**Section 3035.565 Public Library Site Selection**

a) The public library shall select the sites for all new projects.

b) Suitability for Development and Construction

1) The site should be free of physical structures, topographical features or subsurface physical conditions that would preclude necessary construction, present insurmountable obstacles to safety or normal utilization, shorten building life, cause excessive delays in project completion, or cause costs to exceed the funds available. "Necessary construction" shall include but not necessarily be limited to: buildings, utility lines, storm water disposal arrangements and paving.

2) The site shall not be subject to existing or foreseeable, harmful or disruptive environmental hazards and nuisances. These hazards and nuisances may include, but are not necessarily limited to: excessive dust, smoke, noise, odors, air pollutants, soil pollutants, floods, groundwater incursions, vibrations, explosions and electrical discharges. Site acquisition shall be subject to the Farmland Preservation Act [505 ILCS 75], Interagency Wetland Policy Act of 1989 [20 ILCS 830], Illinois State Agency Historic Resources Preservation Act [20 ILCS 3410], Archaeological and Paleontological Resources Protection Act [20 ILCS 3435], the Illinois Endangered Species Protection Act [520 ILCS 10], and the Environmental Protection Act [415 ILCS 58.15], as may be applicable.

c) Availability of Site

The public library shall have a period of 90 days from the time the State Librarian determines eligibility, as stipulated in Section 3035.520(c) and (d), to acquire title to the site, or rights of use and exclusion sufficient to carry out the purposes and programs of the public library. Extensions will be granted in those cases in which there is a reasonable expectation that the public library will be able to acquire the site within the period of the extension and the delay has been occasioned by a condition beyond the control of the public library, such as a delay in acquiring a title commitment.

d) Site Size and Configuration

The proposed site shall be in concurrence with the public library facility plan, as stipulated in Section 3035.520(b)(2)(A), (B) and (C), and contain usable space sufficient in size and of regular configuration so as to accommodate the library's on-site program, as well as to accommodate ancillary functions that are better served on-site than off-site, and pedestrian movement among different points on the site.

e) Utilities and Services

1) Water Supply

Water must be made available at the site in sufficient volume and delivery rates and of appropriate quality to serve the firefighting needs of the proposed public library, as well as to accommodate other forms of water consumption.

2) Sanitary Sewage Disposal

The location or character of the site must not prevent the disposal of sanitary sewage from the public library.

3) Storm Water Disposal

The location or character of the site must not prevent the disposal of storm water from the public library site.

4) Electric Power, Telephone, Gas

The site must present no obstacles to the provision of electric power, telephone services, and whatever gas service the public library may require at the point in the construction process when utility hook-ups are made.

5) Solid Waste Management Services

Solid waste management services must be available to the site.

(Source: Amended at 36 Ill. Reg. 12385, effective July 18, 2012)