

1 AN ACT concerning public libraries.

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

4 Section 5. The Counties Code is amended by changing
5 Sections 5-1041 and 5-1042 as follows:

6 (55 ILCS 5/5-1041) (from Ch. 34, par. 5-1041)

7 Sec. 5-1041. Maps, plats and subdivisions. A county
8 board may prescribe, by resolution or ordinance, reasonable
9 rules and regulations governing the location, width and
10 course of streets and highways and of floodplain, stormwater
11 and floodwater runoff channels and basins, and the provision
12 of necessary public grounds for schools, public libraries,
13 parks or playgrounds, in any map, plat or subdivision of any
14 block, lot or sub-lot or any part thereof or any piece or
15 parcel of land, not being within any city, village or
16 incorporated town. The rules and regulations may include
17 such reasonable requirements with respect to water supply and
18 sewage collection and treatment as may be established by the
19 Environmental Protection Agency, and such reasonable
20 requirements with respect to floodplain and stormwater
21 management as may be established by the County Stormwater
22 Management Committee established under Section 5-1062 of this
23 Code, and such reasonable requirements with respect to street
24 drainage and surfacing as may be established by the county
25 engineer or superintendent of highways and which by
26 resolution shall be deemed to be the minimum requirements in
27 the interest of the health, safety, education and convenience
28 of the public of the county; and may provide by resolution
29 that the map, plat or subdivision shall be submitted to the
30 county board or to some officer to be designated by the
31 county board for their or his approval. The county board

1 shall have a qualified engineer make an estimate of the
2 probable expenditures necessary to enable any person to
3 conform with the standards of construction established by the
4 board pursuant to the provisions of this Section. Except as
5 provided in Section 3 of the Public Construction Bond Act,
6 each person who seeks the county board's approval of a map,
7 plat or subdivision shall post a good and sufficient cash
8 bond, irrevocable letter of credit, surety bond, or other
9 adequate security with the county clerk, in a penal sum
10 sufficient to cover the estimate of expenditures made by the
11 estimating engineer. The cash bond, irrevocable letter of
12 credit, surety bond, or other adequate security shall be
13 conditioned upon faithful adherence to the rules and
14 regulations of the county board promulgated pursuant to the
15 authorization granted to it by this Section or by Section
16 5-1062 of this Code, and in such cases no such map, plat or
17 subdivision shall be entitled to record in the proper county
18 or have any validity until it has been so approved. If the
19 county board requires a cash bond, letter of credit, surety,
20 or any other method to cover the costs and expenses and to
21 insure completion of the requirements, the requirements shall
22 be subject to the provisions of Section 5-1123 of this Code.
23 This Section is subject to the provisions of Section 5-1123.

24 The county board may, by resolution, provide a schedule
25 of fees sufficient to reimburse the county for the costs
26 incurred in reviewing such maps, plats and subdivisions
27 submitted for approval to the county board. The fees
28 authorized by this Section are to be paid into the general
29 corporate fund of the county by the party desiring to have
30 the plat approved.

31 For purposes of implementing ordinances regarding
32 developer donations or impact fees and only for the purpose
33 of expenditures thereof, "public grounds for schools" is
34 defined as including land or site improvements, which include

1 school buildings or other infrastructure necessitated and
 2 specifically and uniquely attributable to the development or
 3 subdivision in question. This amendatory Act of the 93rd
 4 General Assembly applies to all impact fees or developer
 5 donations paid into a school district or held in a separate
 6 account or escrow fund by any school district or county for a
 7 school district.

8 For purposes of implementing ordinances regarding
 9 developer donations or impact fees and only for the purpose
 10 of expenditures thereof, "public libraries" is defined as
 11 including land or site improvements, including library
 12 buildings or other infrastructure necessitated by and
 13 specifically and uniquely attributable to the development or
 14 subdivision in question. This amendatory Act of the 93rd
 15 General Assembly applies to all impact fees or developer
 16 donations paid into a public library or library district or
 17 held in a separate account or escrow fund by any public
 18 library or library district or county for a public library or
 19 library district.

20 No officer designated by a county board for the approval
 21 of plats shall engage in the business of surveying, and no
 22 map, plat or subdivision shall be received for record or have
 23 any validity which has been prepared by or under the
 24 direction of such plat officer.

25 It is the intention of this amendatory Act of 1990 to
 26 repeal the language added to Section 25.09 of "An Act to
 27 revise the law in relation to counties", approved March 31,
 28 1874, by P.A. 86-614, Section 25.09 of that Act being the
 29 predecessor of this Section.

30 (Source: P.A. 92-479, eff. 1-1-02; 93-330, eff. 7-24-03.)

31 (55 ILCS 5/5-1042) (from Ch. 34, par. 5-1042)

32 Sec. 5-1042. Maps, plats and subdivisions in certain
 33 counties. In any county with a population not in excess of

1 500,000 located in the area served by the Northeastern
2 Illinois Metropolitan Planning Commission, a county board may
3 establish by ordinance or resolution of record reasonable
4 rules and regulations governing the location, width and
5 course of streets and highways, and the provision of public
6 grounds for schools, public libraries, parks or playgrounds,
7 in any map, plat or subdivision of any block, lot or sub-lot
8 or any part thereof or any piece or parcel of land in the
9 county, not being within any city, village or incorporated
10 town in the county which rules and regulations may include
11 such reasonable requirements with respect to water supply and
12 sewage collection and treatment, and such reasonable
13 requirements with respect to street drainage and surfacing,
14 as may be established by the county board as minimum
15 requirements in the interest of the health, safety and
16 convenience of the public of the county; and may require by
17 ordinance or resolution of record that any map, plat or
18 subdivision shall be submitted to the county board or some
19 officer to be designated by the county board for its or his
20 approval in the manner provided in Section 5-1041, and to
21 require bonds and charge fees as provided in Section 5-1041.
22 This Section is subject to the provisions of Section 5-1123.

23 For purposes of implementing ordinances regarding
24 developer donations or impact fees and only for the purpose
25 of expenditures thereof, "public grounds for schools" is
26 defined as including land or site improvements, which include
27 school buildings or other infrastructure necessitated and
28 specifically and uniquely attributable to the development or
29 subdivision in question. This amendatory Act of the 93rd
30 General Assembly applies to all impact fees or developer
31 donations paid into a school district or held in a separate
32 account or escrow fund by any school district or county for a
33 school district.

34 For purposes of implementing ordinances regarding

1 developer donations or impact fees and only for the purpose
2 of expenditures thereof, "public libraries" is defined as
3 including land or site improvements, including library
4 buildings or other infrastructure necessitated by and
5 specifically and uniquely attributable to the development or
6 subdivision in question. This amendatory Act of the 93rd
7 General Assembly applies to all impact fees or developer
8 donations paid into a public library or library district or
9 held in a separate account or escrow fund by any public
10 library or library district or county for a public library or
11 library district.

12 (Source: P.A. 93-330, eff. 7-24-03.)

13 Section 10. The Illinois Municipal Code is amended by
14 changing Section 11-12-5 as follows:

15 (65 ILCS 5/11-12-5) (from Ch. 24, par. 11-12-5)

16 Sec. 11-12-5. Every plan commission and planning
17 department authorized by this division 12 has the following
18 powers and whenever in this division 12 the term plan
19 commission is used such term shall be deemed to include the
20 term planning department:

21 (1) To prepare and recommend to the corporate
22 authorities a comprehensive plan for the present and future
23 development or redevelopment of the municipality. Such plan
24 may be adopted in whole or in separate geographical or
25 functional parts, each of which, when adopted, shall be the
26 official comprehensive plan, or part thereof, of that
27 municipality. This plan may include reasonable requirements
28 with reference to streets, alleys, public grounds, and other
29 improvements hereinafter specified. The plan, as recommended
30 by the plan commission and as thereafter adopted in any
31 municipality in this state, may be made applicable, by the
32 terms thereof, to land situated within the corporate limits

1 and contiguous territory not more than one and one-half miles
2 beyond the corporate limits and not included in any
3 municipality. Such plan may be implemented by ordinances (a)
4 establishing reasonable standards of design for subdivisions
5 and for resubdivisions of unimproved land and of areas
6 subject to redevelopment in respect to public improvements as
7 herein defined; (b) establishing reasonable requirements
8 governing the location, width, course, and surfacing of
9 public streets and highways, alleys, ways for public service
10 facilities, curbs, gutters, sidewalks, street lights, parks,
11 playgrounds, school grounds, public libraries, size of lots
12 to be used for residential purposes, storm water drainage,
13 water supply and distribution, sanitary sewers, and sewage
14 collection and treatment; and (c) may designate land suitable
15 for annexation to the municipality and the recommended zoning
16 classification for such land upon annexation.

17 (2) To recommend changes, from time to time, in the
18 official comprehensive plan.

19 (3) To prepare and recommend to the corporate
20 authorities, from time to time, plans for specific
21 improvements in pursuance of the official comprehensive plan.

22 (4) To give aid to the municipal officials charged with
23 the direction of projects for improvements embraced within
24 the official plan, to further the making of these projects,
25 and, generally, to promote the realization of the official
26 comprehensive plan.

27 (5) To prepare and recommend to the corporate
28 authorities schemes for regulating or forbidding structures
29 or activities which may hinder access to solar energy
30 necessary for the proper functioning of solar energy systems,
31 as defined in Section 1.2 of The Comprehensive Solar Energy
32 Act of 1977, or to recommend changes in such schemes.

33 (6) To exercise such other powers germane to the powers
34 granted by this article as may be conferred by the corporate

1 authorities.

2 (7) For purposes of implementing ordinances regarding
3 developer donations or impact fees, and specifically for
4 expenditures thereof, "school grounds" is defined as
5 including land or site improvements, which include school
6 buildings or other infrastructure necessitated and
7 specifically and uniquely attributed to the development or
8 subdivision in question. This amendatory Act of the 93rd
9 General Assembly applies to all impact fees or developer
10 donations paid into a school district or held in a separate
11 account or escrow fund by any school district or municipality
12 for a school district.

13 (8) For purposes of implementing ordinances regarding
14 developer donations or impact fees and only for the purpose
15 of expenditures thereof, "public libraries" is defined as
16 including land or site improvements, including library
17 buildings or other infrastructure necessitated by and
18 specifically and uniquely attributable to the development or
19 subdivision in question. This amendatory Act of the 93rd
20 General Assembly applies to all impact fees or developer
21 donations paid into a public library or library district or
22 held in a separate account or escrow fund by any public
23 library or library district or municipality for a public
24 library or library district.

25 (Source: P.A. 93-330, eff. 7-24-03.)

26 Section 99. Effective date. This Act takes effect upon
27 becoming law.