

1 AN ACT concerning plats.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Plat Act is amended by changing Section 2
5 and adding Section 2.5 as follows:

6 (765 ILCS 205/2) (from Ch. 109, par. 2)

7 Sec. 2. The plat must be completed, a statement from a
8 Registered Land Surveyor attached and acknowledged by the
9 owner of the land, or his attorney duly authorized, in the
10 same manner as deeds of land are required to be acknowledged.
11 The plat must be submitted to the city council of the city or
12 board of trustees of the village or town or to the officer
13 designated by them, for their or his approval, if the land
14 subdivided is located within the corporate limits of any such
15 city, village or town or within contiguous territory which is
16 affected by an official plan, or part thereof, of any city,
17 village or town. If the land subdivided is located outside
18 the corporate limits of any city, village or town and is not
19 affected by such official plan, or part thereof, the plat
20 must be submitted to the county board of the county in which
21 the land is located for its approval. Within 3 business days
22 after a plat is submitted for approval, the city council,
23 board of trustees, designated officer, or county board shall
24 notify the president of the school board of each school
25 district in which any of the subdivided land is located that
26 the plat has been submitted for approval and that it is
27 available for inspection. The notice shall also give the
28 date, time, and place of the hearing on approval or
29 disapproval of the plat. The notice shall be served by
30 certified mail, return receipt requested, or by personal
31 delivery. Failure to notify the school board as required by

1 this Section does not invalidate the plat.

2 Neither the city council of the city, the board of
3 trustees of the village or town or the officer designated by
4 them, or the county board of the county shall approve such
5 plat, unless, in addition to any other requirements of such
6 council, board of trustees or county board or the officer or
7 officers designated by them, the topographical and profile
8 studies to be submitted with the subdivision plat have on
9 their face the signed statement of a Registered Professional
10 Engineer, and the owner of the land or his duly authorized
11 attorney, to the effect that to the best of their knowledge
12 and belief the drainage of surface waters will not be changed
13 by the construction of such subdivision or any part thereof,
14 or, that if such surface water drainage will be changed,
15 reasonable provision has been made for collection and
16 diversion of such surface waters into public areas, or drains
17 which the subdivider has a right to use, and that such
18 surface waters will be planned for in accordance with
19 generally accepted engineering practices so as to reduce the
20 likelihood of damage to the adjoining property because of the
21 construction of the subdivision. The topographical and
22 profile studies required herein shall not be recorded, but
23 shall be retained and filed by city, village or county to
24 which submitted for approval of the subdivision plat, as
25 permanent public documents.

26 Neither the city council of the city, the board of
27 trustees of the village or town or the officer designated by
28 them, or the county board of the county shall approve such
29 plat, unless, in addition to any other requirements of such
30 council, board of trustees or county board or the officer or
31 officers designated by them, the plat has been approved in
32 writing (i) except in municipalities with a population of
33 1,000,000 or more, by the Illinois Department of
34 Transportation with respect to roadway access where such

1 access is to a state highway, (ii) by the relevant local
2 highway authority with respect to all other roadway access,
3 and (iii) by the local health department, if one exists, with
4 respect to sewage disposal systems if any part of the platted
5 land will not be served by a public sewer system. An
6 applicant shall simultaneously file with the Illinois
7 Department of Transportation, relevant local highway
8 authority, or local health department, as appropriate, a copy
9 of the application for preliminary approval of a proposed
10 plat that is filed with the municipality or county. The
11 department or authority receiving the application shall
12 review the application based solely upon safety or access
13 control standards and provide written approval or disapproval
14 to the municipal or county plan commission and to the
15 municipal or county corporate authorities not later than 90
16 days from the date the application is received. The 90 day
17 period may be changed by mutual agreement. If disapproved,
18 the department or authority shall provide reasons for the
19 disapproval related to safety or access control standards and
20 identify improvements that will remove the disapproval. The
21 municipal or county corporate authorities may approve the
22 plat once the improvements have been incorporated into the
23 application or in the event that the department or authority
24 fails to respond in writing to the municipality or county
25 within the 90 day period or other period established by
26 mutual agreement. The failure of the city council of a
27 municipality with a population of 1,000,000 or more to obtain
28 approval of a plat in writing by the Illinois Department of
29 Transportation with respect to roadway access where such
30 access is to a State highway, prior to the approval of any
31 such plat as required by this Section, where such failure
32 occurred on or after January 1, 1988 and before the effective
33 date of this amendatory Act of 1989, shall not affect the
34 validity of such plat, and any such plat otherwise complying

1 with the provisions of this Section is validated.

2 The statement of the Registered Land Surveyor and of
3 acknowledgment, together with the plat, must be recorded by
4 the Land Surveyor who prepared the plat, or a person
5 designated by that Land Surveyor, or upon the death,
6 incapacity, or absence of that Land Surveyor, by the owner of
7 the land or his or her representative, in the recorder's
8 office of the county in which the land is situated, or if the
9 title to the land is registered under the Land Titles Act,
10 must be filed in the office of the registrar of titles for
11 the county, and such acknowledgment and recording or such
12 acknowledgment and filing as aforesaid, shall have like
13 effect and certified copies thereof and of such plat, or of
14 any plat heretofore acknowledged and certified according to
15 law, may be used in evidence to the same extent and with like
16 effect, as in case of deeds. The recorder or registrar of
17 titles shall not record or register a plat offered for
18 recording or registration after October 1, 1977, unless such
19 plat is at least 8 1/2 inches by 14 inches but not more than
20 30 inches by 36 inches. In counties of 1,000,000 or more
21 population the recorder or the registrar of titles must not
22 record or register the plat unless the persons submitting the
23 plat for recording or registration simultaneously therewith
24 deliver to the recorder or registrar of titles 6 true and
25 exact copies thereof. In all counties, the recorder or
26 registrar of titles shall not record or register a plat,
27 unless the plat states the current mailing address of the
28 person submitting the plat for recording or registration. The
29 recorder or registrar of titles shall not record or register
30 a plat unless the plat is accompanied by the certification of
31 the County Clerk required by Section 2.5 of this Act. Any
32 changes to the unrecorded plat as may be desired or required
33 by any party must be made by the Registered Land Surveyor who
34 prepared the original plat, and in the event of the death,

1 incapacity, or absence of that Land Surveyor, by another
2 Registered Land Surveyor who shall specifically identify the
3 change or changes made on the face of the plat.

4 An original plat, having been properly certified,
5 acknowledged, approved and recorded or filed as above
6 provided in this Section, may be retained as the permanent
7 record by the recorder or registrar.

8 (Source: P.A. 86-284; 86-768; 86-1028; 86-1238; 86-1349;
9 86-1475; 87-705.)

10 (765 ILCS 205/2.5 new)

11 Sec. 2.5. Certification by the County Clerk. Before a
12 plat is recorded or registered, the plat must be submitted to
13 the County Clerk and the County Clerk must certify that no
14 parcel contained within the plat is divided by any political
15 subdivision or taxing district boundary.