

ORDINANCE NO. 2563

JUN 04 2007


City Clerk

AN ORDINANCE TO REQUIRE THAT CITY COUNCIL APPROVED PRELIMINARY SUBDIVISION PLATS AND SUBDIVISION INFRASTRUCTURE IMPROVEMENT PLANS BE PROVIDED TO PUBLIC UTILITY SERVICE PROVIDERS BY SUBDIVIDERS OF PROPERTY IN THE CITY OF COLUMBIA, ILLINOIS

WHEREAS, the City of Columbia, Illinois (the "City") provides the potable water service and the sanitary sewer service for the residents of the City and other public utility service providers provide the residents of the City with the other utility and telecommunication services provided to residents of the City, (including natural gas and electric service provided by AmerenIP, electric service provided by the Monroe County Electric Cooperative, telephone, internet and direct television service provided by Harrisonville Telephone Company and cable television service provided by Charter Communication Entertainment I, LLC);

WHEREAS, the City Council of the City has found and determined that it is necessary and appropriate and should be required that Subdividers of land in the City be required to provide to said public utility service providers, in addition to the City, copies of city council approved preliminary subdivision plats and infrastructure improvement plans so that said utility service providers will be advised of subdivision developments in the City as they are being authorized and approved by the city council and shall have an opportunity to make and enter into joint trenching agreements and to participate and cooperate in the subdivision development process; and,

WHEREAS, this Ordinance is enacted for the purpose of amending the City's Subdivision Code to adopt that requirement.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

Section 1. The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

Section 2. Section 34-3-5 of the City of Columbia, Illinois Subdivision Code is hereby changed and amended to read as follows:

"34-3-5 APPROVED PRELIMINARY PLAT FILED WITH CITY CLERK'S OFFICE AND PROVIDED TO PUBLIC UTILITY SERVICE PROVIDERS. A minimum of four (4) copies of the City Council approved preliminary plat (with the accompanying topographic and profile study that complies with the requirements of this Subdivision Code and the Illinois Plat Act), signed by the Mayor, shall be filed in the office of the City Clerk

and the City Clerk shall provide one copy to the City Attorney, one copy to the City Zoning Administrator and shall return one copy to the subdivider. The subdivider shall mail by certified mail, return receipt requested (which shall be deemed served when mailed if properly addressed with proper postage affixed) or shall have personally delivered to each public utility service provider supplying public utility services in the City (not to include telecommunication service providers) a minimum of one (1) copy of the City Council approved preliminary plat (with the accompanying topographic and profile study), and shall file with the City Clerk within twenty (20) days of the subdivider receiving from the City Clerk the approved preliminary plat signed by the mayor, proof of service of the approved preliminary plat on said public utility service providers. The improvement plans for a subdivision that requires preliminary plat approval shall not be approved by the City Council prior to the subdivider filing with the City Clerk the required proof of service of the preliminary plat on the public utility service providers.

Section 3. Section 34-3-12 of the City's Subdivision Code is hereby changed and amended to read as follows:

"34-3-12. **REVIEW BY CITY COUNCIL.** The City Council shall review the City Engineer's recommended action and approve, conditionally approve or deny in writing to the developer the improvement plans. If the action is one of conditional approval or denial, the City Engineer shall, in writing, as a guideline to the applicant, state the reasons therefore. If the City Council utilizes other denial or conditional approval matters, these also will be forwarded to the applicant in writing.

The subdivider shall mail by certified mail, return receipt requested, (which shall be deemed served when mailed if properly addressed with proper postage affixed) or shall personally deliver to each utility service provider supplying public utility services in the City (not to include telecommunication service providers) a minimum of one (1) copy of the City Council approved improvement plans within twenty (20) days after they are approved by the City Council and the subdivider receives notice of that approval from the City. The final subdivision plat for a subdivision that requires final subdivision plat approval shall not be approved by the City Council prior to the subdivider filing with the City Clerk the required proof of service of the improvement plans on the public utility service providers."

Section 4. All ordinances or parts of ordinances in conflict herewith, to the extent of such conflict, are hereby changed and amended to read in compliance with the requirements of this Ordinance and to the extent that same cannot be changed and amended to read in compliance herewith, to the extent of such conflict, are hereby repealed.

Section 5. This Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

Alderman Unnerstall moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Hejna, and the roll call vote was as follows:


YEAS: Aldermen Ebersohl, Agne, Niemietz, Unnerstall, Row, Hejna, Oberkfell and Stumpf.

NAYS: None.

ABSENT: Mayor Hutchinson.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 4th day of June, 2007.



EUGENE J. EBERSOHL, Mayor Pro-Tem

ATTEST:



WESLEY J. HOEFFKEN, City Clerk

(SEAL)