) Aeration facilities to prevent pond stagnation, shall be provided. Design calculations to substantiate the effectiveness of these aeration facilities shall be submitted with final engineering plans. Agreements for the perpetual operation and maintenance of aeration facilities shall be prepared to the satisfaction of the Village Engineer.
- m) In the event that the normal water level of the pond is raised for any reason, the volume remaining for storage of excess storm water run-off shall still be sufficient to contain the one hundred (100) year storm run-off.
- n) Maintenance Agreement: A legally binding maintenance agreement will be executed, or recorded, before the Final Plat is signed. The agreement, or the substantive provisions thereof, shall be included in the property deed restrictions and homeowners association covenants, and shall be included in the documents which are recorded with the County Recorder. The terms of the agreement shall be binding upon all property owners, individually and collectively, following creation of the association. The Village of Burr Ridge Stormwater Facility Maintenance Agreement is attached hereto as Exhibit A.
- o) Maintenance Plan and Budget: The developer shall develop and attach to the Declaration of Property Owner's covenants, a maintenance plan and budget. The maintenance plan and budget shall more specifically describe the specific maintenance practices to be performed for the perpetual maintenance, operation, inspection, and repair, and if applicable, possible replacement of a part, or all, of the stormwater management facility. The Maintenance Plan and Budget shall be prepared on the forms which are attached hereto as Exhibit B.
- p) Maintenance funding mechanism: The Developer shall establish an escrow account for the maintenance of the facility or facilities. The escrow account shall be established in the amount of 15% of the initial construction costs of the stormwater facility. The escrow account must be specifically defined for use regarding maintenance of the stormwater facility of facilities; no other use of the funds can be permitted. The escrow account shall be deeded to the Property Owners Association upon activation of the association. After incorporation by the Property Owner's association, the escrow account shall be supplemented annually with a sinking fund from property owner association dues or property owner payments in accordance with the approved maintenance schedule and budget. The annual contributions must include a contribution of the annual maintenance cost in accordance with the approved maintenance plan and budget, and an annual contribution toward reconstruction of the stormwater facility after 20 years. The Property Owner contribution schedule shall be structured such that 75% of initial construction costs of construction shall be deposited in the escrow account within 10-years following initial construction (such that the escrow account has 75% of initial construction costs in addition to maintenance costs), and 100% of initial construction costs within 20-years. Any funds drawn down as a result of annual maintenance shall be replaced in accordance with the annual deposit schedule. The Homeowner's Association must submit a copy of the HOA budget, annual report or audit, and an calculation of the average homeowner assessment (if not indicated in the budget), to the Village of Burr Ridge, January 1st of each year.
- q) Maintenance surety: Following completion and acceptance of the subdivision improvements, the developer will be required to provide a separate maintenance surety, which will be retained for five (5) years as a surety for maintenance of the pond. The escrow account shall be established in and FDIC-insured account. As part of the escrow instructions with the establishment of the escrow account, the Village must consent to the disbursement of funds from the escrow account to ensure ongoing compliance with the maintenance plan and budget. Such consent shall not be unreasonably withheld by the Village. The escrow instructions shall also allow the Village to

receive information from the escrow agent regarding the deposits to, disbursements from, and the balance of the account, upon written request to the escrow agent from the Village.

- r) Following 60 days written notice to the property owner(s) and/or association of property owners, of any failure of such owners or association to fulfill any of their responsibilities under this Chapter, the Village shall have the right, but no duty, to go upon any property to undertake and complete any of the responsibilities imposed hereunder on the property owner(s) or upon any association of property owners, for any private property upon which is located a wet retention stormwater storage area. All costs of or related to any such work by the Village shall be the responsibility of the property owners or association and shall be reimbursed to the Village within 30 days of written notice from the Village for payment. If such costs are not paid by the property owners or association within 30 days, the Village shall have the option to pursue any and all remedies against any and all real property in the subdivision in the amount of such costs, and until such costs are paid.

Sec. 8.31

Subdivision Plat Approval and Building Permit

That the approval of any subdivision plat and the issuance of any building permit are contingent upon compliance with all appropriate requirements of the Village of Burr Ridge Stormwater Ordinance and of the DuPage County Countywide Stormwater and Flood Plain Ordinance (Appendix A), which Ordinance has been duly adopted as a part of this Code. In the event of a conflict between prevailing Ordinances the more stringent rule shall apply, as determined by the Village Engineer. (Amended by A-676-01-08))

ARTICLE III Best Management Practice Requirements throughout all portions of the Village
(section renumbered by A-676-01-14)

Sec. 8.33

Best Management Practices

All Developments which require storm water storage shall treat one hundred per cent (100%) of the developed area for pollutants from the site in accordance with accepted practices and procedures. Pollutant/sediment capture must occur through the means of manufactured Best Management Practices (BMP's). The manufactured BMP may consist of baffle box sediment traps of design and manufacture approved by the Village Engineer, or other hydrodynamic sediment separation device if approved by Village Engineer.

Manufactured BMP shall be placed on the last storm sewer segment upstream of the storm water storage facility. Said Manufactured BMP shall be located in a manner which allows for ease of access for maintenance purposes. All manufactured BMP's shall meet the following minimum design parameters:

1. Storm Water Treatment Volume:

- a. Systems should be designed to effectively treat the water quality storm (approximately 2.5 inches in a 24 hour time period in Northeastern Illinois) at a minimum. Effective treatment is defined as 80% Total Suspended Solids (TSS) removal from the design storm, with the TSS being defined as the PSD following:

Particle Size Distribution

<u>Particle Size</u>	<u>Percent by Mass</u>
20 micron	20
60 micron	20
150 micron	20
400 micron	20
2000 micron	20

- b. Effective treatment also constitutes removal of a minimum of 80% of the free floatable hydrocarbons in the runoff device before bypass.
- c. A bypass provision is required to divert the high-velocity, turbulent flows of large storm events, as these intense flows exceed the scour velocity of the smallest particles being targeted for removal. The bypass provision protects previously captured sediment and contaminants from being re-suspended and discharged from the system under high flow conditions.
- d. An alternate sizing method such as US EPA SWMM may be utilized based on local historical rainfall using a continuous simulation model. These sizing methods are acceptable as long as they are consistent with removing 80% of the annual TSS, with the TSS being defined by the Particle Size Distribution listed above.
- e. Sizing must account for site drainage area, percent imperviousness, TSS loading, and PSD (as listed above) or particle size distribution typical for that from the runoff site, if substantiated through a geotechnical evaluation of the site, signed and stamped by a IL licensed Professional Engineer.
- f. Sizing methodologies shall provide calculations substantiating TSS removal efficiencies and demonstrate correlation to field monitoring results using both particle size distribution and TSS removal.

2. Retention of Accumulated Pollutants during Large Rainfall Events

The manufactured BMP device must retain accumulated pollutants (sediment and hydrocarbons) during high flow conditions. Previously accumulated pollutants must not be re-suspended (scoured) and discharged from the device. Certified laboratory or field monitoring results must demonstrate that the system does not scour when the flow rate is 200%+ of the designed operating rate and the sediment depth in the treatment chamber is 50% of the rated sediment capacity. Particle size distribution for the sediment load shall conform to that listed above.

Sec. 8.34

Fee-in-lieu of Best Management Practice

A fee may be paid in lieu of Best Management Practice, if it can be demonstrated that site conditions are such that there is no practical means of constructing a Manufactured BMP, or if it can be demonstrated that the effectiveness of the BMP will be negligible based upon location, downstream conditions, or site development methodology. Determination will be made by the Village Engineer based upon the following criteria:

1. The proposed development shall not include the construction of a wet detention facility.
2. The proposed development shall not be located upstream from an existing wet detention facility.
3. The proposed development shall not be located immediately upstream from a stream, river, pond, lake, or other riparian water body
4. The proposed development shall not cause adverse impacts to downstream properties if a BMP is not provided.

If determination is made that a BMP is not practical or effective, the developer shall contribute fee-in-lieu monies in accordance with Chapter 8, Schedule B, of the Burr Ridge Municipal Code. Fee-in-lieu monies must be contributed prior to the authorization of the Final Plat of Subdivision. (A-676-02-07)

BURR RIDGE VILLAGE CODE

CHAPTER 8

STORM WATER RUN-OFF

APPENDIX A

Village of Burr Ridge Ordinance A-676-2-91, adopted November 11, 1991 made the following changes to the DuPage County Countywide Stormwater and Flood Plain Ordinance:

1. Article 9, Section 15-111, amended by adding subsection e, (see Section 8.23 of Chapter 8).
2. Article 9, Section 15-112, amended by adding subsections 6 and 7 (see Section 8.24 of Chapter 8). Renumbered to 7 and 8 by A-676-1-99.

The DuPage County Countywide Stormwater and Flood Plain Ordinance is available at the front counter of the Village Office.

BURR RIDGE VILLAGE CODE

CHAPTER 8

STORM WATER RUN-OFF

APPENDIX B

Village of Burr Ridge Ordinance A-676-01-14, adopted April 28, 2014 adopted the Cook County Watershed Management Ordinance by reference.

The Cook County Watershed Management Ordinance is available at the front counter of the Village Office or at www.wmo.mwrdd.org.

Schedule A

Permit Fee Structure

(Amended by A-676-01-03)

Section 1: Stormwater Review in Cook and/or DuPage County

Except as provided in Section 2 hereof, all applications for stormwater review ("stormwater submittal" category) shall be accompanied by a fee, payable to the "Village of Burr Ridge," as follows:

- A. Individual Road Project (per mile) \$405 + \$400 per mile of road development
 - B. Less than one acre proposed commercial site, development or subdivision or any proposed residential site, development or subdivision of less than three acres \$ 540.00
 - C. Development on a single parcel not involving a subdivision and/or greater than 5,000 square feet disturbed \$ 200.00
 - D. One to five acre proposed commercial site, subdivision or development or any proposed residential subdivision or development of at least three acres and not more than ten acres \$1,215.00
 - E. Any five to ten acre proposed commercial site, subdivision or development or any proposed residential subdivision or development of between ten to fifty acres \$2,105.00
 - F. Greater than ten acre proposed commercial site, subdivision or development or any proposed residential subdivision or development of greater than fifty acres..... \$2,105.00
plus \$10/acre over ten acres commercial or fifty acres residential
- Riparian Area Mitigation (DuPage County only) \$ 360.00
in addition to any applicable fee set forth above

Plans that are rejected and require a resubmittal shall be assessed an additional \$100.00 for each resubmittal review.

Section 2: Special Management Area Review in DuPage County

All applications for a review of a "special management area" (as that term is defined in Article 10 of Appendix A of this Chapter 8) shall be accompanied by a fee, payable to "DuPage County Department of Environmental Concerns," as follows:

Flood Plain

- A. Development in the regulatory flood plain, outside of the regulatory floodway, without stormwater detention \$ 490.00
plus the appropriate stormwater review fee required under Section 1
- B. Development in the regulatory flood plain, outside of the regulatory floodway, including stormwater detention \$ 640.00
plus the appropriate stormwater review fee required under Section 1
- C. Development in the floodway (except utility crossings at existing grade) \$1,360.00
plus the appropriate stormwater review fee required under Section 1
- D. Development in the regulatory flood plain for utility crossings at existing grade \$ 365.00

Wetlands

- A. Wetland Impact Review fee
 - i Less than one acre site \$ 360.00
plus the appropriate stormwater review fee required under Section 1
 - ii One to ten acre site \$ 560.00
plus the appropriate stormwater review fee required under Section 1
 - iii Ten to fifty acre site \$ 760.00
plus the appropriate stormwater review fee required under Section 1
 - iv Greater than fifty acre site \$ 960.00
plus the appropriate stormwater review fee required under Section 1
- B. Wetland Mitigation (on-site or off-site)
 - i Less than 0.5 acre site \$1,180.00
plus the appropriate stormwater review fee required under Section 1
 - ii 0.5 to two acre site \$1,260.00
plus the appropriate stormwater review fee required under Section 1
 - iii Two to five acre site \$1,360.00
plus the appropriate stormwater review fee required under Section 1
 - iv Greater than five acre site \$1,460.00
plus the appropriate stormwater review fee required under Section 1
- C. Wetland Banking Review Fee \$ 0.00
Based on the area to be and the acre cost of the individual bank plus the appropriate stormwater review fee required under Section 1

The fees as outlined in section 2 are subject to a resubmittal fee if the submitted plans are rejected as determined by the DuPage County Department of Environmental Concerns.

Section 3: Flood Plain Area Review in Cook County

All applications for a review of a "flood plain" (as that term is defined in Chapter 7 – Special Flood Hazard Area) shall be accompanied by a fee, payable to "Village of Burr Ridge," as follows:

Flood Plain

- A. Development in the regulatory flood plain, outside of the regulatory floodway, without stormwater detention \$ 490.00
plus the appropriate stormwater review fee required under Section 1
- B. Development in the regulatory flood plain, outside of the regulatory floodway, including stormwater detention \$ 640.00
plus the appropriate stormwater review fee required under Section 1
- C. Development in the floodway (except utility crossings at existing grade) \$1,360.00
plus the appropriate stormwater review fee required under Section 1
- D. Development in the regulatory flood plain for utility crossings at existing grade \$ 365.00

Section 4: Variations

The fee for requesting any variation from the provisions of Chapter 8 is \$1,360.00 plus the appropriate permit review fees set forth in Sections 1, 2, and/or 3 above.

Section 5: Appeals

The fee for filing of an appeal under the provisions of Chapter 8 is \$1,360.00. If the petitioner is successful in the appeal, the entire appeal fee shall be refunded.

Section 6: Map Interpretation

As a service to the community, the Village, through the DuPage Department of Environmental Concerns, will provide a written interpretation of the regulatory flood plain and wetland maps. The fee for providing any such written interpretation is \$65.00 for each real estate tax parcel of land.

Schedule B

Fee-in-lieu of BMP Structure

(Added by A-676-02-07)

Subdivision developments which are identified for fee-in-lieu of Best Management Practice, in accordance with Chapter 8, Article III, Section 31 of the Burr Ridge Municipal Code, shall submit a fee, payable to the "Village of Burr Ridge," as follows:

Single Family Home Developments:

Fee-in-lieu for single family home developments shall be \$3,000 multiplied by the acreage of the lot (s).

Non-Residential Properties:

Fee-in-lieu for non-residential properties shall be \$15,000 multiplied by the acreage of the lot.

EXHIBIT A
(added by A-676-01-08)

VILLAGE OF BURR RIDGE
COUNTIES OF COOK AND DUPAGE

STORMWATER FACILITY MAINTENANCE AGREEMENT

WHEREAS, The Property Owner _____ recognizes that wet detention stormwater management facilities (hereinafter referred to as "the facility" or "facilities") must be maintained for the development known as _____ located in the jurisdiction of the Village of Burr Ridge, Cook and DuPage Counties, Illinois; and,

WHEREAS, the Property Owner is the owner of real property more legally described on the attached Exhibit A, (hereinafter referred to as "the Property"), and,

WHEREAS, the Village of Burr Ridge (hereinafter referred to as "the Village") and the Property Owner, or its administrators, executors, successors, heirs, or assigns, agree that the health, safety and welfare of the citizens of the Village require that the facilities be constructed and maintained on the property, pursuant to the requirements of Chapter 8 of the Burr Ridge Village Code; and,

WHEREAS, the provisions of Chapter 8 of the Burr Ridge Village Code require that facility or facilities as shown on the approved subdivision engineering plans be constructed and maintained by the Property Owner, its administrators, executors, successors, heirs, or assigns.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The facility or facilities shall be constructed by the Property Owner in accordance with the approved subdivision engineering plans.
2. The Property Owner, its administrators, executors, successors, heirs, or assigns shall maintain the facility or facilities in good working condition acceptable to the Village and in accordance with the Maintenance Plan attached hereto and labeled as Exhibit B.
3. The Property Owner, its administrators, executors, successors, heirs, or assigns hereby grants permission to the Village, its authorized agents and employees, reasonable access to enter upon the property and to inspect the facilities whenever the Village deems necessary.
4. In the event the Property Owner, its administrators, executors, successors, heirs, or assigns fails to maintain the facility or facilities as shown on the approved development plans in good working condition and in accordance with the Maintenance Plan incorporated into this Agreement, the Village, with due notice, may enter the property and take whatever steps it deems necessary to return the facility or facilities to good working order. It is expressly understood and agreed that the Village is under no obligation to maintain or repair the facility or facilities and in no event shall this Agreement be construed to impose any such obligation on the Village.
5. In the event the Village, pursuant to this Agreement, performs work of any nature, or expends any funds in the performance of said work for labor, use of equipment, supplies, materials, and the like, the Property Owner shall reimburse the Village within thirty (30) days of receipt thereof for all costs incurred by the Village hereunder. If not paid within the prescribed time period, the Village shall have and are hereby granted the right to secure a lien against the real property or the Property Owner(s) in the amount of such costs. The actions described herein are in addition to and not in lieu of any and all legal remedies available to the Village as a result of the Property Owner's failure to maintain the facility or facilities.

6. It is the intent of this Agreement to insure the proper maintenance of the facility or facilities by the Property Owner; provided, however, that this Agreement shall not be deemed to create or affect additional liability of any party for damage alleged to result from or caused by stormwater runoff.
7. Sediment accumulation resulting from the normal operation of the facility or facilities will be considered. The Property Owner will make accommodation for the removal and disposal of all accumulated sediments. Disposal will be provided onsite in a reserved area(s) or will be removed from the site. Reserved area(s) shall be sufficient to accommodate for a minimum of two dredging cycles.
8. The Developer shall establish an escrow account for the maintenance of the facility or facilities. The escrow account shall be established in the amount of 15% of the initial construction costs of the stormwater facility. The escrow account must be specifically defined for use regarding maintenance of the stormwater facility of facilities; no other use of the funds can be permitted all other uses must be restricted. The escrow account shall be deeded to the Property Owners Association upon activation of the association. The escrow account shall then be supplemented annually with a sinking fund from homeowner association dues or property owner payments in accordance with the approved maintenance schedule and budget. The annual contributions must include a contribution of the annual maintenance cost in accordance with the approved maintenance plan and budget, and a contribution for reconstruction of the stormwater facility after 20 years. The Property Owner contribution schedule shall be structured such that 75% of initial construction costs shall be deposited in the escrow account within 10-years following initial construction (such that the escrow account has 75% of initial construction costs in addition to maintenance costs), and 100% of initial construction costs within 20-years. Any funds drawn down as a result of annual maintenance shall be replaced in accordance with the annual deposit schedule. The escrow account shall be established in an FDIC-insured account. As part of the escrow instructions with the establishment of the escrow account, the Village must consent to the disbursement of funds from the escrow account to ensure ongoing compliance with the maintenance plan and budget. Such consent shall not be unreasonably withheld by the Village. The escrow instructions shall also allow the Village to receive information from the escrow agent regarding the deposits to, disbursements from, and the balance of the account, upon written request to the escrow agent from the Village.
9. If at any time the Village accepts the facility for public management and maintenance, the portion of the sinking fund based on initial construction costs shall be remitted to the Village at the time of acceptance.
10. The Property Owner, its administrators, executors, successors, heirs, or assigns shall use the Village of Burr Ridge Standard Maintenance Inspection Reports attached to this Agreement as Exhibit B and by reference made a part hereof for the purpose of a minimal annual inspection of the facility or facilities by a qualified inspector. A copy of the inspection reports shall be submitted annually to the Village for its records.
11. The Property Owner, its administrators, executors, successors, heirs, or assigns hereby indemnifies and holds harmless the Village and its authorized agents and employees for any and all damages, accidents, casualties, occurrences or claims that may arise or be asserted against the Village from the construction, presence, existence or maintenance of the facility or facilities by the Property Owner or the Village. In the event a claim is asserted against the Village, its authorized agents or employees, the Village shall promptly notify the property owner and the Property Owner shall defend at its own expense any suit based on such claim. If any judgment or claims against the Village, its authorized agents or employees shall be allowed, the Property Owner shall pay for all fees and expenses in connection herewith.
12. This Agreement shall be recorded with the County Recorder of Cook or DuPage County, Illinois, and shall constitute a covenant running with the land and shall be binding on the Property Owner, its administrators, executors, successors, heirs, or assigns and any other successors in interest, including any homeowners association.
13. This Agreement may be enforced by proceedings at law or in equity by or against the parties hereto and their respective successors in interest.
14. Invalidation of any one of the provisions of this Agreement shall in no way effect any other provisions and all other provisions shall remain in full force and effect.

EXHIBIT A
VILLAGE OF BURR RIDGE
COUNTIES OF COOK AND DUPAGE
STORMWATER FACILITY MAINTENANCE AGREEMENT

Witness the following signatures and seals:

SEAL

Company/Corporation/Partnership Name

By: _____

Type Name

Type Name

STATE OF _____

COUNTY OF _____

The foregoing agreement was acknowledged before me this _____ day of 20_____,
by _____

NOTARY PUBLIC

My Commission Expires: _____

VILLAGE OF BURR RIDGE, ILLINOIS

By: _____

President/Mayor

STATE OF ILLINIOS

COUNTIES OF COOK AND DUPAGE

The foregoing agreement was acknowledged before me this _____ day of 20_____,
by _____

NOTARY PUBLIC

My Commission Expires: _____

EXHIBIT B
(added by A-676-01-08)
VILLAGE OF BURR RIDGE
COUNTIES OF COOK AND DuPAGE

MAINTENANCE PLAN AND BUDGET

Maintenance Plans and Budgets vary widely due to the size and unique characteristics of each storm water management system proposed. This appendix is intended for use as a starting point in the development of an appropriate maintenance plan specific to the size and components of each system.

Maintenance Plan and Budget for _____ *Name of subdivision*

By: _____
Name of Development Company

A. Storm Water Management System Maintenance Plan

1. Responsibility

- a. During construction, it is the above-named developer's responsibility to perform maintenance.
- b. Upon completion of construction, it will be the responsibility of property owner(s) and the [INSERT NAME OF PROPERTY OWNER'S ASSOCIATION] to perform all maintenance.
- c. The Master Deed and Homeowner's Association Covenants will specify that routine maintenance of the storm water facilities is solely the responsibility of the lot owners in the subdivision and the Homeowner's Association. The association is responsible for planning, budgeting, inspecting, maintaining, repairing, and replacing all portions of the stormwater facility.
- d. The Master Deed and Homeowner's Association Covenants will specify that routine maintenance of the storm water facilities must be completed within 60 days of receipt of written notification that action is required, unless other acceptable arrangements are made. Emergency maintenance (i.e. when there is endangerment to public health, safety or welfare) shall be performed immediately upon receipt of written notice. Should [INSERT NAME OF PROPERTY OWNER'S ASSOCIATION] fail to act within these time frames, the Village of Burr Ridge may perform the necessary maintenance and assess the costs against [INSERT NAME OF PROPERTY OWNER'S ASSOCIATION].

2. Source of Financing

[INSERT NAME OF PROPERTY OWNER'S ASSOCIATION] is required to pay for all maintenance activities on a continuing basis.

3. Maintenance Tasks and Schedule

- a. Table A describes maintenance tasks to be performed by the developer during construction. Table B describes maintenance tasks to be performed by [INSERT NAME OF PROPERTY OWNER'S ASSOCIATION] after completion of construction. Table C describes a sample budget for annual maintenance activity
- b. Immediately following construction, the developer will have the storm water management system inspected by an approved professional engineer to verify grades of the detention and filtration areas and make recommendations for any necessary sediment removal.

**Table A
MAINTENANCE TASKS AND SCHEDULE DURING CONSTRUCTION**

Task	Storm Sewer	Catch Basin Sumps	Catch Basin Inlets	Channels	Outflow Control Structures	Rip Rap	BMP Device	Stormwater Storage Facilities	Wetlands	Emergency Overflow	Schedule
Inspect for sediment accumulation		X		X	X		X	X			Weekly
Removal of sediment		X		X	X		X	X			As necessary and prior to acceptance
Inspect for floatables and debris				X	X		X	X			Quarterly
Cleaning of floatables and debris				X	X		X	X			Quarterly and prior to acceptance
Inspection for erosion				X	X			X			Weekly
Re-establish permanent vegetation on eroded slopes				X				X			As necessary and prior to acceptance
Replacement of stone											As needed
Mowing					X		X				As needed
Inspect structural elements during wet weather and compare to as-built plans (by the engineer)	X	X	X	X	X		X	X	X	X	Annually and prior to acceptance
Make adjustments or replacements as determined by Final Acceptance Inspection				X	X		X	X			As needed

Table C

Maintenance Plan Budget - SAMPLE	
Annual inspection for sediment accumulation	\$ 200.00
Removal of sediment accumulation every two years (or as needed)	\$ 1,000.00
Inspect for floatables annually and after major storms	\$ 100.00
Removal of floatables and debris annually and after major storms	\$ 100.00
Inspect system for erosion control annually and after major storms	\$ 100.00
Re-establish permanent vegetation on eroded slopes as needed	\$ 500.00
Replacement of stone	\$ 250.00
Mowing 0-2 times per year	\$ 500.00
Inspect structural elements during wet weather and compare to as-built plans every two years	\$ 300.00
Make structural adjustments or replacements as determined by inspection	\$ 100.00
Have professional engineer carry out emergency inspection upon identification of major problem	\$ 500.00
Annual audit of escrow account	\$ 500.00
Total Annual Maintenance Budget	\$ 4,150.00