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**THE CITY OF ASSUMPTION**  
CHRISTIAN COUNTY, ILLINOIS

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ORDINANCE NO. 808

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**AN ORDINANCE AMENDING TITLE NINE OF THE ASSUMPTION CITY CODE  
PERTAINING TO RESIDENTIAL ADDITIONS AND SUBDIVISIONS**

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DEREK PAGE, Mayor  
JANET WALLER, City Clerk

ROSS WORKMAN  
GARY NELSEN  
SELENA REED  
KANDY SMITH  
TRAVIS SULLIVAN  
DONNY WALDEN  
City Aldermen

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PASSED BY THE CITY COUNCIL  
OF THE CITY OF ASSUMPTION, ILLINOIS  
ON THE 6 DAY OF DECEMBER 2023

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Published in pamphlet form by authority of the Mayor and Aldermen of the City of Assumption  
on December 7, 2023

Sorling Northrup – One North Old State Capitol Plaza, Suite 200, Springfield, IL 62701

**ORDINANCE NO. 808**

**AN ORDINANCE AMENDING TITLE NINE OF THE ASSUMPTION CITY CODE  
PERTAINING TO RESIDENTIAL ADDITIONS AND SUBDIVISIONS**

**WHEREAS**, the City of Assumption, Christian County, State of Illinois, (“City”) is a duly organized and existing city created and operating under the provisions of the Illinois Municipal Code and laws of the State of Illinois; and,

**WHEREAS**, the Village has recently amended its TIF District to include, among other tracts, a parcel of undeveloped property of approximately 12.8 acres that the City intends to develop into residential lots all as a part of the approved TIF Project (hereinafter the “Development Property”); and

**WHEREAS**, the City has annexed the Development Property into the City limits, and has taken many additional steps in the process of preparing to develop the Development Property as developer/subdivider; and

**WHEREAS**, 65 ILCS 5/11-13-14 provides that a municipality may amend its Building Code and Zoning ordinances provided that a hearing be held before the Village Planning and Zoning Commission with notice being published not more than 30 nor less than 15 days before the hearing; and,

**WHEREAS**, Title 10 of the City of Assumption City Code contains the description of zoning districts and of authorized and permitted uses within each zoning district applicable throughout the City, and Chapter 9, section 4 of the City Code supplements the Chapter 10 requirements with building and zoning requirements specific to new residential additions and subdivisions; and,

**WHEREAS**, the Mayor and City Council believe it is in the best interest of the City to purchase and develop the Development Property, and have determined that it is also in the best interest of the City to amend the City Code requirements for residential additions and subdivisions to clarify those provisions for the situation where, as with the Development Property, the City will or is acting as the developer/subdivider of the property; and

**WHEREAS**, a public hearing was noticed by publication in the Golden Prairie News on November 1 and November 8, 2023, and was duly held by the City of Assumption Zoning Board on November 20, 2023, and the Zoning Board considered the Zoning Ordinance changes set forth in this Ordinance; and,

**WHEREAS**, following the public meeting held on November 20, 2023, the Zoning Board made its recommendation to the City of Assumption City Council with respect to this proposed amendment to the City Code; and,

**WHEREAS**, the City Council and the City Mayor of the City of Assumption believe it is in the best interests of the City to amend the City Code pertaining to the requirements for residential additions and subdivisions as set forth in this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASSUMPTION, CHRISTIAN COUNTY, ILLINOIS**, as follows:

**Section 1.** The Recitals set forth above are hereby incorporated in this Ordinance as if fully set forth herein.

**Section 2.** Amendment to Title 9, Chapter 4, section 2 of the City Code. Title 9. Chapter 4, sections 2.A, 2.B and 2.D of the City of Assumption City Code is hereby amended as follows (added; ~~deleted~~):

- A. A plat must be filed with the city clerk and shall be accompanied by a filing fee of fifteen dollars (\$15.00); it shall include an annexation petition, if needed, as well as a proprietary certificate that shall recite all restrictive covenants, if any, and shall comply with the

Illinois statutes. Provided, however, that in the event the City is the developer/subdivider, the filing fee shall be waived.

B. The street and alley layout shall provide access to all lots and parcels of land within the subdivision, and where streets cross other streets, jogs shall not be created. The minimum right of way of local streets, marginal access streets or cul-de-sacs, shall be sixty feet (60'). All dead end streets must be made into cul-de-sacs. All cul-de-sacs shall terminate in circular rights of way with a minimum diameter of one hundred feet (100'), or other arrangement for the turning of all vehicles conveniently with the right of way. All streets rights of way shall be at least sixty feet (60') wide and roadway shall be rock based, graded, oiled and rocked, or shall be of concrete construction at the sole cost of the developer/subdivider ~~no cost to the city~~ to a minimum width of ~~thirty feet (30')~~ twenty-four feet (24') to be up to the specifications of the city. The subdivider shall provide the subdivision with standard city street signs at the intersection of all streets.

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D. All water mains, fire hydrants, sewers, and storm drainage with outlets, in an addition shall be installed at ~~no cost to the city~~ the sole cost of the developer/subdivider and shall comply with city requirements as well as state requirements for the protection of the public health and welfare. The subdivider shall provide the subdivision with an adequate storm water disposal system whenever curb and gutter is installed and whenever the natural surface drainage is inadequate. When the surface drainage is inadequate, easements for such surface drainage shall be provided. Deep open ditches for drainage are not permitted in the street, but where curb and gutter are not provided, a shallow swale with its low point at least three inches (3") below the elevation of the subgrade of the pavement may be permitted. In a subdivision where curbs and gutters are not provided, the subdivision shall furnish a concrete or corrugated iron pipe, at least ten inches (10") in diameter and fourteen feet (14') in length to be placed where required for each driveway to facilitate roadside drainage and to assure suitable entrances for private driveways that are proposed to intersect the roadway.

**Section 3.** In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

**Section 4.** All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of

action which shall have accrued to the City of Assumption prior to the effective date of this ordinance.


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

SO ORDAINED this 6 day of December 2023 at the City of Assumption, Christian County, Illinois.

(voting record to follow)

	YES	NO	ABSENT	PRESENT
WORKMAN	✓			
NELSEN		✓		
REED	✓			
SMITH	✓			
SULLIVAN	✓			
WALDEN	✓			
PAGE	—	—		
TOTAL	5	1		

**CITY OF ASSUMPTION**

  
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 DEREK PAGE, Mayor

Attest:

  
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 JANET WALLER, City Clerk